City of Melville

MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD ON

15 NOVEMBER 2011

AT 6.30PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

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MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON TUESDAY, 15 NOVEMBER 2011.

1. OFFICIAL OPENING

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

Affirmation of Civic Duty and Responsibility

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

2. PRESENT

His Worship the Mayor, Russell Aubrey

COUNCILLORS	WARD
Deputy Mayor Cr C Robartson	Bull Creek/Leeming
Cr R Willis	Bull Creek/Leeming
Cr N Pazolli, Cr P Reidy	Applecross/Mount Pleasant
Cr A Nicholson, Cr D Macphail	City
Cr J Barton, Cr S Taylor-Rees	Bicton/Attadale
Cr B Kinnell, Cr Hill	Palmyra/Melville/Willagee
Cr N Foxton, Cr M Reynolds	University

3. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development
Mr S Cope	Director Urban Planning
Mr J Christie	Director Technical Services
Mr L Hitchcock	Executive Manager Legal Services
Mr P Prendergast	Manager Planning & Development Services
Mr T Cahoon (Until 7.51pm)	Manager Health & Lifestyle Services
Mr B Taylor	Manager Information, Technology & Support
Mr J Clark	Governance & Compliance Program Manager
Ms D Beilby	Minute Secretary

At the commencement of the meeting there were 15 members of the public and two members from the Press in the Public Gallery.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Nil.

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS

5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.

Nil.

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

Nil.

6. QUESTION TIME

6.1 Mr R Willis, Bull Creek

At the Ordinary Meeting of Council held on 11 October 2011, Mr Willis submitted questions relating to the Bull Creek Reserve Wetlands and the Draft Community Annual Report 2010/2011. At that meeting these questions were taken on notice. A response was provided in writing to Mr Willis from the Chief Executive Officer and the details contained in that response are recorded below.

Question 1

The City of Melville is responsible for the Bull Creek Reserve Wetlands. On Monday 3 October 2011 the shared path on Bull Creek Reserve was closed without notice or reason.

Could you please advise whether the City of Melville approved the contractor of the Education Department to close the path?

Response

The City of Melville did not provide any approval for the Department of Education to close the multi-use path situated between Rossmoyne High School and the park.

Question 2

What action is proposed by the City to open and provide temporary access?

Response

The section of path closed is on Department of Education land. The builders have stated that temporary access was not possible as the construction was considered hazardous to the public. They will be relocating the path once their work is completed. Parks and Environment have been informed that the closure would be approximately two weeks while a retaining wall was constructed and then the path would be rebuilt on the new alignment following the Department of Education works.

Question 3

As this is a Bush Forever site has the Department of Environment and Conservation been advised and approval obtained to carry out works on the path/reserve?

Response

This work is occurring on Department of Education Land. A building application and approvals were provided approximately two years ago by the City of Melville. The realignment of the path back onto the City of Melville vested park does not require any approvals as no native vegetation is being removed.

6. QUESTION TIME (Continued)

6.1 Mr R Willis, Bull Creek (Continued)

Question 4

Community Annual Report 2010/2011 V40 Draft
Could you please advise – If "as at 30 June 2010" (P10 heading) is correct?

Response

The City sources it's statistical data for this section of the annual report from a program call Profile id, who are specialists in demographic and economic profiling and forecasting, and June 2010 was the most recent update to this program and therefore the most up-to-date statistical data of the City.

Question 5

The gross domestic waste collected and the amount and percentage diverted from landfill for recycle/re use?

Response

The gross domestic waste collected is as follows for the 2010/2011 financial year

- City of Melville MSW - 30,828 (t)
- City of Melville MSW diverted from Landfill – 100%
- MSW Residual Waste (after processing at WCF) to Landfill is 45% of waste processing
- City of Melville GWF - 4,467 (t)

- City of Melville GWF diverted from Landfill 100%
- City of Melville Recyclables, 10,925 (t)
- City of Melville Recyclables diverted from Landfill 100%
- Recyclables Residual Waste to Landfill – 11%
- City of Melville Bulk Verge Junk and White Goods – 2,275 (t)
- Junk and White Goods – diverted form Landfill 8%

(MSW – Municipal Solid Waste - Green Bin)
(WCF _ Waste Composting Facility)
(GWF – Green Waste Facility)

6. QUESTION TIME (Continued)

6.1 Mr R Willis, Bull Creek (Continued)

Question 6

How much of the 2010/2011 Capital Works Program totalling $31.6122 million has not been spent in 2010/2011 and why they have not been spent?

Response

Of the total Organisational Capital Works Programme of $31.61M an amount of $11.50M was not spent. The breakdown of this amount and details of the most significant items are detailed below.

Works in Progress	$7,813,675
Carry Forwards	$4,699,451
Revenue Delayed	-$1,013,920
Net Total	$11,499,206

Operations

An amount of $1.9M was carried forward in Road Resurfacing as a result of contractor availability and delays due to inclement weather. These works are now complete.

An amount of $1.3M was carried forward in Civil Construction as a result of contractor availability and delays due to inclement weather. These works are now complete.

The amount of $1M was carried forward for Civil Maintenance as a result of inclement weather and delays in detailed design drawings being completed on schedule.

An amount of $743,000 was carried forward for Fleet due to tendering delays in Heavy plant and the reassessment of the fleet renewal programme.

Asset Management

The most significant component was the Melville Aquatic Fitness Centre Refurbishment. $4.6 million of the total $5.055 budget was carried forward as works in progress. This was due to a delay in tender development because of the complexity of including the water playground. Ground works on the 12 month project commenced in April 2011.

$124,021 from the Kadidjiny Park Hall refurbishment was also carried forward as works in progress although this is 100% funded by the Federal Government under the RLCIP program and is a calendar year project. The terms of the funding is that all funds are provided up front.

6. QUESTION TIME (Continued)

6.1 Mr R Willis, Bull Creek (Continued)

$274,710 from the Leeming Recreation Centre Redevelopment was carried forward for repairs to the roof. Minor repairs were undertaken in 2010/2011 and a part of the roof will be replaced in 2011/2012.

Other minor items were also unspent but were predominantly works in progress.

Parks and Environment

$389,481 Melville Beach foreshore - Delayed due to the uncertainty in the contractor pricing for the treatment/mitigation of the Acid Sulphate Soil (ASS) component. This required separate assessment to be conducted to determine extent of ASS.

$96,820 Point Walter Foreshore - Delays with tender process resulted in awarding contract in March 2011. Further delays experienced with materials selection meant that this was a works in progress project as at the end of the 2010/11 financial year.

$73,000 Bicton Quarantine - Start delayed due to problem sourcing suitable contractors willing to take on this project.

$100,000 Heathcote retaining wall - Due to popularity of site, limited room to work and difficulty accessing the steep slope with machinery, there has been a need for additional research into alternative materials for tender specifications and construction methods resulting in this project being carried forward.

$83,000 - Point Walter Wash down bay and chemical shed - Budget originally allocated to address risks identified by internal risk assessment through ISO14001 for the City's Impacts and Aspects Register relating to potential chemical pollution. Due to limited understanding of the legislative requirements in addressing this issue the decision was made late in the financial year to engage external consultant to review the risks and determine best approach to resolve risks. Further consultation with internal stakeholders to agree to scale of works resulted in this project being carried forward.

$80,000 Kadidjiny Park - This budget was allocated for an on-site maintenance shed. The original concept design supplied by architects was considered to be excessive in terms of cost and design and therefore a decision to re-design was made resulting in funds being carried forward.

6. QUESTION TIME (Continued)

6.2 Mr G Ryan, Bicton

Question 1

Why was the decision on the Melville water polo clubs liquor licence application put forward to December 2011?

Response

As advised in the letter sent to residents, that in light of the change in trading hours and the concerns raised by residents during the first submission period, the City endeavours to work with both the residents and the Melville Water Polo Club to review the extended liquor license trading hours application to facilitate an acceptable outcome for all stakeholders.

The review will take into consideration the feedback received on this matter from the recent survey (both supporting and non supporting).

It is therefore likely that a report to Council will be presented no earlier than December 2011. Stakeholders will continue to be consulted throughout this process.

7. AWARDS AND PRESENTATIONS

Customer Service Institute of Australia (CSIA) Awards

At the recent CSIA Awards held on 26 October 2011, the City of Melville won the Local Government Category State Level Award for the second time and the National Award for Service Excellence. Tracey Hirst – Business Improvement Coordinator, was awarded the WA Customer Service Professional of the year in recognition of the development of the City's Customer Service Policies, Processes and Systems.

His Worship the Mayor accepted the Local Government State Award and the National Award for Service Excellence and congratulated Ms Tracey Hirst on her achievement and presented her with the CSIA WA Customer Service Professional of the Year Award.

Local Government Managers Australia (LGMA)

His Worship the Mayor congratulated Mr Marten Tieleman who recently received the LGMA Certificate of Appreciation for 2011 in recognition of his professional contribution and service to Local Government over many years and commitment to the objects and ethics of Local Government Managers Australia.

8. CONFIRMATION OF MINUTES

8.1 ORDINARY MEETING OF COUNCIL – 11 OCTOBER 2011
Min_11_October_2011

COUNCIL RESOLUTION

At 6.39pm Cr Robartson moved, seconded Cr Kinnell -

That the Minutes of the Ordinary Meeting of Council held on Tuesday, 11 October 2011, be confirmed as a true and accurate record.

At 6.39pm the Mayor submitted the motion, which was declared

CARRIED (13/0)

8.2 NOTES OF AGENDA BRIEFING FORUM – 1 NOVEMBER 2011
Notes_1_November_2011

COUNCIL RESOLUTION

At 6.39pm Cr Foxton moved, seconded Cr Kinnell -

That the Notes of Agenda Briefing Forum held on Tuesday, 1 November 2011, be received.

At 6.39pm the Mayor submitted the motion, which was declared

CARRIED (13/0)

8.3 SPECIAL MEETING OF COUNCIL – 17 OCTOBER 2011
Min_17_October_2011

COUNCIL RESOLUTION

At 6.40pm Cr Hill moved, seconded Cr Robartson -

That the Minutes of the Special Meeting of Council held on Monday, 17 October 2011, be confirmed as a true and accurate record.

At 6.40pm the Mayor submitted the motion, which was declared

CARRIED (13/0)

8. CONFIRMATION OF MINUTES (Continued)

8.4 FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE (FMARC) – 14 NOVEMBER 2011

COUNCIL RESOLUTION

At 6.40pm Cr Willis moved, seconded Cr Macphail -

That the Minutes of the Financial Management, Audit, Risk & Compliance Committee Meeting held on Monday 14 November 2011 be noted.

NB:
Minutes to be confirmed at next Financial Management, Audit, Risk & Compliance Committee Meeting.

At 6.40pm the Mayor submitted the motion, which was declared

CARRIED (13/0)

ADVICE NOTE

Item C11/6044 City of Melville Community Annual Report and Annual Financial Statements for 2010-2011 was noted by the Committee and referred to the Council for adoption by Absolute Majority decision. This item is presented as a late item on this agenda.

9. DECLARATIONS OF INTEREST

9.1 FINANCIAL INTERESTS

- P11/3270 Cr C Robartson - Financial Interest in Accordance with the Act
- C11/5198 Cr Barton – Financial Interest in Accordance with the Act
- C11/5198 Cr Reynolds – Financial Interest in Accordance with the Act
- C11/5198 Cr Pazolli – Financial Interest in Accordance with the Act

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

- C11/5198 Cr R Hill – Interest Under Code of Conduct

10. APPLICATIONS FOR NEW LEAVES OF ABSENCE

- Cr J Barton
- Cr B Kinnell
- Cr E Nicholson
- Cr C Robartson

At 6.46pm Cr Reynolds moved, seconded Cr Willis -

That the applications for new leaves of absence submitted by Cr Barton, Cr Kinnell, Cr Nicholson and Cr Robartson on 15 November 2011 be granted.

At 6.46pm the Mayor submitted the motion which was declared

CARRIED (13/0)

11. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

12. PETITIONS

12.1 Petition – Paving of the Council Verge at 49 Leichhardt Street, Bull Creek

A petition signed by 14 residents was received by the City of Melville on Tuesday, 8 November 2011. The petition reads as follows -

"We, the undersigned, all being Electors of the City of Melville, do humbly pray that the unsightly paving that has replaced the lawns and trees at number 49 Leichhardt Street, Bull Creek be removed and the original covering on the verge restored."

COUNCIL RESOLUTION

At 6.48pm Cr Willis moved, seconded Cr Robartson -

That the petition bearing 14 signatures be acknowledged in writing to the lead petitioner with the advice that a report on this matter will be presented to the December 2011 meeting of the Council.

At 6.48 pm the Mayor submitted the motion, which was declared

CARRIED (13/0)

13. DEPUTATIONS

- D11/8041 Luciano Trebse – Resident of Chester Way, Winthrop

14. REPORTS OF THE CHIEF EXECUTIVE OFFICER

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

At 6.49pm His Worship the Mayor requested that Item D11/8041 be brought forward for discussion.

At 6.49pm a deputation was heard from Mr Luciano Trebse – Resident of Chester Way, Winthrop. Following questions from Elected Members, Mr Trebse returned to the public gallery at 7.06pm.

Ward	:	All
Category	:	Operational
Subject Index	:	CSRFF
Customer Index	:	CSRFF
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	N/A
Works Programme	:	Not Applicable
Funding	:	$1,463,427
Responsible Officer	:	Renae Parks A/Community Recreation Coordinator

AUTHORITY / DISCRETION

		DEFINITION
☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	**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.***
☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
☐	Review	*when Council review decisions made by Officers.*
☐	Quasi-Judicial	*when 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.*

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- This report seeks Council approval, priority and ranking for three Standard and Forward Planning Grants as part of the annual Community Sport and Recreation Facility Fund facilitated by the Department of Sport and Recreation.

BACKGROUND

The purpose of the Community Sport and Recreation Facilities Fund (CSRFF) program is to provide Western Australian Government financial assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation.

The program aims to increase participation in sport and recreation, with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities.

Through CSRFF, the State Government invests $20 million annually towards the development of high-quality physical environments in which people can enjoy sport and recreation.

Priority will be given to projects that lead to facility sharing and rationalisation. Multi-purpose facilities reduce infrastructure required to meet similar needs and increase sustainability. Applicants must be either a Local Government Authority, not for profit sport, recreation or community organisation and incorporated under the WA Associations Incorporation Act 1987. Clubs must demonstrate equitable access to the public on a short-term and casual basis.

All applicants must liaise with their Local Government Authority regarding the planning and building approvals pertinent to their project. A requirement of the funding round is that the Local Government Authority has an opportunity to consider all relevant applications and to provide each application with a ranking and priority order for the City of Melville.

DETAIL

City of Melville - Floodlighting at Alan Edwards Reserve and Winthrop Park

The City of Melville engaged consultancy services to prepare a 20 year strategic plan for the potential future requirements of active reserves within the City. The objective of the study titled *Strategic Provisions of Active Reserves* is to assess the current and future active reserves needs for each of the current sports played within the City, and provides potential scenarios for better utilisation and distribution of clubs on the City's reserves and facilities. While the study is still being assessed by officers, it is clearly evident through the key findings that the City will need to take action in term of future development and management of flood lighting on active reserves.

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

Six of the City's 28 reserves do not have lighting for training purposes and a significant portion of the training lighting currently available only lights a section of the sporting field. Partial lighting of reserves results in excessive wear and tear in that area and does not allow the full reserve to be used to its full capacity.

In 2010 and 2011, the City of Melville needed to close two of its major reserves being Shirley Strickland and Len Shearer due to the unseasonal high temperatures, reduced rainfall and limitations on the water allocation to these reserves. Additionally, Len Shearer has suffered from extreme over use by growing clubs.

Having to relocate over 1600 participants through the closure of the reserves highlighted the lack of over flow grounds with flood lights for training. All of the City of Melville reserves that are floodlit are at capacity except John Connell Reserve which only has partial lighting. Introducing floodlighting at designated training grounds will provide additional flexibility when allocating use of grounds to clubs and provide additional options should reserves need to be closed in the future.

Good lighting allows clubs to maximise use of their facilities and playing surfaces through providing more opportunities to train and play, supporting year round activity and encouraging more people to participate.

As previously identified in the August 2011 Council Meeting through agenda item **D11/8040 - Community Sport and Recreation Facilities Funding – Small Grants** this is the second stage in the provision of additional flood lighting of active sporting reserves. While this stage is a significant step forward in alleviating the pressure on lights for training, it is likely that further support for floodlighting of more City of Melville Reserves may be required.

City of Melville - Synthetic Multi Sport Playing Fields

Background to synthetic surfaces

Synthetic sports surfaces have been in existence for several decades and are currently being used extensively for lawn bowls, tennis, hockey and cricket (wickets) in Australia. In the 1990's, "third generation" (3g) synthetic turf was developed that includes long pile turf surfaces with significant infill. The rationale behind the uptake of synthetic surfaces includes increased usage capacity, decreased water and maintenance requirements, greater tolerance of extreme weather, ability to be programmed for intensive use for subsequent income generation, significantly safer too play on than overused turf fields and improved uniformity of ball bounce/roll characteristics.

There are now multi purpose surfaces that are being termed 4th generation synthetic surfaces which are characterised by a decreasing level of infill being used in the synthetic turf. Additionally, the surfaces meet official requirements for Australian Rules Football and cricket. Soccer/hockey and soccer/rugby pitches have also been developed that meet relevant international standards. Multi-use functionality is highly sought after by schools and local government authorities who wish to maximise the use of their investment. The life expectancy of synthetic turf surface is 10 years and 30 years for a full replacement including the base.

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

Feasibility for Synthetic Surfaces

In July 2011, the City of Melville received a *Synthetic Sports Surfaces Feasibility Study*. The feasibility builds on the evidence collated through the *Strategic Provisions of Active Reserves study,* which highlights the active reserve capacity constraints the City will face from the predicted growth in population and uncertainty about future ground water allocations. It identifies the potential role that synthetic surfaces may have as a solution to these issues.

The Len Shearer Reserve is the location selected for the *Synthetic Sports Surfaces Feasibility Investigation* into synthetic surfaces as this reserve is significantly over utilised and has proven difficult for the City to maintain to an acceptable community standard. The overuse issues are compounded by the fact that the reserve has a limited water source which has been insufficient to maintain the surface in recent years. The City is now at a junction where a decision is required on what upgrades or changes are needed for the reserve to meet these challenges.

The study looked at three potential synthetic surface developments:

1. Multi-use synthetic courts for five a side soccer and similar activities
2. A synthetic athletics track and
3. A synthetic soccer field to the interior of the athletics track.

A copy of the **8041 Melville Synthetic Sports Surfaces Feasibility Study** forms part of the attachments for this Item.

From the analysis of this initial feasibility the opportunity to look at a large multi sport synthetic surface on the top field at Len Shearer reserve was identified.

City of Melville - Synthetic Multi Sport Playing Fields

The opportunity exists to replace the turf on the upper oval at Len Shearer Reserve with a multi use synthetic playing surface.

A copy of the **8041 Proposed Plan for Synthetic Multi Sport Playing Field** forms part of the attachments for this Item.

Three 90 metre x 50 metre multi use pitches can be hosted on the upper oval providing for a programmable space of 160 metres x 100 metres. This will provide the City with the ability to intensively program the space for subsequent income generation, keep the use of natural turf for competitions only and provide significant water savings at the site that may be used in areas that are not currently serviced or have water shortages.

A new synthetic multi sport surface would provide increased interest and improve the standard and availability of the reserve all year round. The primary advantage of installing a synthetic multi sport surface is that certain infrastructure can be shared including fencing, lighting, parking and pavilion facilities. It also allows for the sport of athletics to take place on the lower field at Len Shearer Reserve.

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

While a business case will be presented as part of the City of Melville 2012-2013 Budget process, initial investigations indicate an annual cost to the City of $19,000 (including maintenance and surface replacement less projected income but excluding initial capital outlay) and a water offset of 12,000KL.

Overall, the development of synthetic sports surfaces at Len Shearer Reserve is demonstrated to be a viable option for overcoming the lack of water and over use issues currently experienced and increasing the active reserve capacity of the City without the need to find space for additional sporting fields. Synthetic surfaces are a more cost effective use of the City's financial resources, a more efficient use of limited public open space, provide consistently high quality playing surfaces and provide greater protection for the City against potential future cuts to watering allocations.

There is an additional benefit with this synthetic surface project as it provides an opportunity for the City of Melville to apply for a development bonus, as part of the CSRFF funding round, the funding round may allow for grant funding of up to 50% of the total project costs. The City may be eligible if the project meets one or more of the following criteria:

- Location – regional, remote or growth areas.
- Co-location of sports facilities
- Sustainable initiatives – Water saving, energy reduction
- Increased participation – New users, increased participation for existing users, special interest groups' participation.

Blue Gum Park Tennis Club – Facility Upgrade

Currently the club has 22 courts consisting of eight synthetic and 14 grass courts. The Blue Gum Park Tennis Club has lodged an application to turn four of its 14 grass courts into synthetic playing surfaces. The application also consists of floodlighting the four resurfaced courts, associated fencing, drainage and site works.

Since Blue Gum Park Tennis Club's inception in 1974, the club has promoted a comprehensive junior tennis program and been committed to the development of grass-roots tennis, and the fast tracking of talented junior and adult tennis players.

The Blue Gum Park Tennis Club is recognised as a successful tennis club with a strong, growing membership base. The sports national governing body Tennis Australia has recently elevated Blue Gum Park Tennis Club to the status of a 'Regional' Tennis Centre.

The club offers a wide variety of tennis activities tailored to suit players of all levels. It has a very strong following for the organised weekend social tennis, elite adult teams (women and men) competing at the highest level of the West Australian State Tennis League, and a large representation of inter-club pennant teams. Professional coaching is also provided. The club consists of 22 courts, eight hard courts which are fully lit at night and available for court hire to the general public

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

The club is managed by a board where individual directors take responsibility actively specific portfolios under the umbrella of a five year business plan. This is the fourth year of the current five year plan. The club has a high awareness of environmental issues, particularly in regards to water usage. The need for this project has emerged form the club's difficulty with providing sufficient suitable facilities at all times and the lack of other options for expansion by the club's board.

The Blue Gum Park Tennis Club indicate that membership currently stands at 752 which includes playing and young coaching numbers of which the club advise as an estimate there would be 90% City of Melville residents.

PUBLIC CONSULTATION/COMMUNICATION

All three applications will be required to meet Planning and Building approvals. As part of this process the project will be advertised locally for public comment.

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

The floodlighting and synthetic sports surface project's are as a result form the *Strategic Provisions of Active Reserves Study* and are seen as a priority by the City of Melville to assist in providing quality facilities for community sport and recreation groups.

Officers have met with Football West and the presidents of the clubs currently based at Len Shearer. All parties see the benefit and the need for synthetic sports fields as a solution to current issues associated with overuse and availability of ground water.

The Blue Gum Park application was presented to its club membership at an Annual General Meeting held on 26 March 2011, with a Special General Meeting held on 18 June 2011 to further discuss the project. The vote was unanimous to proceed with the intended works.

All of the above applications have been discussed with the Department of Sport and Recreation.

STATUTORY AND LEGAL IMPLICATIONS

All three applications will be required to meet Planning and Building approvals. As part of this process, the project will be advertised locally for public comment.

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

FINANCIAL IMPLICATIONS

It is important to note that this item is to solely priority rank the projects as part of the CSRFF grant application process. It is intended that a further business case will be developed and presented as part of the City of Melville budget process for the approval and allocation of any funds to the floodlighting or synthetic multi-sports surface projects. Project funding can be phased over three financial years. It is proposed that the application for floodlighting at Alan Edwards and Winthrop Reserves would be completed over two financial years (2012/2013 and 2013/2014) and the synthetic multi-sports surface in the 2013/2014 financial year. If funding through the City of Melville 2012-2013 budget or forward works planning process is not successful, the application for CSRFF would be withdrawn.

In the case of the Blue Gum Park Tennis Club application, any request for a self supporting loan would be subject a future item to Council.

A copy of the **8041 Budget Proposal Multi-Field Synthetic Football Facility Construction from STI** forms part of the attachments for this Item.

City of Melville – Floodlighting of Alan Edwards and Winthrop Reserves

The costs of the floodlighting projects are:

Alan Edwards Reserve	$187,000
+ 6% Contingency	$ 11,000
Total	$198,000
Winthrop Park	$157,000
+ 6% Contingency	$ 9,500
Total	$166,500
Combined Total	$364,500

Assuming a 1/3rd contribution for the Community Sport and Recreation Facilities Funding the City of Melville would be required to fund $243,000

At both sites transformer upgrades are required costing $130,000 ($65,000 each). These upgrades are not part of the criteria for funding so the City of Melville would be required to meet the full cost of $130,000.

Potential cost to the City of Melville for floodlighting upgrades is **$373,000.**

City of Melville - Synthetic Multi-Sport Surface

The cost of the Synthetic Surface will be (ex GST):

Upper Oval Synthetic surface	$2,050,000
Project Management Fee 6%	$ 123,000
Total	$2,173,000

Should the project receive a 50% contribution for the Community Sport and Recreation Facilities Funding round (Development bonus) the City of Melville would be required to fund **$1,086,500**.

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

Blue Gum Park Tennis Club

The total cost of the developments at the Blue Gum Park Tennis Club is $485,500 broken down as follows:

Club cash	$180,000
City of Melville (proposed Self Supporting Loan)	$130,000
*Tennis Australia Grant	$ 8,000
City of Melville	$ 7,000
CSRFF Funding	$160,000
Total	$485,000

* The Tennis Australia Grant is yet to be applied for. The application process used by Tennis Australia restricts applicants to applying for grants three months prior to the tennis court installation. As this proposed project will be funded and completed in the 2012/2013 financial year, the club is unable to apply for this funding at this stage. However, after discussions with Tennis Australia and Tennis West, the club is confident that it will receive some level of funding from Tennis Australia as they are recognised as a Regional Tennis Centre by Tennis Australia and Tennis West. Tennis West has provided a letter of support for the development at Blue Gum Park Tennis Club.

In order to fund this project the Blue Gum Park Tennis Club will be requesting a self supporting loan of $130,000 from the City of Melville. This loan is subject to the club receiving funding support from the Department of Sport and Recreation Community Sporting and Recreation Facilities Funding. Should the project receive support there will be a separate agenda item presented for consideration at a future Meeting of Council.

In 2001 the Blue Gum Park Tennis Club entered into an $183,985 loan agreement (Loan 392) with the City of Melville and has fully repaid this loan as per schedule and without default.

The Blue Gum Park Tennis Club is classified as a Specialised Sporting venue. Because of this, they would be eligible to receive funding of $7,000 from the City of Melville should their application be approved.

All of the financials discussed in this report are exclusive of GST.

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Inability to water 2 major parks/reserves. Causes: Extended hot summer, dry winter. Consequences: Increased turf restoration costs, community unable to participate in sports, community outrage, need to relocate reserve/park activities to alternate sites.	Consequence Rating: Moderate Likelihood Rating: Likely Risk Rating: HIGH	Mitigations of reserves/park irrigation being handled by Parks & Environment. In the event of a reserve/park closure, community activities and groups relocated to alternate reserves/parks.
Inability to utilise alternate reserves. Causes: No lighting arrangements. Consequences: unable to relocate community activities and groups to reserves/parks; need to use portable lighting generators, community outrage.	Consequence Rating: Moderate Likelihood Rating: Likely Risk Rating: HIGH	There is an opportunity to extend the floodlight of a regional reserve for overspill purposes. Increasing the floodlighting at Alan Edwards Reserve and Winthrop Park will provide safer training/play conditions, allow for the wear and tear of the reserve to be more evenly spread and provide much needed additional floodlighting capacity in cases of reserve closure. Introduce a Floodlighting strategy.

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

If the risk of inability to water parks/reserves is realised and there is a need to use alternate reserves, there is an opportunity to provide a playing surface which can be utilised all year round by various user groups. Benefits: meets with water usage requirements, safer training/play surface, all year round usage, environmentally sustainable, available for all users.	Consequence Rating: Major Likelihood: Likely Risk Rating: OUTSTANDING	A study has been undertaken to address feasibility of multi-use synthetic playing field.
Blue Gum Park Tennis Club Is unable to provide playing surfaces that meet with community expectations or requirements. Causes: Grass courts currently used, tennis club funding restrictions. Consequence: community outrage, lack of membership, decrease in club reputation.	Consequence Rating: Minor Likelihood Rating: Likely Risk Rating: MODERATE	Investigating the feasibility of upgrading their facilities. In the event that the club receive DSR funding the club will apply for a SSL. The club record of repaying loans has been positive.

POLICY IMPLICATIONS

Environmental Policy CP-030 outlines the City of Melville's commitment to the protection and enhancement of biodiversity and the creation of a sustainable urban environment.

Should the Blue Gum Park Tennis Club receive funding from the Department of Sport and Recreation, it would also receive City of Melville funding as highlighted in the 25-PL-004 Support Sport Clubs Policy. Additionally, they will be seeking support for a self supporting loan to finance this project and the following policy will be affected.

Policy CP-010 Self Supporting Loans, states that *"Approval will only be considered where the club or organisation can adequately demonstrate, by provision of forward financial plans covering the life of the loan, a capacity to meet the loan repayment. The financial plans are to be certified by an independent Certified Practicing, Chartered or similarly qualified and experienced Accountant".*

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could consider to not supporting additional floodlighting at its reserves or the installation of synthetic multi-sport fields, however it could be faced with similar issues as recently experienced at the Winthrop Park. Having no alternative floodlit venues presents a risk for the City should future closure of reserves be required.

By providing multi purpose synthetic playing surfaces it will allow greater flexibility of use, increased intensity of use and provide additional income generation.

The Council could consider a higher ranking for the Blue Gum Park Tennis Club submission. While it is a worthy application it is not seen to have the same wide reaching benefits as the other submissions due to it been limited to only a single sport.

CONCLUSION

The recommendations in this report provide an opportunity to get additional floodlighting at two local reserves and provide multi use playing surfaces allowing for more flexibility in the way sporting groups are allocated grounds that are floodlit and under a high degree of use. Both these projects address a number of operational issues the City faces with changing environmental conditions and assist in meeting the challenges these issues bring.

The Blue Gum Park Tennis Club improvements will increase capacity in evenings and during the winter season. At the same time it will increase participation in a number of age groups and in particular players aged 55 and above.

While all three submissions provide great benefits to the community and are all worthy of support the greatest impact across a broad range of sports is the City of Melville – floodlighting of Alan Edwards and Winthrop Reserves. The City of Melville – Synthetic multi-sport fields at Len Shearer will equally have as much benefit but does require further investigation. The Blue Gum Park Tennis Club – Facility Upgrade will improve facilities for tennis in the City but is limited to this one sport.

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

OFFICER RECOMMENDATION (8041) **ABSOLUTE MAJORITY**

At 7.07pm Cr Foxton moved, seconded Cr Macphail -

1. **That the projects discussed in this report be prioritised and ranked as follows:**

   a. **City of Melville**
   Floodlighting at Alan Edwards Reserve and Winthrop Park – Estimated Total Project Cost of $494,500

      i. **Project Ranking** **1**
      ii. **Project Priority** **A**

   b. **City of Melville**
   Installation of a multi use synthetic playing surface on the upper field at Len Shearer Reserve - Estimated Total Project Cost of $2,173,000

      i. **Project Ranking** **2**
      ii. **Project Priority** **B**

   c. **Blue Gum Park Tennis Club - Estimated Total Project Cost of $485,000**

      Installation of four synthetic tennis courts with floodlighting and associated works

      i. **Project Ranking** **3**
      ii. **Project Priority** **C**

Amendment 1

At 7.07pm Cr Foxton moved, seconded Cr Macphail -

That in Clause 1(a)(ii), (b)(ii), and (c)(ii), the text "A", "B" or "C" be deleted and replaced with "Project Priority High".

At 7.08pm the Mayor submitted the amendment, which was declared

CARRIED BY ABSOLUTE MAJORITY (13/0)

Reasons for Amendment

A typographical error has occurred and the wording for the "Project Priority'" is required to replace "A" "B" "C" to reflect the Department of Sport and Recreation's requirements

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

Amendment 2

At 7.10pm Cr Nicholson moved, seconded Cr Pazolli –

That the Officer Recommendation be amended to bring Part c – Blue Gum Tennis Club to Priority 1 Ranking as follows and recommit Parts a and b to a future meeting of Council for consideration.

c. Blue Gum Park Tennis Club - Estimated Total Project Cost of $485,000

Installation of four synthetic tennis courts with floodlighting and associated works

i. Project Ranking 1
ii. Project Priority High

At 7.37pm the Mayor submitted the amendment, which was declared **LOST (4/9)**

Cr Pazolli requested that the votes be recorded –
For: Cr Barton, Cr Nicholson, Cr Pazolli, Cr Taylor-Rees
Against: His Worship the Mayor, Cr Foxton, Cr Hill, Cr Kinnell, Cr Macphail, Cr Reidy, Cr Reynolds, Cr Robartson, Cr Willis

Amendment 3

At 7.39pm Cr Willis moved, seconded Cr Barton -

That the Officer Recommendation be amended as follows -

a. Blue Gum Park Tennis Club - Estimated Total Project Cost of $485,000

Installation of four synthetic tennis courts with floodlighting and associated works

i. Project Ranking 1
ii. Project Priority High

b. City of Melville
Floodlighting at Alan Edwards Reserve and Winthrop Park – Estimated Total Project Cost of $494,500

i. Project Ranking 2
ii. Project Priority High

c. City of Melville
Installation of a multi use synthetic playing surface on the upper field at Len Shearer Reserve - Estimated Total Project Cost of $2,173,000

i. Project Ranking 3
ii. Project Priority High

At 7.49pm the Mayor submitted the amendment, which was declared
CARRIED BY ABSOLUTE MAJORITY (11/2)

D11/8041 - COMMUNITY SPORT AND RECREATION FACILITIES FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC) (ATTACHMENT)

COUNCIL RESOLUTION (8041) **ABSOLUTE MAJORITY**

At 7.49pm the Mayor submitted the substantive motion as amended –

1. **That the projects discussed in this report be prioritised and ranked as follows:**

   a. ***Blue Gum Park Tennis Club - Estimated Total Project Cost of $485,000***

      Installation of four synthetic tennis courts with floodlighting and associated works

      i. ***Project Ranking*** ***1***
      ii. ***Project Priority*** ***High***

   b. ***City of Melville***
      Floodlighting at Alan Edwards Reserve and Winthrop Park – Estimated Total Project Cost of $494,500

      i. ***Project Ranking*** ***2***
      ii. ***Project Priority*** ***High***

   c. ***City of Melville***
      Installation of a multi use synthetic playing surface on the upper field at Len Shearer Reserve - Estimated Total Project Cost of $2,173,000

      i. ***Project Ranking*** ***3***
      ii. ***Project Priority*** ***High***

At 7.50pm the Mayor declared the motion **CARRIED BY ABSOLUTE MAJORITY (13/0)**

At 7.51pm the meeting reverted to the normal order of the Agenda.

At 7.51pm Mr T Cahoon left the meeting.

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

P11/3265 - THREE STOREY SINGLE HOUSE AT LOT 10 (20) BLACKWALL REACH PARADE, BICTON (SMREC) (CONFIDENTIAL ATTACHMENT)

Ward	Bicton/Attadale
Category	Operational
Application Number	DA-2011-481
Property	Lot 10 (20) Blackwall Reach Parade, Attadale
Proposal	Three storey single house
Applicant	Mr and Mrs Houthuysen
Owner	Mr and Mrs Houthuysen
Disclosure Of Any Interest	No Officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer	Peter Prendergast Manager Planning and Development Services
Previous Items	Not Applicable

AUTHORITY / DISCRETION

		DEFINITION
☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☐	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.*
☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
☐	Review	*when Council review decisions made by Officers.*
☒	**Quasi-Judicial**	***when 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.***

P11/3265 - THREE STOREY SINGLE HOUSE AT LOT 10 (20) BLACKWALL REACH PARADE, BICTON (SMREC) (CONFIDENTIAL ATTACHMENT)

KEY ISSUES / SUMMARY

- Development approval is sought for the construction of a three-storey Single House which is presented to Council for consideration and decision on the grounds that a height variation to Council Policy is proposed, the approval of which requires a Special majority decision of Council.
- The proposed development also includes a number of variations to the Acceptable Development requirements of the Residential Design Codes (R-Codes). However, these variations do not in themselves warrant consideration in the context of this report as despite consultation in accordance with R- Code and CPS5 requirements, no objections have been raised by occupiers of neighbouring residences to them. In addition, the variations in question can be accommodated in accordance with the relevant performance criteria, or dealt with by way of planning condition, and are accepted on that basis.
- The proposal is recommended for conditional approval.

P11/3265 - THREE STOREY SINGLE HOUSE AT LOT 10 (20) BLACKWALL REACH PARADE, BICTON (SMREC) (CONFIDENTIAL ATTACHMENT)

BACKGROUND

Scheme Provisions

MRS Zoning	:	Urban
CPS 5 Zoning	:	Living Area – BC4-Bicton
R-Code	:	R12.5/17.5
Use Class	:	Residential
Use Permissibility	:	P - permitted

Site Details

Lot Area	:	758sqm
Retention of Existing Vegetation	:	Not applicable
Street Tree(s)	:	Not applicable
Street Furniture (drainage pits etc)	:	Not applicable
Site Details	:	Refer to photo above

3265_20_Blackwall_Reach_Parade_Bicton

DETAIL

The proposal satisfies all of the relevant provisions contained within CPS5, the R-Codes and Council policy with the exception of those matters addressed below.

Development Requirements

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Building Height	9.0m (max)	10.60m (max)	Does not comply	Council	
Visual Privacy	Active habitable rooms (kichen and living rooms) setback 6.0m Balconies setback 7.5m	Kitchen window setback 5.4m from the southern boundary Living room window setback 3.5m from the southern boundary Second floor balcony setback 2m from the southern boundary	Does not comply	MPDS	
Fill within Front Setback	0.6m	2.94m	Does not comply	MPDS	

P11/3265 - THREE STOREY SINGLE HOUSE AT LOT 10 (20) BLACKWALL REACH PARADE, BICTON (SMREC) (CONFIDENTIAL ATTACHMENT)

Setbacks

Boundary Wall	Required	Proposed	Comments	Delegation to approve Variation	Plan Notation
Garage (eastern and southern boundaries)	No as of right boundary wall	0m	Does not comply	MPDS	
Setback of retaining walls along the southern boundary	1.1m	0m	Does not comply	MPDS	

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required: Yes
Neighbour's Comment Supplied: Two submissions received
Reason: Variations to R-Codes / CPS5
Support/Object: Support

Submission Received From	Summary of Submissions	Support / Objection	Officer's Comment	Action (Uphold / Not Uphold)
20A Blackwall Reach Parade	No objection to all variations sought.	No objection	Noted	Uphold
22 Blackwall Reach Parade	No objection to all variations sought.	No objection	Noted	Uphold

REFERRALS TO GOVERNMENT AGENCIES

Required: Yes
Reason: Abuts Swan River Trust Development Control Area
Support/Object: No objection – Conditional support

Agency	Summary of Submission	Support/ Objection	Officer's Comment	Action (Uphold / Not Uphold)
Swan River Trust	No objection subject to specific Swan River Trust conditions.	Support	Noted.	Condition

P11/3265 - THREE STOREY SINGLE HOUSE AT LOT 10 (20) BLACKWALL REACH PARADE, BICTON (SMREC) (CONFIDENTIAL ATTACHMENT)

STATUTORY AND LEGAL IMPLICATIONS

Should the City of Melville refuse the application for Planning Approval, the applicant will have the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act 2005*.

FINANCIAL IMPLICATIONS

There are no financial implications applicable.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no specific strategic, risk or environmental management implications applicable.

POLICY IMPLICATIONS

The proposal seeks to vary the building height provisions within Part 4 of CPS5 as guided by Council Policy CP-066: "Height of Buildings".

This policy outlines the approach to be taken to the measurement of height and sets out the applicable height limits for proposed developments with flat or concealed roofs, as well as those with more traditional roof constructions.

ALTERNATE OPTIONS & THEIR IMPLICATIONS

Approval of this proposal requires a Special Majority decision of the Council. The Council may refuse the application or recommend that the proposed development be modified to comply with the maximum heights provided for under CPS5 and Policy. However, in this instance, it is recommended that the proposal be approved as it is not considered to result in any significant adverse impact upon the amenity of occupiers of adjoining properties or the surrounding area, and as such, its endorsement will not prejudice the objectives of the Council's Building Heights policy.

COMMENTS

Building Height Variation

This application is referred to the Council for consideration and determination on the grounds that a variation to the maximum height provisions of CPS5 is proposed, the approval of which requires a Special Majority decision of Council.

Council Policy CP-066 "Height of Buildings" outlines the approach that is taken by the City to the measurement of building height. The Policy provides:

- guidance in respect of natural ground level, and
- sets out a differentiated approach to eave and wall height dependent on the style and design of the built form being proposed

P11/3265 - THREE STOREY SINGLE HOUSE AT LOT 10 (20) BLACKWALL REACH PARADE, BICTON (SMREC) (CONFIDENTIAL ATTACHMENT)

The overriding objective of the Policy is to provide guidance regarding building height controls with the purpose of ensuring that the height of buildings within a given locality is consistent with the desired character of that locality, in the interests of residential and visual amenity.

The Policy provides an explanation as to how the maximum height provisions of the various Precinct development areas across the City, as depicted by the provisions of CPS5, are interpreted.

To that end, where a building is proposed with a concealed, skillion or non-traditional pitched roof design, as is the case with the subject proposal, the maximum wall height for such developments is to be no more than 1.0m higher than the maximum eave height set out in CPS5 for the Precinct within which the development is proposed to be located.

In this case, the maximum height for buildings within the Bicton BC4 Precinct area is 8.0m to eave height. As such, and as the proposed development is designed to incorporate a concealed (or flat) roof design, the maximum permissible height under the provisions of Council Policy, is 9.0m.

In the subject case, a portion of the upper floor level of the proposed dwelling exceeds 9.0m in height, it being a maximum of 10.6m in height close to the proposed northern corner and 9.4m in height at the western corner.

The variations to the Council's maximum height provisions have been assessed in accordance with the objectives of the Council's Height of Buildings Policy, and an assessment has been made in respect of the extent to which, if any, the variation proposed will conflict with the desired character of the locality, and whether it will prejudice the levels of residential and/or visual amenity enjoyed by residents of the immediate local area.

It is concluded that the variation to building height in this case will not prejudice the desired character of the locality, nor will it prejudice the amenity of occupiers of neighbouring properties, as:

- The portion of the upper floor which exceeds 9m wall height is limited to a small area of approximately 75m².
- The portion of wall exceeding 9m in height in the northern corner is setback 4.4m from the north-eastern boundary, which itself abuts a 4.0m wide battle axe access leg. Consequently, the portion of the dwelling which exceeds 9.0m in height is located approximately 8.4m away from the adjoining dwelling, and as such, any proximity impacts are negated.
- The portion of wall exceeding 9.0m in height in the western corner is setback 3.4m from the southern boundary. This boundary also abuts an existing driveway on the adjoining site thereby minimising any adverse impact the over height wall will have at that point.
- The proposed dwelling is designed to replace the existing dwelling located on the lot, and the existing dwelling is also over height in the context of Council Policy.
- The re-development of the subject lot is complicated by the topography of the site which rises very steeply from west to east away from the Swan River foreshore.
- Views of the river from adjoining properties are not prejudiced by the increased building height.

P11/3265 - THREE STOREY SINGLE HOUSE AT LOT 10 (20) BLACKWALL REACH PARADE, BICTON (SMREC) (CONFIDENTIAL ATTACHMENT)

- No objections were raised by any of the adjoining neighbours in relation to the height variation sought.

In view of this, it is recommended that Council support the proposed building height variation.

Other Development Variations

The proposed development also includes a number of variations to the Acceptable Development requirements of the Residential Design Codes (R-Codes). However, as no objections were received in respect of them, and as they can be accommodated in accordance with the relevant performance criteria, or by condition, they are accepted on that basis.

Amenity

The proposed development has been assessed in accordance with the amenity provisions outlined by Clause 7.8 of CPS5, as well as those advocated by Council Policy CP-067 "Amenity".

It is concluded that the details of the proposal are acceptable in this context, notwithstanding the building height variation sought.

CONCLUSION

It is considered that the proposed development, subject to the imposition of appropriate conditions, satisfies the provisions and requirements of CPS5, Council Policy, and the R-Codes. On that basis, it is recommended that the conditional approval be granted.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION (3265)

SPECIAL MAJORITY APPROVAL

At 7.51pm Cr Barton moved, seconded Cr Robartson -

A) That the application for a Three-Storey Single House at Lot 10 (20) Blackwall Reach Parade, Bicton be approved by a Special Majority decision of Council subject to the following conditions:

SPECIAL CONDITIONS:

1. **Prior to the initial occupation of the dwelling hereby approved, the development must be connected to the reticulated sewerage system.**

2. **All stormwater drainage must be contained onsite.**

3. **All wastewater/backwash from the swimming pool must be contained on site.**

P11/3265 - THREE STOREY SINGLE HOUSE AT LOT 10 (20) BLACKWALL REACH PARADE, BICTON (SMREC) (CONFIDENTIAL ATTACHMENT)

4. **Prior to initial occupation, the southeast orientated window into the Living Room (as marked in RED on the approved plans) must have installed fixed obscure screening to a minimum height of 1.65 metres above the finished floor level, or any other screening alternative that complies with the purpose and intent of Clause 6.8.1 (A1) of the Residential Design Codes. The screening measures must thereafter be retained in perpetuity to the ongoing satisfaction of the Manager Planning and Development Services.**
5. **Prior to the initial occupation, the southeast elevation and a 4.5m portion of the southern elevation of the balcony (as marked in RED on the approved plans) must have installed fixed obscure screening to a minimum height of 1.65 metres above the finished floor level, or any other screening alternative that complies with the purpose and intent of Clause 6.8.1 (A1) of the Residential Design Codes. The screening measures must thereafter be retained in perpetuity to the ongoing satisfaction of the Manager Planning and Development Services.**

STANDARD CONDITIONS:

6. **Prior to first occupation, all unused crossover(s) are to be removed and the kerbing and road verge reinstated at the owners full cost. All work undertaken to be to the satisfaction of the Manager Planning and Development Services.**

7. **In accordance with the provisions of Council Policy "Highly Reflective Roofing Materials", the materials proposed for use on the development hereby approved must not be highly reflective. The use of Zincalume, white or surfmist coloured metal roofing may only be permitted through the grant of a separate planning approval.**

8. **The external face of the parapet walls and retaining walls are to be finished to the satisfaction of the adjoining neighbour or, in the event of a dispute to be finished to the satisfaction of the Manager Planning and Development Services.**

ADVICE NOTES:

1. **The applicant is advised that it is an offence under the Swan and Canning Rivers Management Regulations 2007 to destroy, pull up, cut back or injure any tree, shrub, aquatic plant or other perennial plant that is in the Riverpark or the Swan River Trust Development Control Area, except with the approval of the Swan River Trust.**

2. **During excavations all necessary precautions shall be taken to prevent damage or collapse of any adjoining properties (driveways, garden beds, walls, etc), streets or right-of-ways. It is the responsibility of the builder/owner to liaise with adjoining and adjacent property owners prior to carrying out work.**

P11/3265 - THREE STOREY SINGLE HOUSE AT LOT 10 (20) BLACKWALL REACH PARADE, BICTON (SMREC) (CONFIDENTIAL ATTACHMENT)

B) That persons who submitted on the application be notified in writing of A) above.

At 7.51pm the Mayor submitted the motion, which was declared

CARRIED BY SPECIAL MAJORITY (13/0)

P11/3266 - CONSTRUCTION OF A THREE STOREY DWELLING AT 31 THE ESPLANADE, MOUNT PLEASANT (SMREC) (CONFIDENTIAL ATTACHMENT)

Ward	:	Applecross/Mt Pleasant
Category	:	Operational
Application Number	:	DA-2011-542
Property	:	31 The Esplanade, Mount Pleasant
Proposal	:	Three Storey Single Dwelling
Applicant	:	Webb Brown-Neaves Pty Ltd
Owner	:	Mr & Ms Tunnercliffe
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Not Applicable
Responsible Officer	:	Peter Prendergast Manager Planning and Development Services

AUTHORITY / DISCRETION

		DEFINITION
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☐	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.*
☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
☐	Review	*when Council review decisions made by Officers.*
☒	**Quasi-Judicial**	***when 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.***

P11/3266 - CONSTRUCTION OF A THREE STOREY DWELLING AT 31 THE ESPLANADE, MOUNT PLEASANT (SMREC) (CONFIDENTIAL ATTACHMENT)

KEY ISSUES / SUMMARY

- Development approval is sought for the construction of a three-storey Single House which is presented to Council for consideration and decision on the grounds that a height variation to Council Policy CP- 066 "Height of Buildings" is proposed, the approval of which requires a Special Majority decision of Council.
- The proposal is recommended for conditional approval

P11/3266 - CONSTRUCTION OF A THREE STOREY DWELLING AT 31 THE ESPLANADE, MOUNT PLEASANT (SMREC) (CONDFIDENTIAL ATTACHMENT)

BACKGROUND

On 30 March 2011, the Western Australian Planning Commission granted approval for a two lot subdivision of the subject site. New titles have yet to be issued for the subdivision. The subject application relates to the development of the proposed Lot 2 which is the northern lot.

Scheme Provisions

MRS Zoning	:	Urban
CPS 5 Zoning	:	Living Area
R-Code	:	17.5
Use Type	:	Residential
Use Class	:	P – Permitted

Site Details

Lot Area	:	1326.12sqm
Retention of Existing Vegetation	:	Not Applicable
Street Tree(s)	:	Not Applicable
Street Furniture (drainage pits etc)	:	Not Applicable
Site Details	:	Refer to Photo Above

3266_Site_and_Elevation_Plans_31_The_Esplanade_Mt_Pleasant

DETAIL

Development Requirements

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Building Height	9.0m (max)	9.6m (max)	Does not comply	Council	

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required:	No
Neighbour's Comment Supplied:	Not applicable
Reason:	Height variation is considered minor
Support/Object:	Not applicable

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

Required:	Yes
Reason:	Abuts Swan River Trust Development Control Area
Support/Object:	No objection – Conditional support

P11/3266 - CONSTRUCTION OF A THREE STOREY DWELLING AT 31 THE ESPLANADE, MOUNT PLEASANT (SMREC) (CONFIDENTIAL ATTACHMENT)

Agency	Summary of Submission	Support/ Objection	Officer's Comment	Action (Uphold / Not Uphold)
Swan River Trust	No objection subject to the imposition of standard conditions	Support	Noted.	Condition

STATUTORY AND LEGAL IMPLICATIONS

Should Council refuse the application for Planning Approval, the applicant will have the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act 2005*.

FINANCIAL IMPLICATIONS

There are no financial implications applicable.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no strategic, risk or environmental management implications applicable.

POLICY IMPLICATIONS

The proposal seeks to vary the building height provisions within Part 4 of CPS5 as guided by Council Policy CP-066: Height of Buildings.

This policy outlines the approach to be taken to the measurement of height and sets out the applicable height limits for proposed developments with flat or concealed roofs, as well as those with more traditional roof constructions.

ALTERNATE OPTIONS & THEIR IMPLICATIONS

Approval of this proposal requires a Special Majority decision of the Council. Council may refuse the application or recommend that the proposed development be modified to comply with the maximum heights provided for under CPS5 and Policy. However, in this instance, it is recommended that the proposal be approved as it is not considered to result in any significant adverse impact upon the amenity of occupiers of adjoining properties or the surrounding area, and as such its endorsement will not prejudice the objectives of the Council's Building Height policy.

P11/3266 - CONSTRUCTION OF A THREE STOREY DWELLING AT 31 THE ESPLANADE, MOUNT PLEASANT (SMREC) (CONFIDENTIAL ATTACHMENT)

COMMENTS

Building Height Variation

This application is referred to the Council for consideration and determination on the grounds that a variation to the maximum height provisions of CPS5 is proposed, the approval of which requires a Special Majority decision of Council.

Council Policy CP-066 "Height of Buildings" outlines the approach that is taken by the City to the measurement of building height. The Policy provides:

- guidance in respect of natural ground level, and
- sets out a differentiated approach to eave and wall height dependent on the style and design of the built form being proposed.

The overriding objective of the Policy is to provide guidance regarding building height controls with the purpose of ensuring that the height of buildings within a given locality is consistent with the desired character of that locality, in the interests of residential and visual amenity.

The Policy provides an explanation as to how the maximum height provisions of the various Precinct development areas across the City, as depicted by the provisions of CPS5, are interpreted.

To that end, where a building is proposed with a concealed, skillion or non-traditional pitched roof design, as is the case with the subject proposal, the maximum wall height for such developments is to be no more than 1.0m higher than the maximum eave height set out in CPS5 for the Precinct within which the development is proposed to be located.

In this case, the maximum height for buildings within the Mount Pleasant MP2 Precinct area is 8.0m to eave height. As such, and as the proposed development is designed to incorporate a concealed (or flat) roof design, the maximum permissible height under the provisions of Council Policy, is 9.0m, whereas in this case the maximum building height will be 9.6m.

The variations to the Council's maximum height provisions have been assessed in accordance with the objectives of the Council's Height of Buildings Policy, and an assessment has been made in respect of the extent to which, if any, the variation proposed will conflict with the desired character of the locality, and whether it will prejudice the levels of residential and/or visual amenity enjoyed by residents of the immediate local area.

It is concluded that the variation to building height in this case will not prejudice the desired character of the locality, nor will it prejudice the amenity of occupiers of neighbouring properties, as:

- The majority of the proposed development complies with the 9m building height limit. The over height portion relates only to the skillion roof component of the development and the remainder of the walls do not exceed 8.0m in height, in accordance with council requirements.

P11/3266 - CONSTRUCTION OF A THREE STOREY DWELLING AT 31 THE ESPLANADE, MOUNT PLEASANT (SMREC) (CONFIDENTIAL ATTACHMENT)

- The portion of the proposed dwelling which does exceed 9.0m in height is located within the centre of the proposed lot, approximately 7m away from the northern boundary and 23m away from the existing southern lot boundary (7m from the proposed southern boundary of Lot 2). This degree of separation means that adverse bulk impacts from the over height portion of wall, are avoided.
- Due to its location within the centre of the site, the proposed additional height will not result in any additional overshadowing on to the proposed Lot 1.
- The area of additional height will not impact upon any views of significance obtained from any adjoining properties.

In view of this, it is recommended that Council support the proposed building height variation.

Amenity

The proposed development has been assessed in accordance with the amenity provisions outlined by Clause 7.8 of CPS5, as well as those advocated by Council Policy CP-067 "Amenity".

It is concluded that the details of the proposal are acceptable in this context, notwithstanding the variations sought.

CONCLUSION

It is considered that the proposed development, subject to the imposition of appropriate conditions, satisfies the provisions and requirements of CPS5, Council Policy, and, the R-Codes. On that basis, it is recommended that conditional approval be granted.

OFFICER RECOMMENDATION (3266) **SPECIAL MAJORITY APPROVAL**

His Worship the Mayor called for a mover and seconder to the Officer Recommendation inclusive of the amendment.

At 7.51pm Cr Reidy moved, seconded Cr Pazolli -

That the application for a Three Storey Single Dwelling at Lot 9 (31) The Esplanade, Mount Pleasant be approved subject to the following conditions and advice notes:

SPECIAL CONDITIONS:

1. **Prior to the initial occupation of the dwelling hereby approved, the development must be connected to the reticulated sewerage system.**

2. **All stormwater drainage must be contained on site.**

P11/3266 - CONSTRUCTION OF A THREE STOREY DWELLING AT 31 THE ESPLANADE, MOUNT PLEASANT (SMREC) (CONFIDENTIAL ATTACHMENT)

3. **Prior to the initial occupation of the dwelling hereby approved, the western facing windows into Bed 1 and the Sitting Room must have installed fixed obscure screening to a minimum height of 1.65 metres above the finished floor level, or any other screening alternative that complies with the purpose and intent of Clause 6.8.1 (A1) of the Residential Design Codes. The screening measures must thereafter be retained in perpetuity to the ongoing satisfaction of the Manager Statutory Planning.**

STANDARD CONDITIONS:

4. **In accordance with the provisions of Council Policy "Highly Reflective Roofing Materials", the materials proposed for use on the development hereby approved must not be highly reflective. The use of Zincalume, white or surfmist coloured metal roofing may only be permitted through the grant of a separate planning approval.**

5. **Prior to first occupation, all unused crossover(s) are to be removed and the kerbing and road verge reinstated at the owners full cost. All work undertaken to be to the satisfaction of the Manager Planning and Development Services.**

ADVICE NOTES:

1. **The applicant is advised that it is an offence under the *Swan and Canning Rivers Management Regulations 2007* to destroy, pull up, cut back or injure any tree, shrub, aquatic plant or other perennial plant that is in the Riverpark or the Swan River Trust Development Control Area, except with the approval of the Swan River Trust.**

2. **The applicant is advised that the selected building materials and colour scheme for the development should be of a low reflective standard, and harmonise with the river environment.**

3. **The applicant is advised that the proposed development is located in an acid sulphate soil risk area, and it is therefore recommended that an acid sulphate soil site assessment be carried out prior to commencement of any ground disturbing activities, and if necessary, a management plan be prepared and implemented.**

Amendment

That Special Condition 3 of the Officer Recommendation be amended by replacing "Manager Statutory Planning" with "Manager Planning and Development Services".

At 7.52pm the Mayor submitted the amendment, which was declared

CARRIED (13/0)

P11/3266 - CONSTRUCTION OF A THREE STOREY DWELLING AT 31 THE ESPLANADE, MOUNT PLEASANT (SMREC) (CONFIDENTIAL ATTACHMENT)

Reasons for Amendment

To ensure the current position title of the Manager Planning and Development Services is reflected in all of the recommended conditions of approval.

COUNCIL RESOLUTION (3266) **SPECIAL MAJORITY APPROVAL**

At 7.52pm the Mayor submitted the substantive motion as amended –

That the application for a Three Storey Single Dwelling at Lot 9 (31) The Esplanade, Mount Pleasant be approved subject to the following conditions and advice notes:

SPECIAL CONDITIONS:

1. **Prior to the initial occupation of the dwelling hereby approved, the development must be connected to the reticulated sewerage system.**

2. **All stormwater drainage must be contained on site.**

3. **Prior to the initial occupation of the dwelling hereby approved, the western facing windows into Bed 1 and the Sitting Room must have installed fixed obscure screening to a minimum height of 1.65 metres above the finished floor level, or any other screening alternative that complies with the purpose and intent of Clause 6.8.1 (A1) of the Residential Design Codes. The screening measures must thereafter be retained in perpetuity to the ongoing satisfaction of the *Manager Planning and Development Services*.**

STANDARD CONDITIONS:

4. **In accordance with the provisions of Council Policy "Highly Reflective Roofing Materials", the materials proposed for use on the development hereby approved must not be highly reflective. The use of Zincalume, white or surfmist coloured metal roofing may only be permitted through the grant of a separate planning approval.**

5. **Prior to first occupation, all unused crossover(s) are to be removed and the kerbing and road verge reinstated at the owners full cost. All work undertaken to be to the satisfaction of the Manager Planning and Development Services.**

ADVICE NOTES:

1. **The applicant is advised that it is an offence under the *Swan and Canning Rivers Management Regulations 2007* to destroy, pull up, cut back or injure any tree, shrub, aquatic plant or other perennial plant that is in the Riverpark or the Swan River Trust Development Control Area, except with the approval of the Swan River Trust.**

P11/3266 - CONSTRUCTION OF A THREE STOREY DWELLING AT 31 THE ESPLANADE, MOUNT PLEASANT (SMREC) (CONFIDENTIAL ATTACHMENT)

2. **The applicant is advised that the selected building materials and colour scheme for the development should be of a low reflective standard, and harmonise with the river environment.**

3. **The applicant is advised that the proposed development is located in an acid sulphate soil risk area, and it is therefore recommended that an acid sulphate soil site assessment be carried out prior to commencement of any ground disturbing activities, and if necessary, a management plan be prepared and implemented.**

At 7.52pm the Mayor declared the motion **CARRIED (13/0)**

P11/3268 - CHANGE OF USE FROM 'OFFICE' TO 'SMALL BAR' AT LOT 1 (884) CANNING HIGHWAY, APPLECROSS (AMREC) (ATTACHMENT)

Ward	:	Applecross/Mt Pleasant
Category	:	Operational
Application Number	:	DA-2011-408
Property	:	Lot 1 (884) Canning Highway, Applecross WA 6153
Proposal	:	Change of Use from 'Office' to 'Small Bar'
Applicant	:	Private Horizons Planning Solutions
Owner	:	Madgwick Nominees Pty Ltd
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	None
Responsible Officer	:	Peter Prendergast Manager Planning and Development Services

AUTHORITY / DISCRETION

		DEFINITION
☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☐	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.*
☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
☐	Review	*when Council review decisions made by Officers.*
☒	**Quasi-Judicial**	***when 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.***

P11/3268 - CHANGE OF USE FROM 'OFFICE' TO 'SMALL BAR' AT LOT 1 (884) CANNING HIGHWAY, APPLECROSS (AMREC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- Development approval is sought for a change of use from 'Office' to 'Use Not Listed' (Small Bar).
- A Use Not Listed is a 'D' use within the 'District Centre' Precinct and as such is not permitted unless Council exercises discretion and grants approval.
- The application was advertised in accordance with Community Planning Scheme No. 5 (CPS5). No submissions were received in response.
- The subject lot contains four separate tenancies, which at present consist of Ross Hughes and Questos (being real estate 'office' uses), and Hans Café and Ditto Café (being 'café / restaurant' uses). This application specifically relates to the tenancy currently occupied by Questos.
- Whilst the proposed land use is considered appropriate in principle in land use terms, it does result in a shortfall in on-site car parking of 13.67 bays during evenings and weekends. Car parking complies during weekdays.
- The shortfall has been assessed in accordance with a performance approach, and it is concluded that it can be accepted in this case given the opportunities for informal reciprocal car parking, the proximity of the site to public car parking facilities, and the availability of high frequency public transport routes which exist immediately adjacent to the site.
- The proposal is recommended for conditional support. As a variation is sought to the Councils Car Parking requirements, approval of the proposed development requires an Absolute Majority decision of Council

P11/3268 - CHANGE OF USE FROM 'OFFICE' TO 'SMALL BAR' AT LOT 1 (884) CANNING HIGHWAY, APPLECROSS (AMREC) (ATTACHMENT)

BACKGROUND

Scheme Provisions

MRS Zoning	:	Urban
CPS 5 Zoning	:	District Centre
R-Code	:	Not Applicable
Use Type	:	Small Bar - 'Use Not Listed'
Use Class	:	'D' use not permitted unless Council exercises discretion and grants approval.

Site Details

Lot Area	:	1,011.78sqm
Retention of Existing Vegetation	:	Not Applicable
Street Tree(s)	:	Not Applicable
Street Furniture (drainage pits etc)	:	Not Applicable
Site Details	:	Refer to Photo Above

3268_Plans_Small_Bar_884_Canning_Highway_Applecross

DETAIL

The proposal satisfies the development requirements of CPS5 and Council policy with the exception of car parking.

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Car Parking (1 bay per 4 patrons plus 1 bay per staff member)	Evenings & weekends 50 seated / 50 standing, 4 staff Total 29 bays Weekdays 60 seated and standing, 2 staff Total 17 bays	Evenings & weekends 4.57 bays + 10.76 bays from 886 Canning Hwy Weekdays 6.1 bays + 23 bays from 888 Canning Hwy	Does not Comply Complies	Council	

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required:	Yes
Comments Supplied:	No submissions received.
Reason:	Use Not Listed is a 'D' use
Support/Object:	Not applicable

P11/3268 - CHANGE OF USE FROM 'OFFICE' TO 'SMALL BAR' AT LOT 1 (884) CANNING HIGHWAY, APPLECROSS (AMREC) (ATTACHMENT)

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

Required: Yes
Reason: Abuts Category 2 'Primary Regional Roads' Reservation
Support/Object: Conditional support

Agency	Summary of Submission	Support/ Objection	Officer's Comment	Action (Uphold / Not Uphold)
Main Roads WA (MRWA)	The proposed change of use is acceptable to Main Roads.	Support	Noted	Uphold
Department of Transport	The Department of Transport has no objection to the proposal provided the Local Government is to ensure that the number of car parking bays complies with their TPS requirements	Support	Noted	Uphold

STATUTORY AND LEGAL IMPLICATIONS

Should the Council refuse the application for Planning Approval, the applicant will have the right to have the decision reviewed in accordance with Part 14 of the *Planning and Development Act 2005*.

FINANCIAL IMPLICATIONS

There are no financial implications for Council to consider as part of this application.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Canning Bridge Precinct Vision

The Canning Bridge Precinct Vision seeks to provide a future plan for the Canning Bridge locality (which the subject site is located within), to revitalise the area. The vision states:

> *The Canning Bridge precinct will evolve to become a unique, vibrant, creative community centred on the integrated transport node of the Canning Bridge rail station. The precinct will be recognised by its unique location, its integrated mix of office, retail, residential, recreational and cultural uses that create areas of excitement, the promotion of its local heritage and as a pedestrian friendly enclave that integrates with the regional transport networks while enhancing the natural attractions of the Swan and Canning Rivers.*

P11/3268 - CHANGE OF USE FROM 'OFFICE' TO 'SMALL BAR' AT LOT 1 (884) CANNING HIGHWAY, APPLECROSS (AMREC) (ATTACHMENT)

The proposal is considered to be entirely consistent with the above vision statement in that it will provide vibrancy and expand the range of land uses within the area. The operation of a Small Bar within the area is entirely consistent with the approach advocated by the Canning Bridge Precinct Vision document to encourage and promote the vitality of the Canning Bridge Precinct area.

POLICY IMPLICATIONS

Policy CP-079 – Car Parking (Non-Residential)

Policy CP-079 – Car Parking (Non-Residential), which exists to control the provision of non-residential car parking throughout the City of Melville, is of relevance in the consideration of this proposal.

ALTERNATE OPTIONS & THEIR IMPLICATIONS

Approval of this proposal requires an Absolute Majority decision of the Council. Council may refuse the application or recommend that the number of patrons be reduced. However, in this instance, it is recommended that the proposal be approved on the grounds that it will have a positive impact for the local area.

COMMENTS

The bar is proposed to operate as follows:

Monday to Thursday	12noon to 11pm
Friday to Saturday	12noon to 12am
Sunday	12noon to 10pm

The numbers of patrons proposed are 50 seated and 50 standing patrons during weeknights and weekends, and 60 patrons in total on weekdays.

Land Use

The subject site is located within the 'District Centre' Precinct. Under the provisions of CPS5, a 'Small Bar' is a 'Use Not Listed' which is classed as a 'D' use. A 'D' use means the use is not permitted unless Council exercises discretion and grants approval.

P11/3268 - CHANGE OF USE FROM 'OFFICE' TO 'SMALL BAR' AT LOT 1 (884) CANNING HIGHWAY, APPLECROSS (AMREC) (ATTACHMENT)

A Small Bar is this location is considered to be entirely consistent with the intent of the 'District Centre' Precinct which is outlined as follows:

> *Primarily retail shopping, tourist facilities, motel/hotel, offices, and licensed premises, with residential use encouraged. Access to the car parking areas on Lots 1, 2 and 3 Canning Highway and Lot 6 Sleat Road over Lot 5 Sleat Road, shall be maintained at all times. The Council may prepare urban design guidelines for the precinct.*(emphasis added)

It is noted that the subject site is surrounded by established commerical land uses including a number of other licenced restaurants (i.e. Thai Corner, Clancy's Fish Pub, Beethoven German European Cuisine). A small bar will be a complementary addition to these existing venues. The use is also consistent with future direction for the Canning Bridge Precinct as outlined within the Canning Bridge Precinct Vision.

Car Parking

As stated, the proposed bar will operate with 50 seated and 50 standing patrons with four staff on weeknights and weekends, and a total of 60 patrons with 2 staff on weekdays.

In this way, and with the benefit of an informal reciprocal car parking arrangement with 886 and 888 Canning Highway, the use can be seen to satisfy the City's car parking requirements during the daytime trading period.

With regard to the operation of the Small Bar during weeknights and weekends, the bar would operate with a shortfall of 13.67 bays once the existing reciprocal car parking agreement with 886 and 888 Canning Highway is taken into consideration. Notwithstanding this shortfall, the small bar proposal is supported in this location, for the following reasons:

- The bar will be located within a 'District Centre' Precinct which contains a number of uses which are complementary to the proposed Small Bar use. As such, it is considered that patrons of the Small Bar will also utilise other venues within the area and vice versa, thereby reducing the actual demand for parking bays;

- Within 200m of the subject site, there are 126 public car parking bays (marked bays within the road reserve and in paid parking stations). Council Rangers have confirmed that the use of this on street car parking takes place without issue, and the use of it by patrons of the facility in question is similarly accepted ;

- There are over 100 bays available on 43 Kishorn Road, 4 Sleat Road and 47 Kishorn Road. These sites are all located immediately adjacent to the complex within which the proposed small bar will be located. They all presently contain businesses which have limited or no trading on weekends and evenings, at which time their vacant car parking provision could be put to good use; and..

- The subject site is located within 50m of a high frequency bus stop and approximately 950m of the Canning Bridge train station. This portion of Canning Highway is highly serviced, perhaps more so than any other location in Perth, with ease of access to public transport clearly evident.

P11/3268 - CHANGE OF USE FROM 'OFFICE' TO 'SMALL BAR' AT LOT 1 (884) CANNING HIGHWAY, APPLECROSS (AMREC) (ATTACHMENT)

Access Arrangements

Vehicle access to the site is via the existing arrangement off Sleat Road. The intersection of Canning Highway and Sleat Road is signalised thus promoting free flowing traffic movements, and accomodating safe vehicle access and egress from the subject site. In addition, the proposed development has been the subject of consultation with both Main Roads WA and the Department of Transport, neither of whom raise objection to the proposal. As such, the proposed development is supported on that basis.

Amenity

The proposed development has been assessed in accordance with the amenity provisions of Clause 7.8 of CPS5 and those of policy CP-067 'Amenity'. It is concluded that the proposed change of use will enhance, rather than detract from amenity levels, and the proposed development is supported on that basis.

CONCLUSION

The adoption of an analytical, pragmatic and site specific approach to the assessment and determination of planning applications of this nature seems a suitable response to contemporary land use demands, particularly in the context of the development of Activity Centres such as Canning Bridge. Additionally this approach is consistent with current State Government Planning principles incorporated within Directions 2031 and related documents.

It is considered that the benefits of allowing the small bar use to operate from this location are outweighed by any concerns with regard to the lack of off street car parking. The proposal is therefore recommended for planning approval on that basis.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION (3268)

ABSOLUTE MAJORITY

At 7.53pm Cr Willis moved, seconded Cr Macphail -

That the application for the change of use from 'Office' to 'Small Bar' at Lot 1 (884) Canning Highway, Applecross be approved subject to the following Special and Standard Conditions:

SPECIAL CONDITIONS

1. **The hours of operation of the Small Bar are limited to:**
   Monday to Thursday 12noon to 11pm
   Friday to Saturday 12noon to 12am
   Sunday 12noon to 10pm

2. **The numbers of patrons are limited to:**
   100 after 5pm, Monday to Friday and during weekends
   60 patrons before 5pm, Monday to Friday

3. **No service delivery vehicles to visit the site outside the hours of 7:00am to 7:00pm Monday to Saturday.**

P11/3268 - CHANGE OF USE FROM 'OFFICE' TO 'SMALL BAR' AT LOT 1 (884) CANNING HIGHWAY, APPLECROSS (AMREC) (ATTACHMENT)

STANDARD CONDITIONS

4. **A separate application for Planning Approval and a Signs Licence is required for all signage.**

5. **A rubbish storage area is to be provided and screened from public view to the satisfaction of the Manager Planning and Development Services prior to initial occupation.**

ADVICE NOTES

1. **The Environmental Protection (Noise) Regulations 1997 must be complied with at all times. These regulations stipulate allowable noise levels which if breached constitute unreasonable noise for the purposes of the Environmental Protection Act 1986. These regulations can be obtained from www.slp.wa.gov.au**

2. **This development constitutes a "Food Business" as per Section 107 of the Food Act 2008 and therefore shall comply with the provisions of the Food Regulations 2009 and the Food Safety Standards.**

3. **This development constitutes a "Public Building" as per Section 173 of the Health Act 1911 and therefore shall comply with the provisions of the Health (Public Building) Regulations 1992.**

4. **The proposal will need to comply with all aspects of the Building Code of Australia including fire rating, fire separation, provision of hydrants, hose reels, access ramps and disabled facilities, emergency lighting and signage.**

At 8.05pm the Mayor submitted the motion, which was declared

CARRIED BY ABSOLUTE MAJORITY (12/1)

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

P11/3267 - INITIATION OF AMENDMENT NO. 62 TO COMMUNITY PLANNING SCHEME NO.5 – REZONING OF 44 MOOLYEEN ROAD AND 26 MADDEN WAY, BRENTWOOD FROM 'LIVING AREA BT2' TO 'COMMUNITY CENTRE CCR' PRECINCT (REC) (ATTACHMENT)

Ward	:	City
Category	:	Strategic
Application Number	:	CPS 5 – 62
Property	:	Lot 1675 (44) Moolyeen Road and Lot 1375 (26) Madden Way, Brentwood
Proposal	:	Initiation of Amendment No. 62 to amend CPS5 by rezoning from 'Living Area BT2' Precinct to 'Community Centre CCR' Precinct.
Applicant	:	Algeri Planning and Appeals
Owner	:	Mr Erminio Marcon
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer	:	Peter Prendergast Manager Planning and Development Services
Previous Items	:	Nil

AUTHORITY / DISCRETION

DEFINITION

☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
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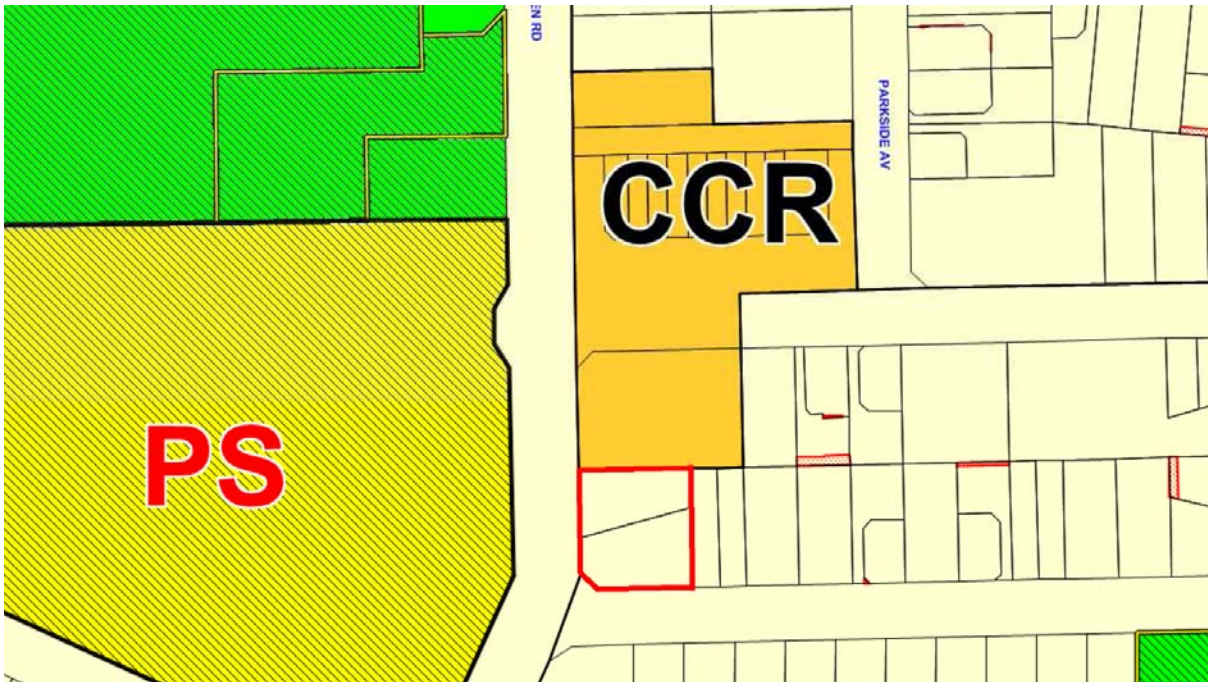
☒	**Legislative**	***includes adopting local laws, town planning schemes & policies.***
☐	Review	*when Council review decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the 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.*

P11/3267 - INITIATION OF AMENDMENT NO. 62 TO COMMUNITY PLANNING SCHEME NO.5 – REZONING OF 44 MOOLYEEN ROAD AND 26 MADDEN WAY, BRENTWOOD FROM 'LIVING AREA BT2' TO 'COMMUNITY CENTRE CCR' PRECINCT (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- The City has received an application to amend Community Planning Scheme No. 5 (CPS5) by rezoning 44 Moolyeen Road and 26 Madden Street, Brentwood from 'Living Area BT2' to 'Community Centre CCR' Precinct.
- The properties abut an existing 'Community Centre CCR' Precinct to the south. This centre contains a range of commercial businesses including medical centre, dental clinic, pharmacy, IGA, liquor store, restaurant / café, butcher and a bakery.
- The subject lots are currently utilised as a child care centre.
- The proposed re-zoning would result in the extension of the CCR precinct to the intersection of Madden Way and Moolyeen Road
- The proposed Amendment is recommended for initiation.

P11/3267 - INITIATION OF AMENDMENT NO. 62 TO COMMUNITY PLANNING SCHEME NO.5 – REZONING OF 44 MOOLYEEN ROAD AND 26 MADDEN WAY, BRENTWOOD FROM 'LIVING AREA BT2' TO 'COMMUNITY CENTRE CCR' PRECINCT (REC) (ATTACHMENT)



BACKGROUND

Planning approval was granted on 18 September 1985 for the establishment of the 'Child Care Centre' at 44 Moolyeen Road for up to 25 children. A further planning approval was granted on 11 December 1992 for additions to the existing building at 44 Moolyeen Road.

Further additions to the 'Child Care Centre' and the extension of the centre into the existing building at 26 Madden Way was granted on the basis that that the building at 26 Madden Way would accommodate up to 16 children.

In October 2011, planning approval was granted to increase the number of children over the two properties to 52.

Scheme Provisions

MRS Zoning	:	Urban
CPS 5 Zoning	:	Living Area Precinct – BT2
R-Code	:	R25
Use Type	:	Not Applicable
Use Class	:	Not Applicable

P11/3267 - INITIATION OF AMENDMENT NO. 62 TO COMMUNITY PLANNING SCHEME NO.5 – REZONING OF 44 MOOLYEEN ROAD AND 26 MADDEN WAY, BRENTWOOD FROM 'LIVING AREA BT2' TO 'COMMUNITY CENTRE CCR' PRECINCT (REC) (ATTACHMENT)

Site Details

Lot Area	:	Lot 1675 (44) Moolyeen Road – 768.82sqm Lot 1375 (26) Madden Way – 932.58sqm
Retention of Existing Vegetation	:	Not applicable
Street Tree(s)	:	Not applicable
Street Furniture (drainage pits etc)	:	Not applicable
Site Details	:	Refer to aerial photo and zoning map above

3267_Amendment_62_Map

DETAIL

Amendment 62 to CPS5 proposes to rezone 44 Moolyeen Road and 26 Madden Way, Brentwood from 'Living Area BT2' to 'Community Centre CCR' Precinct.

PUBLIC CONSULTATION/COMMUNICATION

Should Council resolve to initiate the amendment, it will require formal advertising to seek public comment in accordance with procedures outlined in the Western Australian Planning Commission Planning Bulletin No. 29.

REFERRALS TO GOVERNMENT AGENCIES

There are no referrals to Government Agencies required prior to initiation of the Scheme Amendment.

STATUTORY AND LEGAL IMPLICATIONS

Part 5 of the *Planning and Development Act 2005* allows Council to initiate amendments to planning schemes. Once initiated, Council must advertise the Amendment, consider submissions and forward the proposal to the Hon. Minister for Planning (the Minister) for determination.

Under Section 75 of the *Planning and Development Act 2005*, should Council resolve not to initiate the amendment, the Applicant will have the ability to ask the Minister to order the City to undertake the amendment. This can only occur where the Applicant can prove that the City has failed to adopt an amendment that ought to be adopted in terms of proper and orderly planning.

FINANCIAL IMPLICATIONS

There are no financial implications for Council relative to this application.

P11/3267 - INITIATION OF AMENDMENT NO. 62 TO COMMUNITY PLANNING SCHEME NO.5 – REZONING OF 44 MOOLYEEN ROAD AND 26 MADDEN WAY, BRENTWOOD FROM 'LIVING AREA BT2' TO 'COMMUNITY CENTRE CCR' PRECINCT (REC) (ATTACHMENT)

STRATEGIC RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no, strategic, risk or environmental management implications for Council relative to this proposal..

POLICY IMPLICATIONS

If the Amendment receives final approval, future development applications will be assessed in accordance with the relevant provisions of CPS5, the Residential Design Codes and Council Policy.

ALTERNATE OPTIONS & THEIR IMPLICATIONS

Council could choose to refuse to initiate the subject Amendment on the grounds that the proposal is not consistent with proper and orderly planning.

This action could result in the involvement of the Minister, who as stated, has the ability to order the City to undertake the Amendment on certain grounds.

The applicant also has the option of making representations as and when the consultation exercise in respect of the review of the City's Town Planning Scheme takes place. Any submissions made in response to that process will be considered by the Minister, before the final adoption of the new Local Planning Scheme.

COMMENTS

The proposed Scheme Amendment seeks to extend the existing 'Community Centre CCR' Precinct over 44 Moolyeen Road and 26 Madden Way, Brentwood which are presently zoned Living Area. These two lots are currently utilised for the purpose of a 'Child Minding Centre'.

Whilst the subject lots are zoned 'Living Area BT2' under the provisions of CPS5, they have operated on a commercial basis since 1985 when the Child Care Centre use was first approved at 44 Moolyeen Road, and extended into 22 Madden Way at a later date.

P11/3267 - INITIATION OF AMENDMENT NO. 62 TO COMMUNITY PLANNING SCHEME NO.5 – REZONING OF 44 MOOLYEEN ROAD AND 26 MADDEN WAY, BRENTWOOD FROM 'LIVING AREA BT2' TO 'COMMUNITY CENTRE CCR' PRECINCT (REC) (ATTACHMENT)

Zoning and Land Use

The Statement of Intent for the 'Community Centre CCR' Precinct reads:

> *Primarily community facilities, such as shops, schools and halls but may include aged persons housing and other medium density residential to take advantage of facilities. May include licensed premises, parks, religious, public, recreational, educational and medical uses, and small scale offices provided they are not developed to such an intensity that they disturb the Precinct. Any additional retail facilities shall adjoin existing shops and shall be advertised in accordance with clause 7.5*

In rezoning the subject lots to 'Community Centre CCR' Precinct, the land uses that will be permissible include Child Minding Centre, Conservation / Recreation, Consulting Room(s), Convenience Store, Corner Store, Garden Centre, Lunch Bar, Office, Restaurant, Service Station, Shop and Veterinary Clinic.

The 'Community Centre CCR' Precinct is centred on Cranford Avenue and contains a number of commercial land uses including a medical centre, dental clinic, pharmacy, IGA, liquor store, restaurant / café, butcher and a bakery.

Given the existing commercial land uses to the north and the long established 'Child Minding Centre' use on the subject site, the rezoning is considered to represent a logical transition and expansion of the Precinct at the intersection of Moolyeen Road and Madden Way.

It is noted that the Statement of Intent for the 'Community Centre CCR' Precinct (as detailed above) promotes land uses which take advantage of the existing facilities available in the locality. The expansion of the 'Community Centre CCR' Precinct is consistent with the Statement of Intent in that it will allow further diversification of land use within the Precinct.

Other benefits that will derive from the re-zoning include:

- Bolstering the vitality and influence that the CCR Precinct has in delivering development and commercial opportunities to the local catchment population.
- Enabling the opportunity for medium density residential development to take place, as a higher density code of R40 will apply once the Scheme Amendment is finalised.

Development Requirements

In common with other CCR Precincts across the City, the following Development Requirements will apply to all development should the change be initiated.

- A non-residential plot ratio restriction of 0.3.
- A maximum eave height of 8m and an overall height restriction of 10.5.
- Minimum setback requirements of 2m from side boundaries and 6m from the rear boundaries where these adjoin residential uses.

P11/3267 - INITIATION OF AMENDMENT NO. 62 TO COMMUNITY PLANNING SCHEME NO.5 – REZONING OF 44 MOOLYEEN ROAD AND 26 MADDEN WAY, BRENTWOOD FROM 'LIVING AREA BT2' TO 'COMMUNITY CENTRE CCR' PRECINCT (REC) (ATTACHMENT)

Traffic Considerations

Moolyeen Rd is a District Distributor B Road (not a Local Road) south of Cranford Ave with capacities expected above 6,000 vehicles per day (vpd) up to about 8,000 vpd. Data collected in 2005 indicated counts of approximately 13,000 vpd. The road intersects with Cranford Road, which feeds to the freeway on and off ramps.

It is considered that Moolyeen Road is functioning at an appropriate capacity in this context, within its classification and the Functional Road Hierarchy.

Provided vehicle access and egress positions to the site are maintained off the side street rather than directly to/from Moolyeen Road, then there are no objections raised to the proposed Scheme Amendment from a Technical Services perspective.

Public Transport / Bicycle Access

The subject site is readily accessible by both bus and train. It is located approximately 250m from the No 500 bus service, a service which connects the Bull Creek train station with the Booragoon bus station at Garden City.

The Bull Creek train station is also approximately 670m (as the crow flies) south-east of the subject site. Leach Highway which provides a number of rapid bus services is also located approximately 500m south of the subject site.

Moolyeen Road is classified as a 'Medium Road Riding' Environment under the Department of Transport Perth Bike Map Series. Specifically, dedicated cycle lanes are marked along both the north and south bound lanes.

CONCLUSION

Based on the above, it is recommended that the proposed Amendment be initiated on the basis that the rezoning does not compromise the intent of CPS5 and the levels of residential amenity enjoyed by residents of adjoining properties. The rezoning will also 'round-out' the commercial zoning in the locality and represent the logical transition of the 'Community Centre CCR' Precinct.

P11/3267 - INITIATION OF AMENDMENT NO. 62 TO COMMUNITY PLANNING SCHEME NO.5 – REZONING OF 44 MOOLYEEN ROAD AND 26 MADDEN WAY, BRENTWOOD FROM 'LIVING AREA BT2' TO 'COMMUNITY CENTRE CCR' PRECINCT (REC) (ATTACHMENT)

At 8.05pm Cr Reidy left the meeting.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION (3267) INITIATION

That pursuant to Part 5 of the Planning and Development Act 2005, Council resolve to initiate Amendment No. 62 to Community Planning Scheme No. 5 as follows:

1. **Amending the Scheme Map by rezoning Lot 1675 (44) Moolyeen Road and Lot 1375 (26) Madden Street, Brentwood from 'Living Area BT2' Precinct to 'Community Centre CCR' Precinct.**

2. **That His Worship the Mayor and the Chief Executive Officer be authorised to endorse the Amendment document.**

3. **That the City of Melville forward a copy of the Amendment documentation to:**

   a) **The Environmental Protection Authority in accordance with *Section 81* of the *Planning and Development Act 2005;* and,**

   b) **The Western Australian Planning Commission for information.**

4. **That on receipt of advice from the Environmental Protection Authority under *Section 48A* of the *Environmental Protection Act 1986* indicating that the Amendment need not be subject to an environmental assessment, the Amendment be advertised in accordance with the Town Planning Regulations for not less than 42 days.**

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

CARRIED EN BLOC (13/0)

Cr Reidy was in attendance when the En Bloc vote was taken at Item 16.

P11/3269 NAMING OF SLIP ROAD ACCESSED FROM GARLING STREET, WILLAGEE (REC) (ATTACHMENT)

Ward	:	Palmyra/Melville/Willagee
Category	:	Operational
Application Number	:	DA-2011-60
Property	:	155 - 169 North Lake Road, Willagee 2-6 Garling Street, Willagee
Proposal	:	Street Naming
Applicant	:	City of Melville
Owner	:	Various
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer	:	Peter Prendergast Manager Planning and Development Services
Previous Items	:	P11/3234 – Naming of Slip Road Accessed From Garling Street, Willagee – Ordinary Meeting of Council 16 August 2011

AUTHORITY / DISCRETION

		DEFINITION
☒	**Advocacy**	***when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.***
☐	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.*
☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
☐	Review	*when Council review decisions made by Officers.*
☐	Quasi-Judicial	*when Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.*

P11/3269 - NAMING OF SLIP ROAD ACCESSED FROM GARLING STREET, WILLAGEE (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- Council at its August 2011 meeting initiated advertising of 'Hartree Close' as the preferred street name for the existing slip road accessed from Garling Street, Willagee.
- Advertising was undertaken for a period of 21 days, concluding 27 September 2011. Three submissions were received, one in support and two in objection. The objections relate to the cost and inconvenience to landowners that will result from the proposed renaming.
- The City has been in consultation with the Geographic Names Committee (GNC) of Landgate relating to the proposed re-numbering of properties that will be accessed via the newly named Hartree Close. The GNC have stated that Hartree Close will commence at the intersection of Garling Street and the slip road. Consequently, the properties currently addressed as 2-6 Garling Road and 155-169 North Lake Road will require renumbering.
- It is recommended that Council resolve to recommend that the GNC adopt 'Hartree Close' as the preferred street name. It is also recommended that Council approve the re-numbering of the properties currently addressed as 2-6 Garling street and 155-169 North Lake Road to reflect their access from Hartree Close.

P11/3269 - NAMING OF SLIP ROAD ACCESSED FROM GARLING STREET, WILLAGEE (REC) (ATTACHMENT)

BACKGROUND

At the Ordinary Meeting of Council held 16 August 2011, Council resolved as follows:

A That the Council resolve to adopt 'Hartree Close' as the preferred street name for the existing slip road accessed via Garling Street.

B That the preferred street name be advertised for a period of 21 days via mail out to all properties accessed via the slip road and a notice in a newspaper circulating within the district.

C That subsequent street numbering be undertaken in accordance with the Council Draft Street Numbering Policy.

DETAIL

It is proposed that the slip road be re-named, providing the occupiers of properties located within it with a new, more readily identifiable address, and removing the difficulties associated with the current North Lake Road address.

PUBLIC CONSULTATION/COMMUNICATION

Advertising was undertaken for a 21 day period which concluded 27 September 2011. Advertising took the form of an advertisement in the Melville Times and letters were sent to the affected landowners.

Advertising Required:	Yes
Neighbour's Comment Supplied:	Three (3) submissions have been received
Reason:	To establish community support
Support/Object:	One submission in support and one in objection

Property Address	Summary of Submission	Support/ Objection	Officer's Comment	Action (Uphold / Not Uphold)
159 North Lake Road, Willagee	In support of the renaming as there are existing problems with taxi's and delivery vehicles finding the address's on North Lake Road.	Support	The change in road name will make the road easier to locate.	Uphold

P11/3269 - NAMING OF SLIP ROAD ACCESSED FROM GARLING STREET, WILLAGEE (REC) (ATTACHMENT)

Property Address	Summary of Submission	Support/ Objection	Officer's Comment	Action (Uphold / Not Uphold)
6 Garling Street, Willagee 159A North Lake Road, Willagee	There will be a cost (both financial and time) to landowners having to change and update their home address details.	Objection	The City of Melville will contact the relevant service authorities and request that they update their records however the landowners will have to update their details with other agencies and acquaintances. This relatively small cost is considered to be outweighed by the advantages in renaming the slip road so that it is easier to locate.	Not Uphold
	Ambulance services will not know that the change in street naming has occurred.	Objection	The City of Melville will contact the relevant service authorities which include Australia Post who updates information used to update street directories and other databases that emergency services utilise.	Not Uphold
	The renaming is unnecessary and inconvenient.	Objection	The change in the name will assist with properties being more readily located.	

REFERRALS TO GOVERNMENT AGENCIES

The GNC has published the *Principles, Guidelines and Procedures Associated with Naming Roads and Reserves within Western Australia*. The City has conducted preliminary consultation with Landgate in relation to the proposed street name and has received support pending Council's endorsement of the proposed name.

The City has also been in consultation with the GNC relating to the re-numbering of properties. This will be discussed further in the Comment section below.

The Melville Historical Society was also consulted for suggestions as to possible road names.

STATUTORY AND LEGAL IMPLICATIONS

None applicable.

P11/3269 - NAMING OF SLIP ROAD ACCESSED FROM GARLING STREET, WILLAGEE (REC) (ATTACHMENT)

FINANCIAL IMPLICATIONS

The financial implications of the proposed naming of the slip road to the City are the costs of creating and installing the new street sign, estimated to be in the region of $300.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no strategic, risk or environmental management issues applicable to this application.

POLICY IMPLICATIONS

There are no Policy implications applicable to this application.

ALTERNATE OPTIONS & THEIR IMPLICATIONS

The Council may elect to propose alternative names for the road. Should this occur, the alternative name will need to be referred to Landgate for their preliminary approval and the road name will require re-advertising for a period of 21 days.

The Council could refuse to re-name the slip road. There are no rights of appeal in respect of such a decision.

COMMENTS

Street Name

The proposed use of the name ‘Hartree Close’ was advertised, and although there were two objections relating to the cost and inconvenience of the proposed renaming, there were no objections to the name ‘Hartree Close’.

As such, it is recommended that Council resolve to recommend to the GNC that the slip road be renamed ‘Hartree Close’.

Street Numbering

The City has been in consultation with the GNC in relation to street numbering along the slip road. The City only intended to renumber the properties currently addressed as 155-169 North Lake Road to reflect the new street name. However the GNC have stated that the starting point of the new road (Hartree Close) should be at the intersection of Garling Street and the slip road. As a consequence, the properties currently addressed as 2-6 Garling Street will also need to be re-addressed to have an address off Hartree Close.

As a result, it is recommended that Council resolve to change the addresses of the properties current identified as 2-6 Garling Street and 155-169 North Lake Road as follows:

P11/3269 - NAMING OF SLIP ROAD ACCESSED FROM GARLING STREET, WILLAGEE (REC) (ATTACHMENT)

Current Address	New Address
6 Garling Street	2 Hartree Close
4 Garling Street	4 Hartree Close
2 Garling Street	6 Hartree Close
169 North Lake Road	8 Hartree Close
167 North Lake Road	10 Hartree Close
165 North Lake Road	12 Hartree Close
163 North Lake Road	14 Hartree Close
161 North Lake Road	16 Hartree Close
159B North Lake Road	18 Hartree Close
159A North Lake Road	20 Hartree Close
157B North Lake Road	22 Hartree Close
157A North Lake Road	24 Hartree Close
155 North Lake Road	26 Hartree Close

The above street number allocation is consistent with the requirements of the Council's Street Numbering Policy.

CONCLUSION

It is recommended that Council resolve to recommend to Landgate that the existing slip road be renamed 'Hartree Close'. It is also recommended that Council adopt new street numbers for each of the properties accessed via 'Hartree Close'.

P11/3269 - NAMING OF SLIP ROAD ACCESSED FROM GARLING STREET, WILLAGEE (REC) (ATTACHMENT)

OFFICER RECOMMENDATION & COUNCIL RESOLUTION (3269) APPROVAL

A. That Council recommend that the Geographic Names Committee of Landgate adopt 'Hartree Close' as the preferred street name for the slip road accessed via Garling Street, Willagee.

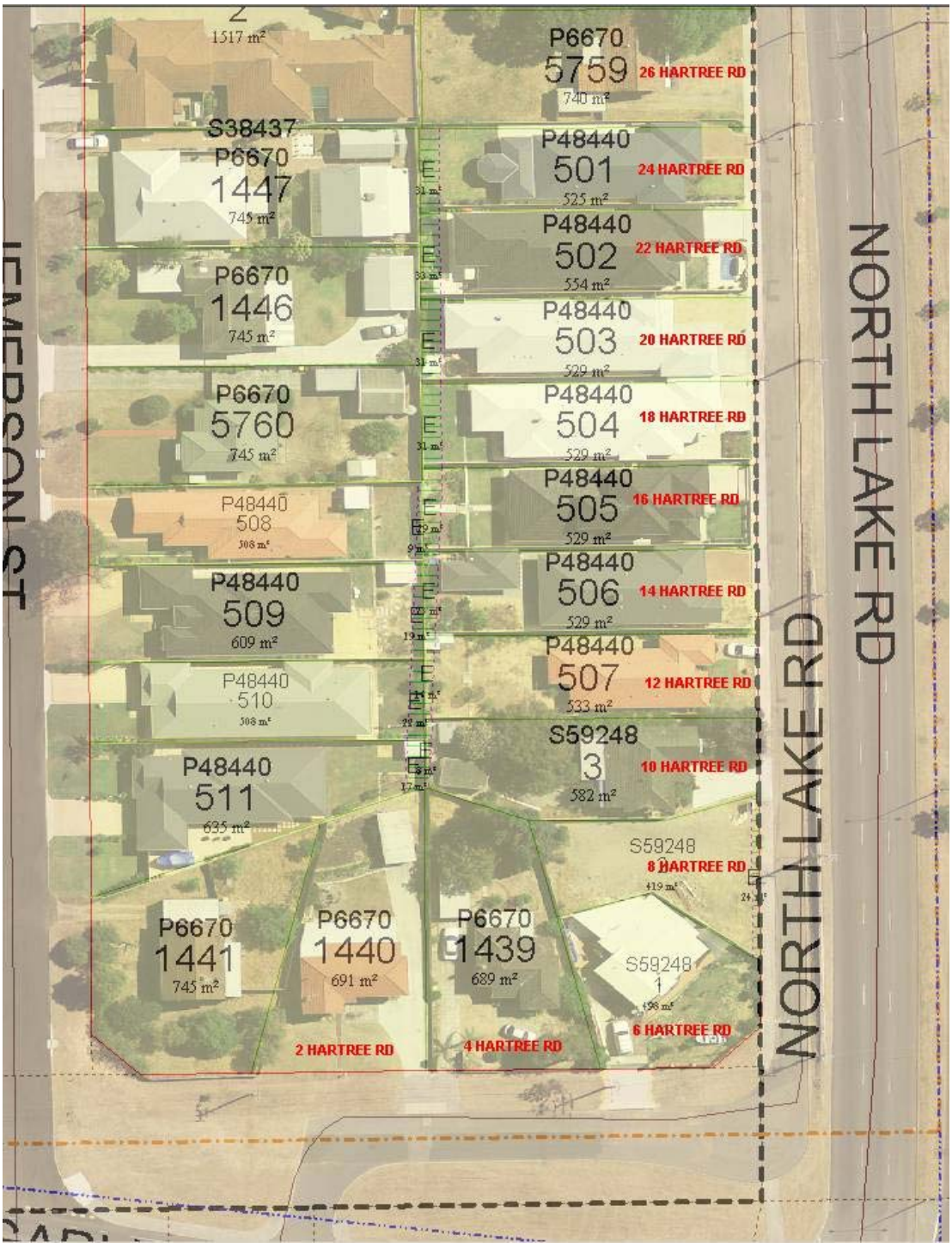
B. That Council resolve to approve the following new street numbers for the properties accessed via 'Hartree Close':

Current Address	New Address
6 Garling Street	2 Hartree Close
4 Garling Street	4 Hartree Close
2 Garling Street	6 Hartree Close
169 North Lake Road	8 Hartree Close
167 North Lake Road	10 Hartree Close
165 North Lake Road	12 Hartree Close
163 North Lake Road	14 Hartree Close
161 North Lake Road	16 Hartree Close
159B North Lake Road	18 Hartree Close
159A North Lake Road	20 Hartree Close
157B North Lake Road	22 Hartree Close
157A North Lake Road	24 Hartree Close
155 North Lake Road	26 Hartree Close

ADVICE NOTE

1. **Resolution (B) above will not be implemented until such time as the Geographic Names Committee implements the change to the road name.**

P11/3269 - NAMING OF SLIP ROAD ACCESSED FROM GARLING STREET, WILLAGEE (REC) (ATTACHMENT)



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

CARRIED EN BLOC (13/0)

Cr Reidy was in attendance when the En Bloc vote was taken at Item 16.

P11/3270 - FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

At 8.06pm Cr Robartson, having declared an interest in this item, left the meeting.

Disclosure of Interest

Item No.	P11/3270
Elected Member/Officer	Cr Robartson
Type of Interest	Financial Interest in Accordance with the Act
Nature of Interest	Lives on the RAAFA Estate
Request	Leave
Decision of Council	Not Required

Ward	:	Bull Creek / Leeming
Category	:	Policy
Application Number	:	Not applicable
Subject Index	:	Policy and Policy Development
Customer Index	:	City of Melville
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Item P11/3210 Ordinary Meeting of Council held 17 May 2011 – Stage Four Review of Urban Planning Policies
Responsible Officer	:	Peter Prendergast Manager Planning and Development Services

AUTHORITY / DISCRETION

		DEFINITION
☐	Advocacy	*when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☐	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.*
☒	**Legislative**	***includes adopting local laws, town planning schemes & policies.***
☐	Review	*when Council review decisions made by Officers.*
☐	Quasi-Judicial	*when 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.*

P11/3270 - FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- Community Planning Scheme No. 5 (CPS5) allows Council to prepare and adopt planning policies.
- For administrative purposes, Master Plans are classed as Council Policy, as they are relied upon to forward plan the future redevelopment of a site. Master Plans act to provide surety to the way in which a site will be developed in the future, and assist the City when individual development proposals are under consideration in respect of that future development.
- There are no specific provisions within CPS5 to enable the adoption of Master Plans. As such, Master Plans are adopted as planning policies pursuant to Clause 9.6 of CPS5.
- This report pertains to the submission of an amended Master Plan for the Royal Australian Air Force Association (RAAFA) site located on Bull Creek Drive.
- Council at its meeting of 17 May 2011 resolved to adopt the revised Master Plan for the purposes of public consultation.
- The details of the amended Master Plan were the subject of public consultation from 7 June 2011.
- Ten submissions were received during the advertising period.
- In response to some of the concerns outlined within the submissions, further information with regard to the potential location of the bulk of the proposed Residential Care building has been provided.
- It is recommended that Council finally adopt the RAAFA Master Plan, including a cross sectional plan depicting the development of the proposed Residential Care building.

BACKGROUND

On 22 September 2004, Council adopted a Master Plan for the redevelopment of the RAAFA site at 2-10 Bull Creek Drive, Bull Creek. This was supplemented by Amendment 37 to CPS5 which was endorsed by the Hon. Minister for Planning on 20 February 2007. This amendment stated that the adopted Master Plan is to be employed by the Council as a planning policy to guide future development of the site.

The 2004 Master Plan was subsequently amended by the Council in September 2006 to allow the retention of the aviation museum on the site.

One of the apartment buildings detailed on the approved Master Plan is currently under construction and another is under consideration by the City at this time.

At the Ordinary Meeting of Council held 17 May 2011, Council resolved to adopt the amended RAAFA Master Plan for advertising for a period of 21 days.

P11/3270 - FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

DETAIL

Policy Review

This report pertains to the final adoption of the RAAFA Master Plan.

3270_RAAFA_Cross_Section_Diagram
3270_Proposed_RAAFA_Master_Plan
3270_Existing_Master_Plan

PUBLIC CONSULTATION/COMMUNICATION

Public consultation is required for all Council Non-Statutory Planning Policies which are non-operational in nature. This is in accordance with Clause 9.6 of CPS5.

As a result of Council's resolution of 17 May 2011, public consultation was undertaken on 7 June 2011 by notice in the Melville Times newspaper, letters sent to owners and occupiers within a 400 metre radius, and the Master Plan details were displayed in the Bull Creek and Civic Square libraries. The 21 day public submission period expired on 29 June 2011.

Ten submissions were received during the advertising period. The concerns outlined within these submissions are summarised as follows:

Submission from	Summary of Submission	Officer's Comment	Uphold / Not Uphold
Nine Submissions from Clifford Way One Submission from Bull Creek Drive	The heights of the buildings are significantly larger than buildings in the area and those generally associated with bowling or sports clubs.	The proposed heights conform to the maximum height restrictions set out in CPS5 for the RAAFA site.	Not Uphold
	The privacy of the adjoining Clifford Way properties will be adversely affected.	Compliance with the R-Codes visual privacy requirements will be assessed once a planning application is submitted for each of the buildings.	Not Uphold
	The development will overshadow backyards and solar collectors on the adjacent Clifford Way properties.	Compliance with the R-Codes with regard to overshadowing on to the adjoining properties to the south will be undertaken when a planning application is submitted for each building.	Not Uphold

P11/3270 - FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

	Summary of Submission	Officer's Comment	Uphold / Not Uphold
	Building bulk impacts on to adjoining properties.	An indicative cross-sectional plan has been submitted indicating the location of the bulk of the future Residential Care building toward the middle of the site away from the southern boundary to mitigate the impact of building bulk. It is recommended that this cross-sectional diagram be adopted with the amended Master Plan to inform the assessment of the future planning application for the Residential Care building.	Not Uphold
	It is unclear whether the Club House will be used as a function centre. This would result in further parking demand and noise impacts.	Details of the use of the building will be required to be submitted at the time planning approval is sought. Conditions on numbers of patrons and hours of operations may be imposed on the planning approval.	Not Uphold
	Decreased value of properties.	This is not a material planning consideration.	Not Uphold
	Piling works will result in vibration impacts on adjoining properties.	The Applicant has stated that no piling works are proposed in the future construction of any of the buildings.	Not Uphold

P11/3270 - FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

	Summary of Submission	Officer's Comment	Uphold / Not Uphold
	The proposed setbacks are insufficient as they do not have a normal street verge width and will result in a significant loss of amenity to adjoining residents.	The future planning applications will all be assessed against the R-Codes requirements with regard to boundary setbacks. Notwithstanding this, the indicative location and heights of the buildings along the southern boundary all appear to comply with the R-Codes setback requirements.	Not Uphold
	The Residential Care building will allow for around double the current occupancy and will result in increased visitors and traffic along the access road.	Occupancy numbers for the Residential Care building will be submitted when the planning application is made. Conditions relating to the hours deliveries can be made to the building may be imposed if potential adverse impacts are anticipated.	Not Uphold

P11/3270- FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

	Summary of Submission	Officer's Comment	Uphold / Not Uphold
	The Residential Care building would be better located within the middle of the site or along a main road.	The Applicant states that the Residential Care building in its proposed location is the least disruptive and most expedient way of progressing the facility within the RAAFA site (as the existing Deans Lodge has reached the end of its functional life), whilst also maintaining the existing museum in its current location.	Not Uphold
	The increased number of residents will result in a significant growth in parking requirements and demands on infrastructure.	The car parking requirements of each of the buildings will be assessed for compliance with the City's car parking policy at the time an application is made. It is anticipated that the majority of the car parking requirements will be contained within the basement levels of each building. The Applicant will need to liaise with the relevant service authorities with regard to infrastructure demands prior to commencement of the construction of each building.	Not Uphold
	Due to the proximity of the Residential Care building to Lake Howard, the basement level may be raised to reduce construction costs which would increase the height of the building.	The proposed building will still be required to satisfy the height restrictions within CPS5 and the heights depicted on the Master Plan.	Not Uphold

P11/3270 - FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

	Summary of Submission	Officer's Comment	Uphold / Not Uphold
	The increased building size of the Residential Care building will have an impact upon views to Lake Howard and the parkland.	The east-west width of the proposed Residential Care building is similar to the width of the apartment building previously denoted on the approved Master Plan. It is noted that Lake Howard is located within the RAAFA site and consequently, views of this lake and parkland for adjoining properties are not guaranteed.	Not uphold
	The tallest buildings should be located along the Freeway and Leach Highway with the lower buildings being located along the southern boundary.	CPS5 allows for buildings up to six storeys or 20m in height. The proposed Master Plan satisfies this provision.	Not uphold
	Concerns that the large existing trees will be removed.	The Applicant has advised that the retention of existing significant vegetation will be undertaken where possible.	Not uphold
	If trees are planted along the southern boundary to preclude overlooking, the security of the adjoining properties would be affected.	Visual privacy will be assessed at the time an application is submitted for each of the buildings. Any mitigation measures proposed such as the planting of trees along the southern boundary will be assessed in terms of Crime Prevention Through Environmental Design principles.	Not uphold
	The amended Master Plan provides reduced detail compared to the existing plan.	The Master Plan provides the information required which includes the approximate location, siting and heights of the proposed future buildings and as such is considered to be satisfactory for its intended purpose.	Not uphold

P11/3270 - FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

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

Architectural and Urban Design Advisory Panel
The revised Master Plan was considered by the City's Architectural and Urban Design Advisory Panel (the Panel) on 16 September 2011. The Panel specifically considered the proposed redevelopment of the Club building and the location and bulk of the proposed Residential Care Building.

The outcome of the Panel meeting was that the location and indicative bulk of the two buildings is satisfactory, as the Club building is well set back from the southern boundary and the 16m setback of the Residential Care Building is appropriate given that the indicative cross-section plan denotes a maximum height of two storeys closest to the southern boundary with the remainder of the bulk of the building situated toward the middle of the RAAFA site.

STATUTORY AND LEGAL IMPLICATIONS

The adoption of the revised Master Plan will provide greater certainty and clarity about the future intended development at the site and create a policy position for the City which, if challenged, will assist in the event of any review decision by the State Administrative Tribunal.

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Administration undertakes functions delegated by Council in a manner not in accordance with Council's objectives causing reputational risk.	**Minor** to **Major** depending on issue.	Ensure sound Council policies are in place that provide clear guidance to the administration.
Policies are not in compliance with legislative requirements or contemporary standards.	Minor consequences which are possible, resulting in a **Medium** level of risk	Periodic review mitigates against outdated legislative or other relevant references.

P11/3270 - FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

POLICY IMPLICATIONS

The endorsement of this Master Plan will add to and complement the range of Planning Policies that the City has at its disposal. In particular, the Master Plan document will assist in guiding the successful future development of the RAAFA site, in accordance with CPS5.

ALTERNATE OPTIONS & THEIR IMPLICATIONS

Council could elect not to adopt the proposed Policies or could modify the proposed Policies prior to adoption. It should be noted that any modifications to the policies previously advertised, dependent upon the extent of the changes, may require re-advertising.

COMMENTS

The purpose of a Master Plan is to provide an indicative plan of the redevelopment of a large site and is a guiding document rather than a site plan, which details the precise location and design of all future development. The details of the design and exact location of the proposed buildings are assessed at the time of planning approval.

As such, any planning application received for the RAAFA site is assessed against the criteria contained within CPS5, the R-Codes and relevant Council policies as well as the adopted Master Plan.

Although the Master Plan is treated as a planning policy under CPS5, there is no written policy document which accompanies the Master Plan. However, as a result of some of the submissions received relating to the potential bulk and scale of the future Residential Care building, the Applicant has submitted an indicative Preliminary Concept plan which depicts a cross-section of the future Residential Care building.

This cross-section details a four storey (plus below ground basement) building with the second and third floors located toward the middle of the RAAFA site away from the southern boundary. This concept plan is indicative only of the future form of the Residential Care building; however it can be adopted with the proposed Master Plan to inform the assessment of any future planning application for the Residential Care building.

Overall, the proposed Master Plan is considered to be broadly consistent with the criteria contained within CPS5, the R-Codes and Council policy. Of the proposed amendments, the location and siting of the future Residential Care building and the redevelopment of the Club House are considered to be the primary changes which have the potential to impact upon the amenity of the adjoining properties along Clifford Way.

Residential Care building
It is acknowledged that the proposed future 3-5 storey Residential Care building as depicted on the Master Plan appears to be a large bulky building compared to the four storey apartment building which was previously proposed to be in its place. However, the cross-sectional plan submitted by the Applicant has depicted that the majority of the bulk of this building will be located towards its northern elevation, which will provide mitigation in respect of any adverse impacts towards existing adjoining properties to the south.

P11/3270 - FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

Furthermore, notwithstanding the cross-section, the indicative height of the building (3-5 storeys) conforms to the CPS5 height restriction of six storeys or 20 metres. In addition, the setback of this building from the southern boundary appears to be in compliance with the Acceptable Development criteria of the R-Codes. Furthermore, at the time a planning application is received, the overshadowing and visual privacy implications of the proposal will be assessed against the requirements of the R-Codes.

The proposed Residential Care building is anticipated to provide a valuable service to the RAAFA community, the development of which is permissible in principle via the Residential Aged Care Additional Use in CPS5. Any increased traffic as a result of this use has already been anticipated and accepted by the acceptance of the Additional Use as part of the CPS5 Scheme Amendment process previously followed. However, it is noted that residents of these facilities often do not operate their own private motor vehicles, therefore the traffic generation would be predominantly limited to staff, deliveries and visitors. Conditions relating to the hours deliveries can be made may be included as condition of approval at the planning approval stage, if considered necessary at that time.

Overall, subject to the future planning application complying with the design controls outlined by CPS5, the R-Codes, Council policy, the Master Plan and the indicative cross-section diagram, it is considered that the proposed building will not result in a significant impact upon the adjoining properties and surrounding area.

Club Facility building
The previously adopted Master Plan did not detail the future redevelopment of the existing Club Facility building, however the proposed amendments to the Master Plan details its redevelopment to a 4-6 storey building comprising club activities and residential.

The Master Plan details the proposed Club building being located approximately 40m away from the southern boundary with an existing access road and parking area located in between. The proposed building is to have a similar footprint to the other proposed apartment buildings which are to be constructed around the site.

The indicative height of the building (4-6 storeys) conforms with the permitted height within CPS5 for the RAAFA site as CPS5 allows six storeys or 20 metres. The proposed 40m setback from the southern boundary is also well in excess of the R-Codes setback requirement of approximately 16m. In addition, the overshadowing impacts and visual privacy impacts will be assessed against the requirements of the R-Codes at the time a planning application is received.

The use of the Club Facility building in terms of functions, hours of operation and numbers of patrons has not been detailed, however this will be assessed at the time a planning application is made, at which time conditions of approval may be imposed if the City has concerns regarding the potential impacts of these matters.

CONCLUSION

It is recommended that the amended Master Plan and Cross-Sectional plan of the Residential Care building be adopted by the Council as a planning policy in accordance with Clause 9.6(b) of CPS5 subject to the amendments detailed above.

P11/3270 - FINAL ADOPTION OF URBAN PLANNING POLICY – RAAFA MASTER PLAN FOR 2-10 BULL CREEK DRIVE, BULL CREEK (REC) (ATTACHMENT)

OFFICER RECOMMENDATION & COUNCIL RESOLUTION (3270) FINAL ADOPTION

At 8.07pm Cr Kinnell moved, seconded Cr Foxton -

A That the Council resolves pursuant to Clause 9.6(b) of Community Planning Scheme No. 5 to adopt the amended RAAFA Master Plan (approved plan reference SK011.4-B Rev 11b) and Residential Care Facility Preliminary Concept Plan (approved plan reference SK07 Rev A).

B That pursuant to Clause 9.6(b)(iv) of Community Planning Scheme No. 5, the Council authorise a notice in a local newspaper circulating within the district to advise of the final adoption of the policy referred to in A above.

At 8.07pm the Mayor submitted the motion, which was declared **CARRIED (11/0)**

At 8.08pm Cr Robartson returned to the meeting.
At 8.08pm Cr Reidy returned to the meeting.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

Ward	:	University
Category	:	Strategic
Application Number	:	Not Applicable
Subject Index	:	Murdoch Activity Centre
Property	:	Various
Proposal	:	Overview of Implications of the State Government Access and Parking Policy
Applicant	:	Not Applicable
Owner	:	Various
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer	:	Gavin Ponton Manager Strategic Urban Planning
Previous Items	:	T10/317-Infrastrcuture Management Implications Murdoch Activity Centre – Ordinary Council Meeting 21 December 2010

AUTHORITY / DISCRETION

		DEFINITION
☒	**Advocacy**	***when Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.***
☐	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.*
☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
☐	Review	*when Council review decisions made by Officers.*
☐	Quasi-Judicial	*when 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.*

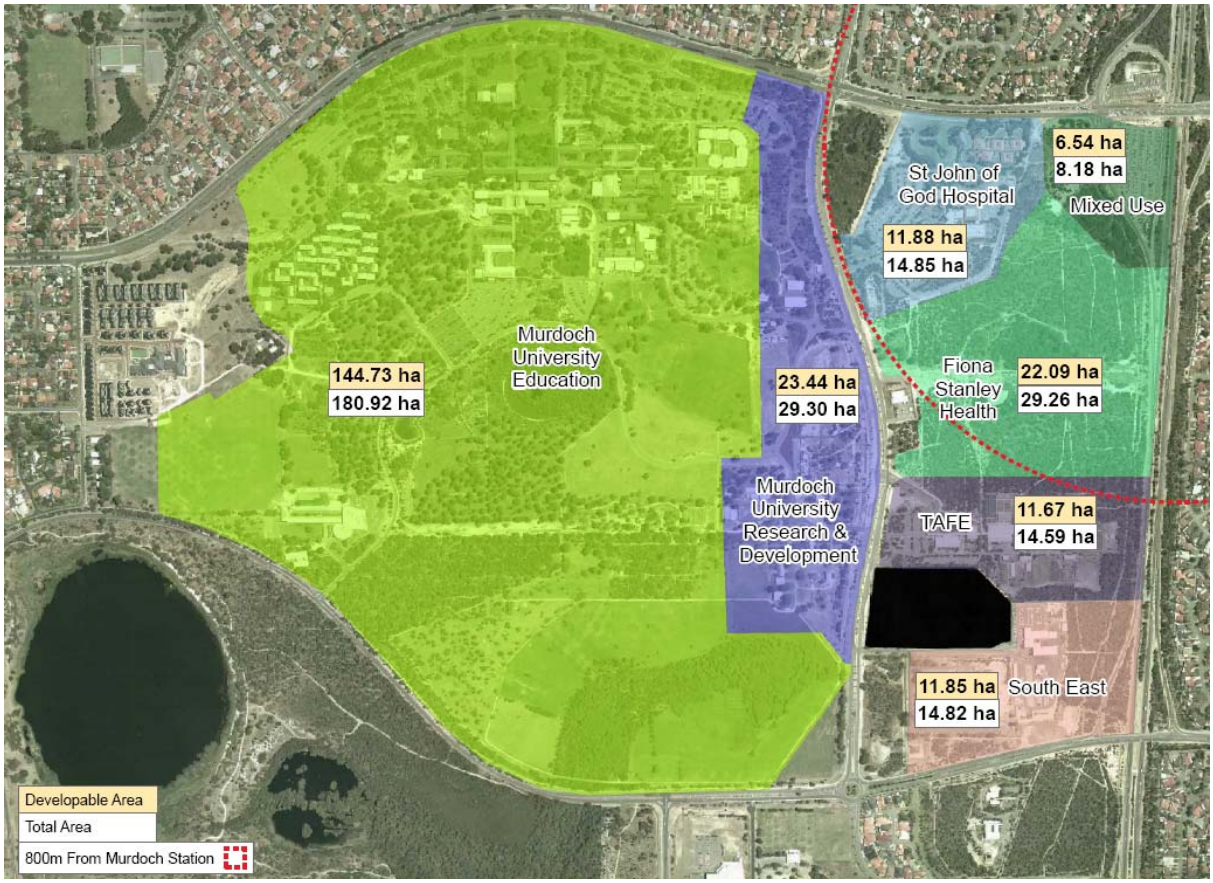
P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- The Murdoch Activity Centre (MAC) is identified as a Specialised Centre under the State Government's planning framework, Directions 2031 and Beyond. Optimal development of MAC will provide for in excess of 35,000 jobs, 27,000 students and 5,000 additional dwellings.
- Traffic modelling has indicated that optimal development of MAC will require substantial road infrastructure investment, together with improvements to public transport to encourage up to 40% of trips to and from MAC to be made using alternatives to the private car. In addition to the infrastructure improvements, management of the number of vehicles entering the precinct is required to avoid traffic gridlock.
- In response to these issues the Department of Planning prepared an Access and Parking Policy for MAC with the intention of providing optimum number of parking bays, taking into account the capacity of the road network, landowner requirements and the availability of alternative transport modes. Key features of the draft Policy were caps on the maximum amount of parking allowed for a development (with no minimum requirement), fee regulation and licensing of bays. Stakeholders were invited to comment on the draft Policy in early 2011.
- The City's response to the draft Policy raised concerns with the lack of flexibility in the proposed caps, the undesirability of imposing minimum fees, reduced regional competiveness of MAC as a centre and financial burdens associated with licensing of bays and bringing forward of FBT obligations. The City's response was coordinated with other MAC stakeholders via the Murdoch Precinct Strategic Group.
- The Western Australian Planning Commission (WAPC) responded to the feedback and in April 2011 released an interim policy position on access and parking at MAC. The interim policy was centred on revised parking caps and removed reference to fee regulation and licensing of bays. The revised caps better reflected the landuse characteristics within MAC and provided for more intensive usage closer to the rail station. The interim approach also enabled greater opportunity to have regard to the findings of the current MAC Part B Structure Plan process.
- In releasing the interim policy the WAPC advised of its future intention to introduce a wider State Planning Policy framework to guide access and parking for all major activity centres throughout the metropolitan area. It is anticipated that this second phase of access and parking controls will revisit the issue of minimum parking fees and licensing of bays.
- The City has an obligation to have regard to the interim policy provisions in considering development proposals. In any event the WAPC is the determining planning authority for much of the MAC south west quadrant due to the Metropolitan Region Scheme reservation of the land.
- It is recommended that Council notes the interim policy position adopted by the WAPC with respect to access and parking at MAC. It is recommended that the WAPC be advised of previous concerns raised by the City which are not addressed by the interim policy, including the need for up front government commitment to new road infrastructure (particularly given the policy position assumes the completion of these items). It is further recommended that the WAPC in its future consideration of wider access and parking provisions for the MAC and metropolitan area be reminded of previously raised concerns regarding the undesirability, reduced competiveness of MAC and financial burden on stakeholders associated with imposing minimum parking fees, introduction of licensing fees and early triggering of Fringe Benefit Tax obligations.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

Image 1 – Study Area of Murdoch Activity Precinct for the purposes of the Access and Parking Policy



P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

BACKGROUND

Scheme Provisions

MRS Zoning	:	Predominantly Public Purposes Reserve, with small portion Urban
CPS 5 Zoning	:	MRS Reserve for Public Purposes plus portion zoned Mixed Business
R-Code	:	Not applicable
Use Type	:	Not applicable
Use Class	:	Not applicable.

Site Details

Lot Area	:	Not applicable
Retention of Existing Vegetation	:	Not applicable.
Street Tree(s)	:	Not applicable.
Street Furniture (drainage pits etc)	:	Not applicable.

3271 - Draft_MAC_Access_and_Parking_Policy
3271 - MAC_Parking_General_Principles
3271 - Report_T10_3173_Infrastructure
3271 - Submission_to_DoP

Report T10/3173 (attached) in relation to Infrastructure Management Implications for the Murdoch Activity Centre (MAC), provides a thorough history of the planning of the MAC precinct and the challenges particularly with respect to infrastructure and access.

Report T10/317 Infrastructure Management Implications for the Murdoch Activity Centre

Murdoch is identified as a Specialised Centre under the State Government's planning framework *Directions 2031 and Beyond*, and detailed structure planning is underway to explore optimal development of the precinct. The Fiona Stanley Hospital, a proposed mixed use precinct adjacent to Murdoch rail station, together with expansions to existing facilities (including St John of God Hospital, Murdoch University and Challenger Institute of Technology) will see substantial growth of Murdoch Centre is the short term. Optimal development will provide for in excess of 35,000 jobs, 27,000 students and 5000 additional dwellings in Murdoch.

Traffic modelling has indicated that even with foreshadowed road improvements, such as the extension of Roe Highway, a southern extension of Murdoch Drive, the two way tunnel under South Street and grade separation of the Murdoch Drive/South Street intersection the precinct roads will be at capacity by 2021 and gridlock by 2031. In these circumstances and to retain the ability for Murdoch to develop to an optimum intensity requires improvements to public transport and associated controls on the number of vehicles entering the precinct.

In these circumstances in 2007, the Department of Planning initiated work on the Murdoch Activity Centre Access and Parking Policy. The intention of the Policy was to provide an optimum number of parking bays taking into account the capacity of the surrounding road network, landowner's requirements and the ability for people to access the precinct via alternative modes of transport.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

In February 2011 the WA Planning Commission endorsed a proposed wider approach to access and parking controls in initiating the preparation of a State Planning Policy to address access and parking supply management for all Strategic and Specialised Activity Centres across the metropolitan area. This wider State Planning Policy will establish a broad framework for individual policy responses for centres such as Murdoch, Stirling, Bentley, UWA/QEII and Midland. It is expected that the proposed State Planning Policy will introduce a uniform approach to matters such as licensing of parking bays and control of public parking fees.

Draft Murdoch Activity Centre Access and Parking Policy

The Policy is intended to provide direction to planning agencies and landowners regarding the quantity and basic management of new or redeveloped parking facilities in the MAC. A copy of the draft Policy as advertised is attached.

Draft Murdoch Activity Centre Access and Parking Policy

The key principles behind the content of the draft Policy are to:

- Limit parking numbers
- Ensure the road network functions
- Encouragement of increased public transport usage
- Provide an equitable approach to parking control across all landowners in the precinct
- Ensure consistency and certainty with respect to parking controls
- Provide a balance of public, short and long term parking
- Minimise community impacts in terms of traffic and urban design
- Encourage shared parking between uses
- Exclusion of residential parking from the proposed controls.

Key proposals contained in the Policy are outlined below:

Parking Caps

Transport modelling undertaken in association with the preparation of the Policy established that even with the foreshadowed infrastructure improvements, the road network around Murdoch would be at capacity by 2021 and at gridlock by 2031. To allow Murdoch to develop to an optimum form, additional measures are necessary to reduce vehicle movements. The number of vehicles entering the MAC will need to be managed and a greater portion of trips (up to 40%) into and out of the precinct will need to be made by public transport, cycling or walking. The original draft of the Policy identified that the surrounding road network (proposed and existing) could support approximately 14,300 car parking bays within the south west quadrant of the MAC. These bays were proposed to be allocated amongst the various sub-precinct landowners based on land areas. The caps are not retrospective and would not apply to residential parking bays or special purpose bays (emergency vehicles/service bays). The Policy also proposed to not require a minimum number of parking bays for non residential uses.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

Table 1 – Proposed Parking Caps by sub-precinct from Original Draft MAC Access and Parking Policy

Sub-precinct	Parking cap (bays)
Fiona Stanley Health	**3315**
St John of God Hospital	**1785**
Mixed use	**980**
Murdoch University Education	**3075**
Murdoch University Research and Development	**2000 (3520)**
TAFE	**1200**
South East	**1780**

Travel and Parking Management Plans
The Policy requires "Travel Plans" to accompany applications for all new developments. Travel plans would be required to demonstrate measures to encourage employees and/or visitors to use alternative modes of transport.

Land Ownership
The Policy requires the responsibility of parking to be retained by the sub precinct land owner and not subdivided or leased to another party. The purpose of this provision is to ensure landowners maintain the ability to change the management of the parking bays over time to reflect changing circumstances.

Licensing of Parking Bays
The original draft of the Policy included requirement for all bays within the precinct to be licensed and for a licence fee to be payable. The Policy provided for the funds accumulated by the licence fee to be used for public transport initiatives within the precinct.

Pricing
The Policy provided for the establishment of a minimum price for public parking in the precinct and identified that the minimum price should be set above the Fringe Benefit Tax threshold (currently $7.49 per day) and/or matched against an existing Department of Health Access and Parking Policy (which would apply to parking at Fiona Stanley Hospital). The Policy utilises pricing as a management tool to encourage alternative modes of transport and ensure availability of parking for priority users.

Shared Facilities
The Policy seeks to ensure that parking facilities are designed to serve multiple users. A minimum of 25% of bays within each sub precinct are required to be set aside and managed as public parking.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

Feedback on Draft Policy

The final draft Murdoch Access and Parking Policy was referred to stakeholders and landowners in the Murdoch precinct and comments were sought by the Department of Planning in early 2011. The City of Melville's Murdoch Precinct Strategic Group coordinated the stakeholder response including the holding of a special meeting of the group on 9 February 2011.

The City's submission on the draft Access and Parking Policy is attached.

Submission to Department of Planning

In summary the City's submission whilst acknowledging the need for parking in the MAC to be managed, raised the following concerns:

- The Policy was dependent upon assumptions that substantial road infrastructure (including southern access to MAC, tunnel under South Street and grade separation of the Murdoch/South intersection) would be provided and that public transport investment would ensure mode share targets were met. The City's submission identified that the government needed to commit to these items before the Policy was progressed.

- Parking caps were identified as being overly simplistic, not responding to the different transport characteristics of different uses (e.g.24 hour operation of health uses) and the need for flexibility to address differing vehicle generating capacities of different uses.

- The desirability and legality (from a National Competition Policy perspective) of imposing minimum fees was questioned.

- The action of the Parking Policy to artificially trigger thresholds for Fringe Benefits Tax obligations for employers or employees (through the introduction of minimum fees) was opposed.

- The introduction of licence fees was opposed and a suggestion made that reduced fees be considered for sub precincts further from the rail station.

- The Policy needs to have regard to the findings of the MAC Part B Structure Plan and not be introduced in a way that would constrain development opportunities to be explored for the wider MAC area.

Revised Access and Parking Policy Position

The Department of Planning gave consideration to the submissions received from stakeholders and on 13 April 2011 the Western Australian Planning Commission made a determination on the MAC Parking and Access Policy. In summary the WAPC resolved to:

(a) As an interim measure adopt the Murdoch Activity Centre Access and Parking Policy only as a "guide" to future transport planning pending the finalisation of the State Planning Policy – Metropolitan Centres Parking
(b) Adopt and apply a series of general principles with respect to parking and access in the MAC; and
(c) Adoption of a revised set of parking caps for each sub precinct.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

The interim policy position adopted by the WAPC responds to a number of concerns raised by the City in relation to the advertised draft Policy:

- The interim position removes reference to minimum parking fee standards and the proposed licensing of bays;

- The adoption of an interim position enables opportunity for a more thorough understanding of the outcomes of the MAC Part B Structure Plan and possibly additional clarity with respect to State Government commitment to key infrastructure.

- The interim position introduces a revised parking cap which better responds to the characteristics of different uses within the precinct. The revised overall parking cap of 17,466 bays (previously 14,300 bays) provides additional recognition to the parking and traffic characteristics of the health sub precincts and provides additional flexibility to the development of the mixed use precinct.

The “general principles” adopted by the WAPC to guide parking in the interim until the Metropolitan Centres Parking State Planning Policy is finalised are attached.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

MAC Parking General Principles

Details of the revised parking caps for the various sub-precincts are outlined below:

Table 2 – Proposed Parking Caps by sub-precinct from Revised MAC Access and Parking Policy

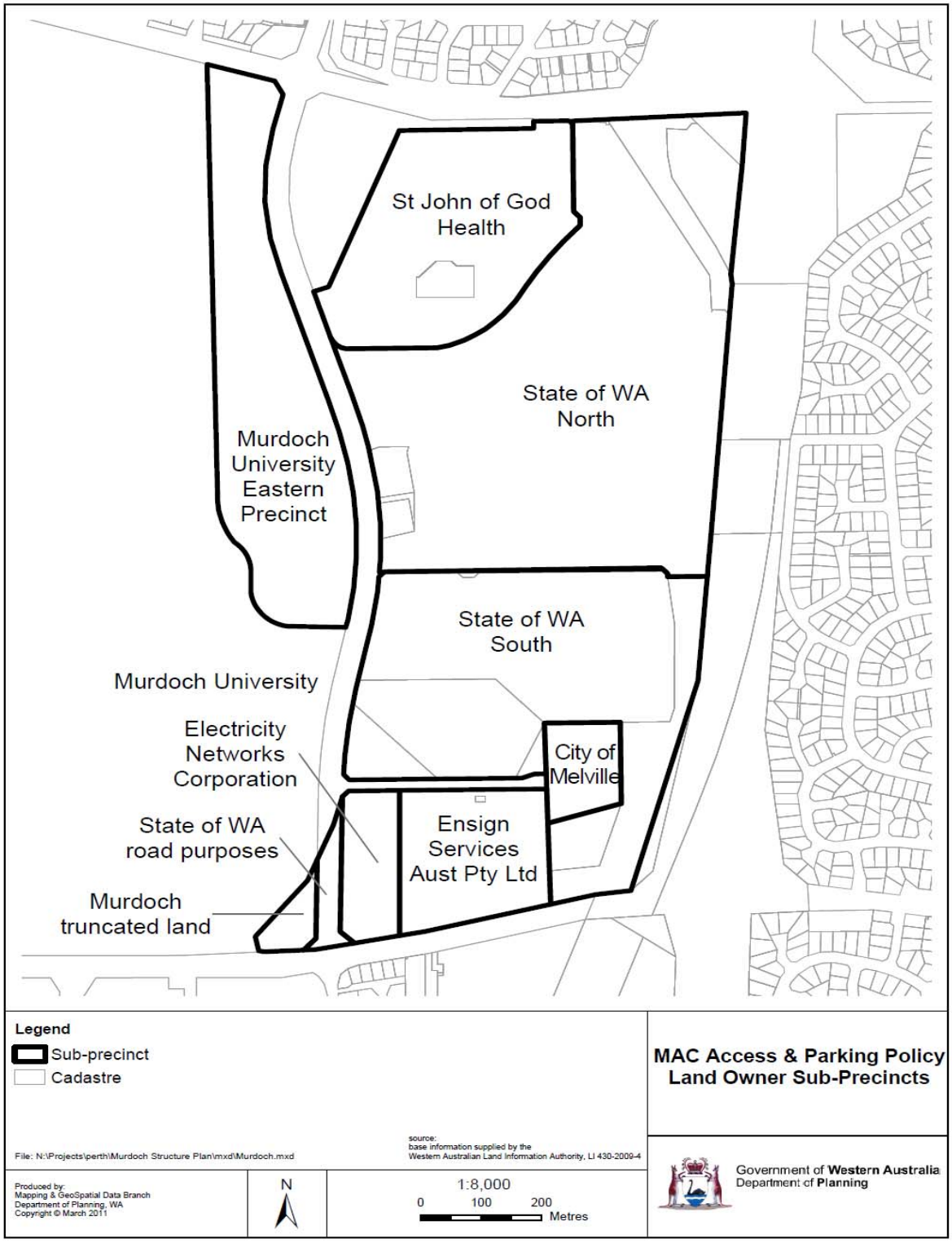
Sub-precincts	***Gross land area in Ha as per MAC Structure Plan (Part A)***	***Parking Rate per ha***	***Parking Cap/ methodology***
State of WA – North Mixed Use Precinct Fiona Stanley Hospital etc.	*36.43*	*170*	***6188** bays – determined by application of the parking rate to the gross land area for land substantially within 800m of the Murdoch Train Station.*
St John of God Hospital	*12.2*	*170*	***2074** bays – determined by application of the parking rate to the gross land area for land substantially within 800m of the Murdoch Train Station.*
State of WA – South TAFE, Remand, etc.	*22.3*	*120*	***2676** – determined by application of the parking rate to the gross land area.*
City of Melville Depot	*2*	*120*	***240** bays - – determined by application of the parking rate to the gross land area.*
Ensign Services	*5.8*	*120*	***696** bays determined by application of the parking rate to the gross land area.*
Electricity Networks Corporation	*2.69*	*120*	***312** bays – determined by application of the parking rate to the gross land area*
State of WA currently used for road purposes	*0.9*	*120*	***109** bays – determined by application of the parking rate to the gross land area.*
Murdoch truncated land	*0.8*	*120*	***96** bays – determined by application of the parking rate to the gross land area*
Murdoch University education	*175.8*	*N/A*	***3075** bays – this is the existing provision of parking on site. Any increase in student staff and visitors will be accommodated in the existing approvals.*

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

Sub-precincts	***Gross land area in Ha as per MAC Structure Plan (Part A)***	***Parking Rate per ha***	***Parking Cap/ methodology***
Murdoch University research and development etc	*29.3*	*120*	*****2000*** *(3516) bays — The transport modelling indicates that the public road system could cope with a maximum of 2000 bays on this sub-precinct. Further studies are required to assess if internal road upgrades will support an increased allocation up to 3,516 bays without compromising the public road system.*
Total	***288.1***		***17,466 Parking Bays***

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

Image 2 – MAC Access and Parking Policy Land Ownership sub-precincts



P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required:	No
Neighbour's Comment Supplied:	No
Reason:	This report provides information on the interim Policy position adopted by the Western Australian Planning Commission with respect to Access and Parking in the vicinity of Murdoch Activity Centre. Feedback on the draft Policy was provided to the Department of Planning. The draft Policy was also subject to facilitated discussion amongst stakeholders via the City's Murdoch Precinct Strategic Group.

REFERRALS TO GOVERNMENT AGENCIES

Required:	Not applicable
Reason:	A submission on the draft Policy has previously been provided to the Department of Planning. Government agency stakeholders also participated in review of the draft Policy via the Murdoch Precinct Strategic Group.

STATUTORY AND LEGAL IMPLICATIONS

The City has an obligation to have regard to the interim Policy position adopted by the WA Planning Commission when considering development and subdivision in the identified areas of the Murdoch Activity Centre, but is currently not necessarily bound by that position. It is noted that the areas of the MAC identified under the Policy (with the exception of the Ensign Services site) are currently reserved for Public Purposes under the Metropolitan Region Scheme and accordingly determination of any development application in any event for much of the MAC south west quadrant (the subject of the parking caps) would be made by the WA Planning Commission. In view of the WAPC Policy position, any future amendment to the City's Local Planning Scheme to bring the land under local planning control (subject also to an amendment to the Metropolitan Region Scheme) is likely to be required to reflect the WAPC's interim Policy position. It is noted that the WAPC's interim Policy position is intended to be replaced by a more formal Policy following introduction of a proposed State Planning Policy for Metropolitan Centres Parking. Such a Policy is expected to include mandatory provisions with respect to matters such as licensing of bays and imposing of minimum parking fees. The State Planning Policy provisions would be required to be reflected in any new Local Planning Scheme.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

FINANCIAL IMPLICATIONS

The interim provisions of the Access and Parking Policy have an impact on the number of car bays that may be provided in any redevelopment of the City's Operations Centre (maximum of 240 bays). The restriction may have a corresponding detrimental impact on the value of that land. It is noted that the caps identified in the interim Policy allow for greater number of vehicles per hectare in the "health precincts" adjacent to the Murdoch rail station with lesser rates per hectare in the outer lying precincts including the City's Operation Centre. Whilst it is recognised that the higher rates per hectare for the health precincts are reflective of the differing parking characteristics of the hospitals (large demand for visitor parking and spread of workforce parking demands over 24 hour period), the approach conflicts with contemporary approaches to parking control whereby more restrictive parking allowances are imposed on the areas with best access to public transport. From this point of view it could be argued that the parking cap allocated to the City's Operations Centre site is overly restrictive in comparison to the health precincts closer to the rail station.

The interim provisions of the Access and Parking Policy restrict the supply of parking in the precinct and accordingly are likely to result in the increased likelihood of fee paying public car parking throughout the precinct and higher parking fees. In coming years it is anticipated that these pressures will trigger Fringe Benefit Tax obligations on landowners and employers in the area (including the City of Melville). An FBT obligation arises if an employee is provided with free or subsidised parking in an area within one kilometre (walkable distance) of a public fee paying car park where the daily rate is in excess of the FBT threshold (currently $7.49 per day). Future adaptations to the Policy and/or the introduction of a State Planning Policy for Metropolitan Centres Parking is expected to revisit the concept of a minimum parking fee for the precinct (which is anticipated to be in excess of the minimum threshold identified by FBT legislation) which will result in wider FBT obligations amongst employers. The opening of Fiona Stanley Hospital in 2014 is also expected to trigger FBT obligations for surrounding sites due to pricing structures already established under the Department of Health's own parking management policies.

In the case of the City of Melville's operations centre, an FBT obligation based on an example of $8 per day for the existing 120 bays would cost the City approximately $250,000 per annum.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

The interim Policy position adopted by the WAPC provides for maximum parking allowances in the MAC precinct and specifies no minimum requirement for a use or development to provide parking bays. This approach is common in larger activity centres where the objective is often to enhance the amenity and function of the area and encourage alternative transport modes by minimising the number of vehicles entering the precinct. This approach differs to the more traditional approach to parking control in suburban areas where minimum parking standards are introduced to provide for the needs of a development and to protect surrounding areas and streets from excessive parking congestion.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

In this regard Council Policy CP-06-024 Car Parking (Non-Residential) identifies minimum car parking requirements for development within the City and differs from the approach adopted by the WAPC for Murdoch. This different approach is considered unlikely to cause a conflict in dealing with future development applications given that:

- the caps provided for in the WAPC policy position still allow developments to include substantial amounts of parking to meet the needs of employees and visitors;
- alternative transport options (public transport and shared public parking) are/will be available should a developer choose to provide few parking bays or no parking bays.

Technically, it is also noted that with the exception of the Ensign Services site, the provisions of Council Policy CP-06-024 do not apply to land within the Murdoch precinct given its designation as Public Purposes reservation under the Metropolitan Region Scheme. In the future, it is expected that the Metropolitan Region Scheme designation of this land will be progressively changed to bring the land to under the planning control of the City of Melville. As this occurs amendments will be required to the Local Planning Scheme and the associated local parking policies and these amendments will be required to reflect the WAPC policy position.

CONCLUSION

The need to manage parking at the MAC as part of a strategy to ensure optimal development and maintain suitable levels of access is acknowledged. To achieve these outcomes, parking management measures needs to be implemented together with improvements to road infrastructure and investment in public transport.

The WA Planning Commission has now adopted an interim position on parking management and as determining authority for much of the MAC land is expected to impose these requirements on new developments in the precinct. The interim position has responded to some of the key concerns raised by the City and other stakeholders:

- Adoption of original draft Policy as guide only, enabling progress on the MAC Part B Structure Plan to better inform the final Access and Parking policy
- Increased overall parking allocation for the Precinct (from 14,300 bays to 17,466 bays)
- Increased allocations to inner health and mixed use sub-precincts in recognition of the differing characteristics of these uses and to preserve opportunity for intensive development adjacent to the rail station.
- Revised sub-precinct boundaries that more closely related to land ownership
- Interim focus only on precinct parking caps, with no control of minimum fees or proposed bay licensing at present
- Increased recognition of the need for substantial road and public transport infrastructure to enable optimal development of MAC.

The interim Policy position however does not fully respond to previously raised concerns with respect to:

- The need for prior commitment from the State Government to fund and implement the infrastructure assumptions made by the Policy with respect to construction of foreshadowed road infrastructure improvements and to ensure suitable investment in public transport to achieve optimistic mode share targets.
- Potential detraction to the commercial competiveness of MAC resulting from parking regulations in comparison to other centres not subject to such controls.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

- The need for additional flexibility and a "performance based approach" with respect to the proposed parking caps when considering differing traffic generating characteristics of particular land uses.

It is recommended that the City provide feedback on these items to the WA Planning Commission to inform further development of the interim Policy.

With the Western Australian Planning Commission being the determining authority for development within the MAC precinct (with the exception of the Ensign Services site), it is expected that the interim policy position will now be implemented on new developments regardless of any differing recommendations from the City. Should an application be received on the Ensign Services site the WAPC interim policy position would not currently be binding but there would be an obligation for the City or a Development Assessment Panel (as applicable) to have regard to the policy position adopted by the WAPC. (It is expected that progress on the current review of Community Planning Scheme 5 will require acknowledgement of the WAPC position). It is recommended that the introduction of this interim Policy position and the implications on the City be noted.

The adoption of the interim Policy position is recognised as a temporary measure, to ensure a parking management strategy was in place ahead of expected development applications for St John of God and the Mixed Use Precinct. The WAPC have advised of the commencement of the preparation of a State Planning Policy framework to guide the management of parking and the establishment of individual Access and Parking Policies in Activity Centres across the metropolitan area. It is anticipated that this approach will revisit the concept of proposed minimum car parking fees and further explore proposed licensing of car parking bays within Activity Centres. These measures will present additional costs to the City and other stakeholders in the precinct, jeopardise the competiveness of the Murdoch Activity Centre and potentially bring forward Fringe Benefit Tax obligations on employers. It is recommended that the City reiterate its concerns regarding the introduction of these elements into any future Access and Parking Policy.

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

OFFICER RECOMMENDATION & COUNCIL RESOLUTION (3271) APPROVAL

That the Council;

1. **Notes the Western Australian Planning Commission's adoption of an interim Policy Position with respect to management of access and parking in the south west quadrant of the Murdoch Activity Centre and its applicability to development in the area.**

2. **Advise the Western Australian Planning Commission that the interim policy position with respect to Access and Parking presents ongoing concerns to the City and, in particular that the interim policy position does not respond to previously raised issues regarding:**
   a) **The need for prior commitment from the State Government to fund and implement the infrastructure assumptions made by the Policy with respect to construction of foreshadowed road infrastructure improvements (comprising southern access to MAC including, the extension of Roe Highway and a full movement intersection/ southern connection to Murdoch Drive, two way tunnel under South Street and grade separation of the Murdoch/South intersection) and to ensure suitable investment in public transport to achieve optimistic mode share targets.**
   b) **Potential detraction to the commercial competiveness of MAC resulting from parking regulations in comparison to other centres not subject to such controls.**
   c) **The need for additional flexibility and a "performance based approach" with respect to the proposed parking caps when considering differing traffic generating characteristics of particular land uses.**

3. **Advise the Western Australian Planning Commission that any consideration of further development of an Access and Parking Policy for the Murdoch Activity Centre and/or a State Planning Policy for Parking in Metropolitan Centres needs to have further regard to the previous objections raised by the City of Melville with respect to:**
   a) **The undesirability and potential conflict with national competition policy associated with the regulation of parking fees, in particular its ability to artificially bring forward triggers associated with Fringe Benefits Tax thresholds;**
   b) **Additional administrative complications and additional financial burden on landowners at the Murdoch Activity Centre associated with a potential introduction of car bay licensing fees;**
   c) **The need for exemptions to be explored or other methods of recognising financial impacts and landowners and wider impacts on the competiveness of Murdoch as a centre as a result of progressive application of the Fringe Benefits Tax.**

P11/3271 – MURDOCH ACTIVITY CENTRE – INTERIM ACCESS AND PARKING POLICY (REC) (ATTACHMENT)

d) The need for any regulation of parking bays, including associated introduction of licensing fees and FBT obligations and opportunities for parking revenue being formulated to ensure no additional cost burden on behalf of City of Melville residents.

At 8.08pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

T11/3264 - ENDORSING CHANGES TO THE ENVIRONMENTAL POLICY (REC) (ATTACHMENT)

Ward	:	All
Category	:	Operational
Subject Index	:	Environmental Management
Customer Index	:	City of Melville
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Not Applicable
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Ian Davis Manager Parks and Environment

AUTHORITY / DISCRETION

		DEFINITION
☐	Advocacy	*When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☐	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.*
☒	**Legislative**	***includes adopting local laws, town planning schemes & policies.***
☐	Review	*when the Council review decisions made by Officers.*
☐	Quasi-Judicial	*when 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.*

T11/3264 - ENDORSING CHANGES TO THE ENVIRONMENTAL POLICY (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- The City of Melville adopted an Environmental Policy in 2009 as part of the implementation of the Environmental Management System (ISO14001).
- The Environmental Framework has four key environmental drivers including water, pollution, biodiversity and climate change.
- The Environmental Policy has been updated to acknowledge that the Earth's climate is changing and to include a statement of our intended response to addressing risks and opportunities that climate change may present in the future.

BACKGROUND

The City of Melville developed an Environmental Framework in 2009 with four key drivers – water, pollution, biodiversity and climate change. As part of the implementation of an Environmental Management System, an Environmental Policy was endorsed in 2009 and changes made in 2010. The Policy does not refer to climate change which provides an opportunity to update the Policy to reflect the City's commitment to adapting to climate change and mitigate greenhouse gas emissions.

The Corporate Plan, *Plan for the Future 2011-2015* identifies under the goal of environmental responsibility, the strategy to adapt to climate change with the resulting action of undertaking a climate change risk assessment and developing a Climate Change Adaptation Strategy.

Acknowledging climate change in the Council's Environmental Policy and making a commitment to include climate change considerations in our operations and planning, forms an integral step towards undertaking a climate change risk assessment and developing a Climate Change Adaptation Strategy.

A climate change risk assessment has been undertaken comprising of two workshops attended by 22 staff. The risks identified along with suggested gaps and potential actions will be discussed with the Operational Management Team. This is intended to be completed by the end of November. A report will be prepared outlining the risk assessment and climate change adaptation opportunities and presented to Council by February 2012 in time for budget preparation.

DETAIL

The Environmental Policy has been changed to include acknowledgement that the Earth's climate is changing and a commitment to include climate change considerations into our operations. This enhances the City's commitment to addressing all key drivers of the Environmental Framework.

The Policy Objective has been amended to read:

- To provide guidance and direction for the City of Melville to minimise our impact on the environment and include climate change considerations in decision making.

T11/3264 - ENDORSING CHANGES TO THE ENVIRONMENTAL POLICY (REC) (ATTACHMENT)

The Policy Statement has had an additional two paragraphs included, which read:

- The City recognises that the global climate is changing as a result of an increase in the concentration of greenhouse gas emissions in the atmosphere and that human activities, in part, continue to contribute to increased greenhouse gas emissions along with other naturally occurring factors.

- The City recognises that climate change may pose particular risks to the community and the delivery of services provided by the City and these risks will require an adaptation and mitigation response.

In addition to current commitments within the Environmental Policy, the City commits to the following:

Within our operations we will:

- Undertake a climate change risk assessment to assess impacts to service delivery and City assets based on available information; and
- Take into consideration climate change impacts within City operations and undertake to implement actions that assist adaptation to and mitigation of those risks.

A copy of the **3264_Environmental_Policy** forms part of the attachments for this Item with amendments indicated in red.

PUBLIC CONSULTATION/COMMUNICATION

No public consultation has been undertaken as this policy is being changed to reflect the core drivers of the environmental framework. The updated policy will be included on the City of Melville website once it is endorsed by the Council.

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

The Western Australia Local Government Association (WALGA) provided a policy template for a Climate Change Policy, however upon consideration of the broad reaching effects of the policy statement, it was decided to update the existing Environment Policy to reflect all four key environmental drivers with the addition of climate change, rather than develop a stand alone policy.

STATUTORY AND LEGAL IMPLICATIONS

There are no legal obligations to update the Environmental Policy with climate change acknowledgement and actions.

T11/3264 - ENDORSING CHANGES TO THE ENVIRONMENTAL POLICY (REC) (ATTACHMENT)

FINANCIAL IMPLICATIONS

There are no direct financial implications in endorsing the revised Environmental Policy. The actions outlined in the Corporate Plan and the Environmental Policy may guide the development of future actions that will have costs associated with them. All financial implications and associated budget requests will be made through the annual budget process.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

By acknowledging climate change in the Environmental Policy, we are accepting that the City will take actions to reduce the impact of climate change within the City. This will also have implications for other areas such as planning considerations and their processes.

The Environmental Framework identifies climate change as one of four key drivers. By including climate change in the policy, we acknowledge that we will need to dedicate resources to further environmental management initiatives.

There is already an Environmental Management System in place that provides a mechanism for the identification and mitigation of environmental risks. Undertaking a risk assessment and embedding the actions in the City's risk register will ensure climate change considerations, along with environment, safety and quality considerations form part of the City of Melville work ethos.

Risk Statement	Level of Risk	Risk Mitigation Strategy
There may be strategic risk in not acknowledging climate change through a policy instrument and adopting the precautionary principle to develop strategies to both mitigate greenhouse gas emissions and adapt to climate change.	The likelihood is possible and the consequence minor resulting in a **MEDIUM** risk.	Adoption of the Environment Policy with climate change acknowledgement.

POLICY IMPLICATIONS

There are no Policy implications associated with this report, other than formal adoption will result in a new Environmental Policy.

ALTERNATE OPTIONS & THEIR IMPLICATIONS

The Council could decide not to include climate change in the Environment Policy, however it is clear that human activities are contributing to climate change and the effects are becoming more evident. The effects of climate change will become more severe if we do not modify our behaviours and consider the impact our operations have on the environment.

T11/3264 - ENDORSING CHANGES TO THE ENVIRONMENTAL POLICY (REC) (ATTACHMENT)

CONCLUSION

The inclusion of climate change in the Environmental Policy allows the City to acknowledge its ongoing commitment to environmental management, consideration of future generations and ensuring sound, responsible decisions are made in regard to the future of our community.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION (3264) **APPROVAL**

That the Council endorses the updated Environmental Policy as attached 3264_Environmental_Policy.

At 8.09pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

At 8.09 pm Cr Barton and Cr Reynolds, having declared a Financial interest in this item, left the meeting

At 8.14pm Cr Kinnell left the meeting
At 8.14pm Cr Nicholson left the meeting
At 8.14pm Cr Pazolli, having declared a Financial interest in this item, left the meeting
At 8.15pm Cr Kinnell returned to the meeting
At 8.17pm Cr Nicholson returned to the meeting

Disclosure of Interest

Item No.	C11/5198
Elected Member/Officer	Cr Hill
Type of Interest	Interest Under Code of Conduct
Nature of Interest	Cr Hill is a financial member and current Chairman of the Board of Melville Cares
Request	Stay and Observe
Decision of Council	Not Required

Disclosure of Interest

Item No.	C11/5198
Elected Member/Officer	Cr Barton
Type of Interest	Financial Interest in accordance with the Act
Nature of Interest	Cr Barton is a member of Alchera Living Board, representing the City of Melville
Request	Leave
Decision of Council	Not Required

Disclosure of Interest

Item No.	C11/5198
Elected Member/Officer	Cr Pazolli
Type of Interest	Financial Interest in accordance with the Act
Nature of Interest	Cr Pazolli receives a sitting fee for attending Alchera Board Meetings
Request	Leave
Decision of Council	Not Required

Disclosure of Interest

Item No.	C11/5198
Elected Member/Officer	Cr Reynolds
Type of Interest	Financial Interest in accordance with the Act
Nature of Interest	Financial Interest relating to Alchera Living
Request	Leave
Decision of Council	Not Required

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

Ward	:	All
Category	:	Policy
Subject Index	:	Elected Members Profile
Customer Index	:	Elected Members
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Ordinary Meeting of Council 17 November 2009 - Item C09/5098 – Election of Representatives to Occasional, Advisory, Local Government and Community Committees Ordinary Meeting of Council 17 August 2010 – Item T10/3156 - Endorsement of Officer and Elected Member Representation on the Beeliar Regional Park Community Advisory Committee Ordinary Meeting of Council 21 December 2010 – Item C10/5151 - Election of Representative to the Museums and Local History Services Advisory Committee
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Bruce Taylor Manager Information and Corporate Support

AUTHORITY / DISCRETION

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☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
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C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

KEY ISSUES / SUMMARY

- This Item provides the Council with the opportunity to review the continuation of each Committee and if still required, to elect representatives to the various Occasional, Advisory, Local Government and Community Committees for a term of two years.

BACKGROUND

The biennial review of the various Occasional, Advisory, Local Government and Community Committees and the Elected Member and officer representation on each Committee's is due to be undertaken.

The last review was held in November 2009 after the October biennial election. It is proposed that the term for membership of all Committees be two years and concurrent with the Local Government election cycle.

DETAIL

Part of the process for electing representatives on Committees should include a review of the need for the Committee to see if it should continue, combine with another Committee or be disbanded. Policy CP-021 Advisory and Management Committees - requires that a report to be presented to the Council every four years where the performance and role of each committee will be assessed and a determination made on whether the Advisory Committees will continue. Consideration to retain, combine or disband a particular Committee(s) has been undertaken as part of this review.

Officers have recommended that the Wireless Hill Visions 2020 Stakeholder Reference Group whose function it was to "provide an interactive stakeholder forum to share information and develop an agreed vision for Wireless Hill for consideration by Council" be disbanded due to the completion of the consultation process.

Officers recommend that representation on the Board of Alchera Living (Inc.) cease as Alchera is now completely independent of the City of Melville. The sale of land at Applecross and Bull Creek to Alchera in June 2011 has concluded the formal association. Elected Members may choose to apply to the Board of Alchera for membership in the role of a community representative if there is a personal desire to continue the association.

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

Officers recommend that representation on the board of Business Foundations Incorporated cease as the City's continued representation is not considered necessary. Previously known as the Coastal Business Enterprise Centre, Business Foundations meets monthly and its function is to maximise development and growth opportunities for small business within the Region. The City has contributed $5,000 annually to Business Foundations for the last few years and there is no proposal to change this arrangement. The Business Foundations Board has recently increased in size with expansion of operations into Rockingham and Kwinana. It is considered that the City's interests will be adequately represented by the inclusion on the Board at the October 2011 AGM of former Cr Ceniviva as a community representative. Cr Ceniviva has been the City's Elected Member representative on the Board in the recent past

The Melville Local Drug Action Group (MLDAG) is recommended for removal from the list of Representatives after consultation with Youth Officers and Cr Foxton as the committee has not met in the past two years.

The Melville Mews Inc. has been recommended for removal from the list of Representatives as their structure has changed and the service will be transitioned to another service provider. During the interim period the Director Community Development will serve as the City of Melville representative on the board.

The Volunteer Home Support Committee has ceased contact with the City of Melville and the Committee had previously voted that representation by the City was optional. It is recommended that this Committee be removed from the list of Representatives.

The Willetton Drug Action Group is recommended for removal from the list of Representatives after consultation with Youth Officers and Cr Foxton as the committee has not met in the past two years.

Due to the small membership of most Occasional Committees, difficulty is sometimes experienced in obtaining a quorum. It is therefore suggested that two deputies be appointed for each occasional committee.

Under Section S5.10(4) of the Local Government Act 1995, where a Council representative is required on any Standing or Advisory Committee of the Council, His Worship the Mayor has the right to be appointed as one of the representatives. This does not apply to representation on non-Council committees.

Elected Members Committee Membership is reviewed ever 2 years, to provide consistency to membership and to offer the widest experience of community involvement to all Elected Members This approach is consistent with the Council's position on the role of Deputy Mayor and encouragement to provide the experience to many Elected Members.

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.1 OCCASIONAL COMMITTEES 2011/2013

1.1.1 WIRELESS HILL CENTENARY WORKING GROUP

(Meets on Mondays starting at 6.00pm and will continue until September 2012)

Function – Is to plan for the commemoration of the Centenary of Wireless Hill. The celebration will raise awareness, educate people about the historical significance of the site and increase community

The 2009/2011 representatives on the Wireless Hill Centenary Working Group were;

Two (2) Elected Members

- Cr P Reidy
- Cr N Pazolli
- Cr Ceniviva (Deputy)

Twelve (12) Community and other stakeholders

- WA VHF Group (1)
- Park User (1)
- Local Resident (4)
- Melville History Society (1)
- Friends of Wireless Hill (2)
- Capital Community Radio (1)
- Light & Sound Centre (1)
- Vintage Wireless Gramophone Club (1)

Officers in Attendance (4)

- Manager Community Services
- Curator/Cultural Development Officer
- Community Development Officer Festivals & Events
- Marketing Officer

Maximum Elected Membership (2)

REPRESENTATIVES 2011/2013	DEPUTIES

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.2 MANAGEMENT & ADVISORY COMMITTEES 2011/2013

1.2.1 BEELIAR REGIONAL PARK COMMUNITY ADVISORY COMMITTEE

(Meets first Thursday of every even month starting between 5.00pm - 5:30pm)

Function -
The Beeliar Regional Park Community Advisory Committee was formed in 1996 and is chaired by Professor Phillip Jennings. The Committee is administered by the Regional Parks Branch of the Department of Environment and Conservation. The Committee currently meets every two months on a Thursday evening at the Cockburn Wetlands Education Centre.

The Committee provides an avenue for the public to be formally involved in implementing the Beeliar Regional Park Management Plan. The Committee provides a forum at which issues affecting the Park are discussed.

Representatives
At the Ordinary Meeting of Council held on 17 August 2010 Cr A Nicholson was elected representative on the Committee with Cr A Ceniviva as the Deputy. The officer representative on the Committee is the City's Environmental Coordinator or his/her representative.

The Committee consists of -

One (1) Elected Member

Officers in Attendance -

Environmental Coordinator

Maximum Elected Membership (1)

REPRESENTATIVES 2011/2013	DEPUTIES

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.2.2 CITY OF MELVILLE EMERGENCY MANAGEMENT COMMITTEE
(Meets quarterly on a Wednesday at 5:00pm)

Function – to oversee the City of Melville Emergency Management Plan; to clarify the roles of each of the various organisations to ensure coordination of the resources during emergency situations; and to plan and conduct an emergency management exercise each year to test the City of Melville Emergency Management Plan.

The 2009/2011 representatives on the City of Melville Emergency Management Committee were Cr R Subramaniam, Cr P Reidy, Cr B Kinnell, Cr J Barton and Cr G Wieland as Deputy. Officers are allocated to attend to meetings of the Emergency Management Committee in their Administrative capacity and it is requested that staff not be appointed to this committee as a Deputy member.

The Committee consists of –

Four (4) Elected Members
Representative from –
- St John Ambulance
- Department of Community Services
- Red Cross Society
- Police Officer in Charge – Murdoch & Palmyra
- SES Melville Coordinator
- District Officer WA Fire Brigade

Officers in Attendance –
- Neighbourhood Amenity Coordinator
- Community Development Coordinator
- Manager Operations Services

Maximum Elected Membership (4)

REPRESENTATIVES 2011/2013	DEPUTIES

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.2.3 MUSEUMS & LOCAL HISTORY SERVICES ADVISORY COMMITTEE
(formerly Local History & Museum Services Advisory Committee)
(Meets bi-annually in May and November – *time and date to be advised*)

Function –

a) To increase the usage of the museums and local history service by the local community and visitors to Melville through the contribution of ideas and strategies to actively promote the service

b) To assist with the recruitment of volunteers to support the work of the museums and local history service

c) To provide suggestions and comment on education and community programme development and the "use" of museum sites in order to relate the history of Melville

d) To advise on the acquisition of new items and de-accessioning of existing items in line with the museum and local history service Collections Policy

e) To advise on other museum and local history matters referred to the Committee from time to time

Cr A Nicholson was elected as representative on the Local History & Museum Services Advisory Committee at the Ordinary Meeting of Council on 17 November 2009 following the 2009 Election. Following Cr Nicholson's resignation from the Committee, at the Ordinary Meeting of Council held on 21 December 2010, Cr C Halton was elected as representative with Cr J Barton as Deputy, both terms concluding in October 2011.

The Committee consists of -

One (1) Elected Member
Two (2) Community and/or Business Representatives
Four (4) Representatives from the following groups -

- Melville History Society (1)
- Melville District Education Department (1)
- Youth (1)
- Aboriginal (1)

Officers in Attendance (3)

- Manager Community Services
- Curator/Cultural Development Officer
- Local History Officer

Maximum Elected Membership (1) & (1) Deputy

REPRESENTATIVES 2011/2013	DEPUTY

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.2.4 CITY OF MELVILLE ROAD SAFETY AND TRAVELSMART COMMITTEE
(Meets every 3 months on a Wednesday at 6.00pm)

Function –

1) *To improve the two way flow of information and resources between residents and Government Authorities to address the safety and efficiency of Melville road users with special emphasis on our vulnerable road users. Vulnerable road users include pedestrians, cyclists, public transport users, youth and the elderly.*

2) *To identify a small number of critical road safety and TravelSmart issues to focus on, determine a strategy for addressing these issues, set a target and then work with the necessary groups and resources to achieve the desired outcome.*

The 2009/2011 representatives on the Melville Community RoadWise Taskforce were Cr P Reidy, Cr N Pazolli and Cr G Wieland as Deputy.

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Committee Representation
(2) Elected Members

(1) Chairperson

Officers in Attendance
- TravelSmart Officer
- Executive Engineer
- (Design Engineer/Transport & Safety Coordinator – as and when required);
- Minute Secretary

Maximum Elected Membership (2)
- Elected Member representatives hold the positions of Chairperson and Deputy Chairperson of the Committee

REPRESENTATIVES 2011/2013	DEPUTIES

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.2.5 YOUTH SPORTS SCHOLARSHIP SCHEME ASSESSMENT PANEL
(Annually for Assessment purposes)

Function - The Youth Sports Scholarship Scheme is targeted at young athletes (aged 12 to 19 years) in all sports who have represented the State or at a higher level. The City is supporting suitably identified elite young athletes (Scholarship winners) that live in the City of Melville by providing membership to MAFC and MRC as part of their training regime as they continue to succeed in their chosen sport.

The 2009/2011 representatives on the Youth Sports Scholarship Scheme Assessment Panel were Deputy Mayor Cr M Reynolds, Cr N Foxton and Cr P Reidy with the Community Recreation Coordinator as deputy.

The Committee consists of

Three (3) Elected Member
Representative from -

- Department of Sport and Recreation (1);

Officers in Attendance -

- Community Recreation Coordinator
- Recreation Development Officer

Maximum Elected Membership (3)

REPRESENTATIVES 2011/2013	DEPUTIES
	Community Recreation Coordinator

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.2.6 SAFER MELVILLE ADVISORY COMMITTEE

(Meetings held every two months on the third Wednesday of the month at 7.00pm)

In 2005, the City of Melville entered into a partnership with the Office of Crime Prevention (OCP) to develop a local Community Safety and Crime Prevention Strategy. The partnership agreement with OCP also required the creation of a reference group. This formed the basis of the Safer Melville Advisory Committee (SMAC). The City successfully implemented the 2004 - 2008 Community Safety and Crime Prevention Plan.

The SMAC has now been re established as the City of Melville has developed the 2008-2012 Safer Melville Community Safety Crime Prevention Plan. . Requirements of the Safer Melville Plan, which has been endorsed by the SMAC are to provide regular progress report to the committee for their recommendations.

Function –

- *To facilitate formation of Local Community Safety and Crime Prevention Partnerships within the District of the City of Melville;*
- *To coordinate development of a Local Community Safety & Crime Prevention Plan in partnership with relevant stakeholders for adoption by the City of Melville;*
- *To develop Local Community Safety and Crime Prevention strategies and to negotiate Local Service Agreements to ensure delivery of those strategies in accordance with the predetermined standards and timing;*
- *To periodically review the Local Community Safety and Crime Prevention Plan and make recommendation to the City of Melville for adoption.*

The 2009/2011 representatives on the Safer Melville Advisory Committee were Cr R Subramaniam, Cr P Reidy and Cr G Wieland as Deputy.

Committee Representation

- Murdoch Police Station (1);
- Palmyra Police Station (1);
- Department of Housing (1);
- Department of Communities (1);
- Department of Indigenous Affairs (1);
- Department of Health (1);
- Department of Education and Training (1);
- Department of Corrective Services (1);
- Office of Crime Prevention (1);
- Youth Advisory Council (1);
- Up to four Members of the Community to be selected to ensure representation from other ethnic groups, families, people with disabilities and older people.
- City of Melville (2 Elected Members)

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

Officer in Attendance
Director Community Development (as required)
Manager Neighbourhood Amenity
Business Manager Community Safety Service
Coordinator Community Safety & Crime Prevention

Maximum Elected Membership (2) with an Elected Member as Deputy

REPRESENTATIVES 2011/2013	DEPUTIES

1.3 APPOINTMENT OF DELEGATES 2011/2013

1.3.1 SOUTHERN METROPOLITAN REGIONAL COUNCIL

(Meets every 2 months on Thursdays at 5:00pm)

Function - Acts as the Board of Directors for development and operations of the Southern Metropolitan Regional Council's Regional Resource Recovery Centre, and other activities applicable under the Southern Metropolitan Regional Council's Terms of Reference

The 2009/2011 representative on the Southern Metropolitan Regional Council was Cr C Robartson, with Cr R Subramaniam as deputy and the Director Technical Services as advising Officer and Director Corporate Services as alternate Advising Officer.

The Committee consists of -

One (1) Elected Member
from -

- City of Melville
- Town of East Fremantle
- City of Fremantle
- City of Cockburn
- Town of Kwinana
- City of Rockingham (have notified withdrawal)

Officers in Attendance

- Director Technical Services – Advising Officer
- Director Corporate Services alternate Advising Officer.

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY

1.3.2 SOUTH WEST GROUP DISTRICT PLANNING COMMITTEE
(Meets bi-monthly commencing 23 June 2005 at 5.30pm)

Western Australia Planning Commission has advised meetings of this Committee have been suspended until further notice. As such the Council should still appoint representatives should the Committee be reconvened.

Function - set up under the old Metropolitan Region Town Planning Scheme Act and is the organ of the Councils (six) of the South West Group on planning matters, one of which is appointed to represent the Group on the Executive of the Metropolitan Region Planning Association.

The 2009/2011 representative on the South West Group District Planning Committee was Cr A Ceniviva with Director Urban Planning as advising officer in attendance.

The Committee consists of -

One (1) Elected Member
Representatives from -
- Town of East Fremantle
- Town of Kwinana
- City of Cockburn
- City of Fremantle
- City of Rockingham

Officer in Attendance
- Director Urban Planning (or his representative)

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY
	Director Urban Planning

NB: As only one representative is required for this Committee, a ballot may be required to be held if more than one nomination is received.

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.3.3 SOUTH WEST GROUP BOARD
(Meets bi-monthly on Monday commencing at 5.30pm)

The South West Group will be managed by a Board consisting of the Mayor and the CEO of each member local government authority. Board members are ex officio and their appointments are for the same term for which they hold office.

Function - The Board is responsible for and has the authority to determine the policy, practices, management and operations of the South West Group and shall work towards a secure and long term future of the organisation.

To further assist board members in their deliberations and to facilitate regional development the Board has established the following committees, which report directly to the Board:

1 CEO Forum
2 South West Group Environment and Services Committee (now the Perth Region NRM South West Reference Group)
3 South West Group Planning and Infrastructure Committee
4 Shared Services Committee
5 Technical Directors' Committee

The Board consists of -

The Mayor and CEO Representatives from -
- City of Melville
- Town of East Fremantle
- Town of Kwinana
- City of Cockburn
- City of Fremantle
- City of Rockingham

Officer in Attendance
- Director Urban Planning (or his representative)

The South West Group Chair rotates annually, with the schedule identifying the City of Melville Mayor for 2012.

Board Representation
Mayor and CEO

REPRESENTATIVES 2011/2013	DEPUTIES
Mayor	N/A
Chief Executive Officer	

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.3.4 SOUTH WEST GROUP PLANNING AND INFRASTRUCTURE COMMITTEE
(Meets Thursday mid month, every second month at 4.00 pm)

Function - to address the Planning and Infrastructure issues currently faced by the South West Metropolitan Region.

The 2009/2011 representative on the South West Group - Planning and Infrastructure Committee was Cr C M Halton, with the Director Technical Services and Director Urban Planning as deputies.

The Committee consists of -

One (1) Elected Member
Representatives from -

- City of Cockburn
- City of Fremantle
- City of Rockingham
- City of Melville
- Town of East Fremantle
- Town of Kwinana
- Two planning and/or engineering staff members from each member Local Government Agency

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTIES
	Director Technical Services
	Director Urban Planning

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.3.5 SWAN RIVER TRUST
(Meets first Monday of each month at 9.00am)

Function - to manage and protect the Swan River.

The 2009/2011 delegate to the Swan River Trust was Cr C Robartson with the Director Urban Planning as the deputy.

The Trust representatives will consist of -

Representatives from -
- The City of Melville
- Swan River Trust
- Planning & Development Environmental Quality Committee

Officer in Attendance
- To be determined depending on the issue ie Environmental Coordinator, Director Urban Planning, or Director Technical Services

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY
	Determined by the Chief Executive Officer

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.3.6 WESTERN AUSTRALIAN LOCAL GOVERNMENT (WALGA) - SOUTH METROPOLITAN ZONE
(Meets bi-monthly on the last Monday of the month at 5.30pm)

Function - to examine issues relative to the industry within the South Metropolitan Zone and provide feedback to Zone Representatives voting at the Local Government Association and Western Australian Municipal Association.

The 2009/2011 delegates to the Local Government Association of Western Australia (Inc) - South Metropolitan Zone, were Deputy Mayor Cr M Reynolds, Cr R Subramaniam and Cr A Ceniviva with Cr J Barton and the Chief Executive Officer as Deputies.

The Zone Membership will consist of -

Three (3) Elected Members
Representatives from -
- City of Fremantle
- Town of East Fremantle
- City of Cockburn
- City of Rockingham
- Town of Kwinana
- Local Government Association

Officer in Attendance
- Chief Executive Officer

Committee Representation
Three (3) Elected Members

REPRESENTATIVES 2011/2013	DEPUTY
	Chief Executive Officer

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.3.7 SOUTH WEST REFERENCE GROUP – PERTH REGION NRM
(Meets at 12.30 - 3.30pm, six times a year, Thursday, date to be agreed.)

Function - to support the South West Group in establishing a strategic direction, vision and business plan for local governments, community and industry to achieve landscape scale benefits and integrated land use planning for the South West
.

The 2009/2011 delegates to the previous South West Corridor Environment and Services Committee were Cr N Foxton and Cr J Barton with the Director Community Development and Director Technical Services as deputies.

Cr C Robartson has been nominated to the Perth Region NRM South West Reference Group through his long association with the Perth NRM Local Government Reference Group

The Perth Region NRM South West Reference Group representatives consist of -
One representative from the six member Local Government Agencies of the South West Group.
South West Group Director

Committee Representation
One (1) Nominee (Elected Members and/or Staff Members)

REPRESENTATIVES 2011/2013	DEPUTIES
	Manager Parks and Environment
	Director Technical Services

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.3.8 SOUTH WEST SUB GROUP OF THE METROPOLITAN REGIONAL ROAD GROUP
(At least annually – Aug/Sept or as required)

Function – To assess and prioritise the annual Metropolitan Region Road Programme grant submissions from the Sub Group for Road Improvement, Road Rehabilitation and Black Spot funded projects prior to submission to Main Roads.
To make recommendations to the State Roads Funds to Local Government Advisory Committee on these projects prior to endorsement from the Commissioner Main Roads and Ministerial approval of successful grant submissions.

The Sub Group also elects an Elected Member to represent the South West Group's interests at the Metropolitan Region Road Group (Elected Members) meeting (held November each year) which makes recommendations on grant projects to the State Roads Funds to Local Government Advisory Committee prior to approval from the Minister in December each year

The 2009/2011 representative on the group was Cr C Robartson.

The South West Sub Group Committee consists of –

One (1) Elected Member
from –
- City of Melville
- Town of East Fremantle
- City of Fremantle
- City of Cockburn
- Town of Kwinana
- City of Rockingham

Officers in Attendance

- Technical Officer representatives from each Local Government (Director Technical Services and Director Urban Planning).

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY
	Director Technical Services

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4 APPOINTMENT OF REPRESENTATIVES 2011/2013

1.4.1 AVIATION MUSEUM COMMITTEE

(Meets first Tuesday of each month at 9.30am)

Function - to examine and make decisions on the development of the RAAF Aviation Heritage Museum.

The 2009/2011 representative on the Aviation Museum Committee was the Curator/Cultural Development Officer.

The Committee consists of -

Representatives from -
- The City of Melville
- Education Representative from Kent Street High School
- Aviation Library
- RAAF members (7)

Officer in Attendance
- Curator/Cultural Development Officer

Committee Representation

REPRESENTATIVES 2011/2013	DEPUTY

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.2 CITY OF MELVILLE CITIZENS RELIEF FUND (Inc)
(Meets bi-monthly - Wednesday evening)

Function - to oversee the management of the Relief Fund and approval of applicants.

The 2009/2011 representative on the City of Melville Citizens Relief Fund (Inc) was Cr J Barton.

Officer in Attendance -
- Financial Counsellor/Emergency Relief Officer

Note – *Cr Robartson is on this Committee in his own right as member of the Community*.

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.3 JANDAKOT AIRPORT CONSULTATIVE COMMITTEE
(Meets two – three times a year on Thursdays at 3:00pm)

Function – to provide a forum for discussion of all aspects of Airport planning and operations.

The Council representative on the 2009/2011 Jandakot Airport Advisory Committee was Cr C Robartson with Cr P Reidy as Deputy.

The Committee consists of –

Representatives from –
- City of Melville
- Civil Aviation Authority
- Trades & Labour Council
- Ministry for Planning
- City of Cockburn
- City of Canning
- Aviation Industry

Officer in Attendance
- Manager Strategic Urban Planning

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY
	Manager Strategic Urban Planning

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.4 MELVILLE CARES INC
(Meets last Tuesday of each month at 1.30pm)

Function - to provide home care services for residents in need with the aim of maintaining persons in their own homes for as long as possible.

The 2009/2011 representative on the Melville Cares Inc Committee was Cr B Kinnell. An Officer is allocated to attend to meetings of Melville Cares Inc Committee in their Administrative capacity and it is requested that staff not be appointed to this committee as a Deputy member.

The Committee consists of -

Representatives from -
- City of Melville
- Melville Cares Presiding Member (D Feeney)
- Melville Cares Deputy Presiding Member
- Melville Cares Secretary
- Melville Cares Treasurer
- Community representatives (6)

Officer in Attendance
- Community Development Coordinator – East & West (Alternating)

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.5 MELVILLE/COCKBURN CHAMBER OF COMMERCE INC
(Meets last Friday of every month at 7.30am)

Function – assisting local businesses in the City of Melville, with the role of the representative being to enhance the communication lines between the Chamber and the Council.

The 2009/2011 representative on the Melville/Cockburn Chamber of Commerce was Cr R Subramaniam, with the Director Urban Planning as deputy.

Council Officer Contact
- Director Urban Planning

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY
	Director Urban Planning

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.6 MELVILLE HISTORY SOCIETY - MILLER BAKEHOUSE MUSEUM
(Meets once a month on Mondays at 7:00am)

Function - to curate the Miller Bakehouse Museum, preserve the archival collection, respond to public enquires and coordinate educational and heritage activities.

In 2009/2011 there was no Elected Member representative on the Melville History Society Miller Bakehouse Museum, with the Curator/Cultural Development Officer as deputy.

The Committee consists of -

Representatives from -
- City of Melville
- Melville History Society Members
  - President
  - Vice-President
  - Treasurer
  - Secretary
  - Research Secretary
  - Members (2)

Officer in Attendance
- Curator/Cultural Development Officer

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY
	Curator/Cultural Development Officer

NB: It was resolved at the meeting held on 27 May 2003 that the Council Representation on the Melville History Society – Miller Bakehouse Museum be optional as the City of Melville is no longer a sponsor for the group, and autonomous funding is now available to them.

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.7 MURDOCH PRECINCT STRATEGIC GROUP
(Meets quarterly on a Thursday - at 7.00am)

Function - to share information on the proposed development of the Murdoch Precinct..

The 2009/2011 representatives on the Murdoch Precinct Strategic Group were Deputy Mayor Cr M Reynolds, Cr C Robartson with Cr N Foxton and the Director Urban Planning as Deputies.

The Committee consists of -

Representatives from -
- City of Melville
- St John of God Healthcare Murdoch
- Murdoch Challenger TAFE
- Spotless Linen
- Rangeview Remand Centre
- Murdoch University
- Murdoch Police Service
- Department of Planning & Infrastructure
- Health Department of WA
- Fire & Emergency Services
- Public Transport Authority
- Western Power
- Department of Agriculture & Food
- Wesfarmers Energy
- South West Group

Local Politicians -
- Christian Porter MLA
- Sue Ellery MLC

Officer in Attendance
- Chief Executive Officer
- Director Urban Planning
- Director Technical Services
- Executive Engineer

Committee Representation
One (1) University Ward Member and one (1) other Elected Member

REPRESENTATIVES 2011/2013	DEPUTIES
(University Ward Member)	Director Urban Planning

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.8 NEIGHBOURHOOD WATCH - CITY OF MELVILLE SUBURBS MANAGERS COMMITTEE
(Meets bi monthly on the third Monday from 6:00pm - 8:00pm)

Function - to advise the Council on matters associated with Neighbourhood Watch coordination with the City of Melville area.

The 2009/2011 representative on the Neighbourhood Watch - Melville Area Coordinators Committee was Cr N Foxton, with the Coordinator Community Safety & Crime Prevention as Deputy.

The Committee consists of -

Representatives from -
- City of Melville
- Neighbourhood Watch Area Coordinators Group
- Police Department WA
- Community Policing Department

Officer in Attendance
- Coordinator Community Safety & Crime Prevention
- Business Manager Community Safety Security (CSS)

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY
	Coordinator Community Safety & Crime Prevention

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.9 SOUTH WEST CORRIDOR DEVELOPMENT FOUNDATION (INC)
(Meets fourth Monday of each second month at 4.00pm, preceding the WALGA Zone Council Meeting)

Function - to facilitate economic growth and the development of the South Metropolitan region, carry out projects to promote regional development and skills development and manage Industry Direct web portal.

The 2009/2011 representative on the South West Corridor Development Foundation (Inc) was Cr A Ceniviva with the Director Urban Planning as Deputy.

The Committee includes -

Representatives from -
- City of Melville
- City of Cockburn
- City of Rockingham
- City of Fremantle
- Town of Kwinana
- Town of East Fremantle
- Director South West Group
- Business Foundations
- Melville Cockburn Chamber of Commerce
- Rockingham Kwinana Chamber of Commerce
- Fremantle Chamber of Commerce
- Bridging the Gap Rockingham

Officer in Attendance
- Director Urban Planning

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY
	Director Urban Planning

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.10 PERTH AIRPORTS MUNICIPALITIES GROUP
(Meets quarterly on Thursdays at 7.00pm)

The 2009/2011 representative on the Perth Airports Municipalities Group was His Worship the Mayor, R A Aubrey with Cr P Reidy as Deputy.

The objects of the Group are -:

(a) To provide a forum of meaningful discussion on issues which affect Metropolitan Airports and their environs;

(b) To investigate, report and formulate recommendations in respect of matters affecting or likely to affect the development of Metropolitan Airports;

(c) To monitor the use and environmental impact of Metropolitan Airports on neighbouring communities;

(d) To advise relevant State and Federal ministers, State and Commonwealth government departments, the Noise Management Committee, and the Owner/s of Perth and Jandakot airports on issues of major concern affecting airports and the surrounding communities;

(e) To establish and maintain a strong partnering relationship with the Owner/s of Perth and Jandakot airports for the purpose of open and effective dialogue to identify, discuss, advise, research and seek proactive resolutions to issues affecting the airports and the immediate local community;

(f) To provide a conduit and consultation mechanism for the expression of community views and a proper exchange of information with members of the community;

(g) To consider all proposals affecting airport development and operations before policy decisions are made and before changes are effected in relevant legislation and regulations;

(h) To liaise with the airport emergency procedures committees where necessary on matters involving emergency co-ordination and rescue response;

(i) To pursuer active participation on AMAC and such other bodies that may come into existence for the purpose of fostering participation in the development, use and monitoring the impact of airports;

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

(j) To promote the economic benefits or civil aviation airports; and

(k) To liaise with local government on issues of concern to the community, and to provide a forum for discussion of planning and development

Committee Representation
One (1) Elected Member

REPRESENTATIVES 2011/2013	DEPUTY

PUBLIC CONSULTATION/COMMUNICATION

Nil

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

Nil

STATUTORY AND LEGAL IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Nil.

POLICY IMPLICATIONS

Under the Council Policy Number CP-021 - Advisory and Management Committees, the number of Elected Members on Advisory Committees should be restricted to no more than one-third of the total number of members of the committee. This does not prevent other Elected Members from attending as Observers.

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

Where one third of the total number of Members is not a whole number the lesser number shall apply, i.e. thirteen members equals four Elected Members.

The Policy requires that a report be presented to the Council every four years. The report will outline the objectives, role, terms of reference, membership and achievements or benefits of each Advisory Committee and recommend that the Committee continue, combine with another Committee or be disbanded. The performance and role will be assessed and a determination made on which Advisory Committees will continue.

Policy CP-020 – Nomination on WALGA Committees, covers the process for submitting Nominations on Western Australian Local Government Association Committees.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

An alternative option is not to have Elected Member representation on some Committees and where permitted, for Officers to represent the Council.

CONCLUSION

The Council should review the continuation of each Committee and where retained and continued, a representative or representatives should be appointed to each Committee.

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

OFFICER RECOMMENDATION (5198) **ABSOLUTE MAJORITY**

At 8.18pm Cr Robartson moved, seconded Cr Reidy -

1. That by absolute majority decision, the appointments to the following Occasional, Management and Advisory, Local Government and Community Committees, be adopted.

1.1 OCCASIONAL COMMITTEES 2011/2013

1.1.1 WIRELESS HILL CENTENARY WORKING GROUP

REPRESENTATIVES 2011/2013	DEPUTIES

1.2 MANAGEMENT & ADVISORY COMMITTEES 2011/2013

1.2.1 BEELIAR REGIONAL PARK COMMUNITY ADVISORY COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES

1.2.2 CITY OF MELVILLE EMERGENCY MANAGEMENT COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES

1.2.3 MUSEUMS & LOCAL HISTORY SERVICES ADVISORY COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTY

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.2.4 ROAD SAFETY AND TRAVELSMART COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES

1.2.5 YOUTH SPORT SCHOLARSHIP SCHEME ASSESSMENT PANEL

REPRESENTATIVES 2011/2013	DEPUTIES

1.2.6 SAFER MELVILLE ADVISORY COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES

1.3 APPOINTMENT OF DELEGATES 2011/2013

1.3.1 SOUTHERN METROPOLITAN REGIONAL COUNCIL

REPRESENTATIVES 2011/2013	DEPUTY

1.3.2 SOUTH WEST GROUP DISTRICT PLANNING COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES

1.3.3 SOUTH WEST GROUP BOARD

REPRESENTATIVES 2011/2013	DEPUTIES
Mayor	N/A
Chief Executive Officer	

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.3.4 SOUTH WEST GROUP PLANNING AND INFRASTRUCTURE COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES

1.3.5 SWAN RIVER TRUST

REPRESENTATIVES 2011/2013	DEPUTY

1.3.6 WESTERN AUSTRALIAN LOCAL GOVERNMENT (WALGA) - SOUTH METROPOLITAN ZONE

REPRESENTATIVES 2011/2013	DEPUTIES

1.3.7 SOUTH WEST CORRIDOR ENVIRONMENT AND SERVICES COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES

1.3.8 SOUTH WEST SUB GROUP OF THE METROPOLITAN REGIONAL ROAD GROUP

REPRESENTATIVES 2011/2013	DEPUTY

1.4 APPOINTMENT OF REPRESENTATIVES 2011/2013

1.4.1 AVIATION MUSEUM COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTY

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.2 CITY OF MELVILLE CITIZENS RELIEF FUND (Inc)

REPRESENTATIVES 2011/2013	DEPUTY

1.4.3 JANDAKOT AIRPORT CONSULTATIVE COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTY

1.4.4 MELVILLE CARES INC

REPRESENTATIVES 2011/2013	DEPUTY

1.4.5 MELVILLE/COCKBURN CHAMBER OF COMMERCE INC

REPRESENTATIVES 2011/2013	DEPUTY

1.4.6 MELVILLE HISTORY SOCIETY - MILLER BAKEHOUSE MUSEUM

REPRESENTATIVES 2011/2013	DEPUTY

1.4.7 MURDOCH PRECINCT STRATEGIC GROUP

REPRESENTATIVES 2011/2013	DEPUTIES

1.4.8 NEIGHBOURHOOD WATCH - CITY OF MELVILLE SUBURBS MANAGERS COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTY

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.9 SOUTH WEST CORRIDOR DEVELOPMENT FOUNDATION (INC)

REPRESENTATIVES 2011/2013	DEPUTY

1.4.10 PERTH AIRPORTS MUNICIPALITIES GROUP

REPRESENTATIVES 2011/2013	DEPUTY

2. That the City of Melville resolves that it will no longer be represented on the following Reference Group, Board and Committees from the date of this resolution and advises the organisations in writing:

Wireless Hill Visions 2020 Stakeholder Reference Group
Alchera Living (Inc.)
Business Foundations Incorporated
Melville Local Drug Action Group (MLDAG)
Melville Mews Inc.
Volunteer Home Support Committee
Willetton Drug Action Group

3. That Elected Members tenure on Occasional, Local Government and Community Committees be a term of two years

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

His Worship the Mayor called for a mover and seconder for Part 2 of the Officer Recommendation inclusive of Amendment 1.

Amendment 1

At 8.18pm Cr Robartson moved, seconded Cr Reidy -

That the Officer Recommendation be amended at Clause 2 by the deletion of the words "Alchera Living (Inc.)" and insertion of new sub-clauses 2.1 and 2.2 that read:

"2.1 That the City of Melville resolves that it will no longer be represented on the Board of Alchera Living (Inc.) after providing a notice period of three months and advises Alchera Living (Inc.) of this decision in writing."

"2.2 That the current representatives continue to represent the City of Melville for the notice period of three months."

At 8.22pm the Mayor submitted the amendment, which was declared

CARRIED BY ABSOLUTE MAJORITY (10/0)

Reasons for Amendment

Alchera Living (Inc.) have a clause in their constitution under "Board of Directors" that provides "no less than three (3) City Councillors selected from nominations received from the City of Melville….." to form part of the Board consisting of 12 members.

In order to give Alchera the opportunity to amend their constitution it is necessary to allow Alchera a "phase-out" period where the City of Melville nominations continue as Board Members on the Alchera Board for a three months period.

COUNCIL RESOLUTION (5198) **ABSOLUTE MAJORITY**

At 8.22pm the Mayor submitted the substantive motion as amended –

2. That the City of Melville resolves that it will no longer be represented on the following Reference Group, Board and Committees from the date of this resolution and advises the organisations in writing:

Wireless Hill Visions 2020 Stakeholder Reference Group
Business Foundations Incorporated
Melville Local Drug Action Group (MLDAG)
Melville Mews Inc.
Volunteer Home Support Committee
Willetton Drug Action Group

2.1 That the City of Melville resolves that it will no longer be represented on the Board of Alchera Living (Inc.) after providing a notice period of three months and advises Alchera Living (Inc.) of this decision in writing.

2.2 That the current representatives continue to represent the City of Melville for the notice period of three months.

At 8.22pm the Mayor declared the motion **CARRIED BY ABSOLUTE MAJORITY (10/0)**

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

At 8.23pm Cr Barton, Cr Pazolli and Cr Reynolds returned to the meeting.

His Worship the Mayor called for a mover and seconder of Parts 1 and 3 of the Officer Recommendation inclusive of Amendment 2.

Amendment 2

At 8.42pm Cr Robartson moved, seconded Cr Reidy -

That at Clause 1.4.3 of the Officers Recommendation, the words "Jandakot Airport Consultative Committee" be deleted and replaced with "Community Aviation Consultative Group (CACG) – Jandakot Airport".

Reasons for Amendment

The Committee has been inaccurately described in prior correspondence and the correct name for the Committee has now been established as "Community Aviation Consultative Group (CACG) – Jandakot Airport".

COUNCIL RESOLUTION (5198) **ABSOLUTE MAJORITY**

At 8.42pm the Mayor submitted the substantive motion as amended -

1. That by absolute majority decision, the appointments to the following Occasional, Management and Advisory, Local Government and Community Committees, be adopted.

1.1 OCCASIONAL COMMITTEES 2011/2013

1.1.1 WIRELESS HILL CENTENARY WORKING GROUP

REPRESENTATIVES 2011/2013	DEPUTIES
Cr Barton	His Worship the Mayor

1.2 MANAGEMENT & ADVISORY COMMITTEES 2011/2013

1.2.1 BEELIAR REGIONAL PARK COMMUNITY ADVISORY COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.2.2 CITY OF MELVILLE EMERGENCY MANAGEMENT COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES
Cr Barton	
Cr Foxton	
Cr Reidy	

1.2.3 MUSEUMS & LOCAL HISTORY SERVICES ADVISORY COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTY
Cr Barton	

1.2.4 ROAD SAFETY AND TRAVELSMART COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES
Cr Hill	Cr Willis
Cr Foxton	

1.2.5 YOUTH SPORT SCHOLARSHIP SCHEME ASSESSMENT PANEL

REPRESENTATIVES 2011/2013	DEPUTIES
Cr Reidy	
Cr Kinnell	
Cr Foxton	
Cr Reynolds	

1.2.6 SAFER MELVILLE ADVISORY COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES
Cr Reidy	

1.3 APPOINTMENT OF DELEGATES 2011/2013

1.3.1 SOUTHERN METROPOLITAN REGIONAL COUNCIL

REPRESENTATIVES 2011/2013	DEPUTY
Cr Willis	

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.3.2 SOUTH WEST GROUP DISTRICT PLANNING COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES
Cr Macphail	

1.3.3 SOUTH WEST GROUP BOARD

REPRESENTATIVES 2011/2013	DEPUTIES
Mayor	N/A
Chief Executive Officer	

1.3.4 SOUTH WEST GROUP PLANNING AND INFRASTRUCTURE COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES
Cr Macphail	Cr Willis

1.3.5 SWAN RIVER TRUST

REPRESENTATIVES 2011/2013	DEPUTY
Cr Nicholson	Cr Robartson

1.3.6 WESTERN AUSTRALIAN LOCAL GOVERNMENT (WALGA) - SOUTH METROPOLITAN ZONE

REPRESENTATIVES 2011/2013	DEPUTIES
Cr Barton	
Cr Macphail	
Cr Reynolds	

1.3.7 SOUTH WEST CORRIDOR ENVIRONMENT AND SERVICES COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTIES
Cr Nicholson	

1.3.8 SOUTH WEST SUB GROUP OF THE METROPOLITAN REGIONAL ROAD GROUP

REPRESENTATIVES 2011/2013	DEPUTY
Cr Willis	

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4 APPOINTMENT OF REPRESENTATIVES 2011/2013

1.4.1 AVIATION MUSEUM COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTY
Cr R Willis	Cr C Robartson

1.4.2 CITY OF MELVILLE CITIZENS RELIEF FUND (Inc)

REPRESENTATIVES 2011/2013	DEPUTY
His Worship the Mayor	

1.4.3 *COMMUNITY AVIATION CONSULTATIVE GROUP (CACG) – JANDAKOT AIRPORT*

REPRESENTATIVES 2011/2013	DEPUTY
Cr Robartson	Cr Reidy

1.4.4 MELVILLE CARES INC

REPRESENTATIVES 2011/2013	DEPUTY
Cr Hill	

1.4.5 MELVILLE/COCKBURN CHAMBER OF COMMERCE INC

REPRESENTATIVES 2011/2013	DEPUTY

1.4.6 MELVILLE HISTORY SOCIETY - MILLER BAKEHOUSE MUSEUM

REPRESENTATIVES 2011/2013	DEPUTY

1.4.7 MURDOCH PRECINCT STRATEGIC GROUP

REPRESENTATIVES 2011/2013	DEPUTIES
Cr Robartson	Cr Willis
Cr Foxton	
Cr Macphail	
Cr Reynolds	

C11/5198 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (AMREC)

1.4.8 NEIGHBOURHOOD WATCH - CITY OF MELVILLE SUBURBS MANAGERS COMMITTEE

REPRESENTATIVES 2011/2013	DEPUTY

1.4.9 SOUTH WEST CORRIDOR DEVELOPMENT FOUNDATION (INC)

REPRESENTATIVES 2011/2013	DEPUTY
Cr Macphail	

1.4.10 PERTH AIRPORTS MUNICIPALITIES GROUP

REPRESENTATIVES 2011/2013	DEPUTY
Cr Reidy	Cr Robartson

3. That Elected Members tenure on Occasional, Local Government and Community Committees be a term of two years

At 8.42pm the Mayor declared the motion **CARRIED BY ABSOLUTE MAJORITY (13/0)**

C11/5199 - POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

Ward	:	All
Category	:	Policy
Subject Index	:	Corporate Policy
Customer Index	:	City of Melville
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Numerous items have been provided to Council for either review or amendment of current policies. C09/5097 - Policy Review – Ordinary Meeting of the Council - November 2009
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Jeff Clark Governance & Compliance Program Manager

AUTHORITY / DISCRETION

		DEFINITION
☐	Advocacy	*when the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	**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.***
☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
☐	Review	*when the Council review decisions made by Officers.*
☐	Quasi-Judicial	*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.*

C11/5199 - POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- The policies within the responsibility of the Director Corporate Services have been examined and brought forward with amendments for consideration and adoption.
- Policies from Management Services, Technical Services, Community Development and Urban Planning will be presented to subsequent meetings of Council.
- Policies that are defined as Council Policy require the approval of Council whereas Operational Policies are approved by the Chief Executive Officer.

BACKGROUND

The City of Melville has Council Policies which for Corporate Services were previously reviewed in November and December 2009. Officers have again reviewed all Corporate Services policies in 2011 and have now brought the reviewed policies with proposed amendments to Council for consideration. A two yearly review cycle has been implemented to ensure all policies remain current.

DETAIL

All policies are held under one of two categories being, Council Policies or Operational Policies. The policies that are required to be approved by the Council relate to:

- Strategic Positioning of Council
- Executive Functions
- Legislative Functions
- Chief Executive Officer and Senior Officer Appointments
- Termination payments in excess of contracts of employment or Award provisions.

All other Policies are considered to be operational in nature and have therefore been designated as Operational Policies. Operational policies are those which are made in relation to the functions of the Chief Executive Officer (CEO) as prescribed by Section 5.41 of the Local Government Act 1995 (The Act) as follows –:

- Management of the day to day operations of the local government;
- The employment, management supervision, direction and dismissal of other employees (subject to Section 5.37(2) in relation to senior employees.
- Ensuring that records and documents of the local government are properly kept for the purposes of The Act and any other written law: and
- Policy on powers and duties delegated by Council within the limitations as set by Section 5.43 of The Act.

Where applicable procedures will be prepared for some policies to define a sequence of activities, tasks or steps that when undertaken in the sequence laid down produces the described result, product or outcome.

C11/5199 - POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

This report provides comment on policies from the Director Corporate Services. All policies referred to in this report are provided as:

Of the 14 polices reviewed by the Director Corporate Services:
No change: One CP-062 Fraud & Corruption Prevention
Minor change: Eight – as shown below
Major change: Five – as shown below

CP-005 Property – Retention and Disposal

Minor changes to include the heading Policy Scope. This policy is subject to another review by the Strategic Property Management Group and will be brought to the Council at a future time.

CP-008 Financial Sustainability – Forward Financial Planning and Funding Allocation

Major changes to include the heading Policy Scope and greater detail included in the body of the Policy. The Policy has been amended to include a consideration of sustainability of the City and describes the important factors and actions for sustainability to occur.

CP-009 Investment of Funds

Major changes as the Policy has been amended to include a revised Policy Objectives and a Policy Scope. The Policy Statement has been revised to be both informative and directive in the detail of actions to be taken and the purpose of investment of funds. The section on Risk Management Guidelines has been amended to include Standard and Poors' Risk Ratings.

CP-010 Self Supporting Loans

Major changes to include the heading Policy Scope and clarity around the Loan Guarantee fee and application.

CP-014 Question Time at Council and Committee Meetings

Minor changes to include the heading Policy Scope.

CP- 018 Terms of Office

Minor changes to include the heading Policy Scope.

C11/5199 - POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

CP- 019 City of Melville Prayer

Minor changes to include the heading Policy Scope.

CP- 020 Nomination on WALGA Committees

Minor changes to include the heading Policy Scope.

CP- 021 Advisory and Management Committees

Minor changes to include the heading Policy Scope and minor amendments to the reference of Advisory and Management Committees.

CP- 022 Disaster Appeals

Minor changes to include the heading Policy Scope.

CP- 023 Procurement of Products or Services

Major changes and review due to the emphasis on ensuring the City's purchasing practices are robust and acknowledge the strong emphasis on fraud and mis-conduct intolerance by the City. The Policy has been amended to include the concept of Corporate Social Responsibility in Procurement and a stronger emphasis on the recording and retention of all procurement documentation by Officers.

CP- 024 Asset Financing and Borrowings

Minor changes to include the heading Policy Scope. Minor amendments to other sections to ensure clarity in the Policy's application.

CP- 025 Accounting

Major changes to include the Standard Accounting Policies that are referenced in the Annual Financial Statements.

PUBLIC CONSULTATION/COMMUNICATION

Not applicable.

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

Not applicable.

C11/5199 - POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

STATUTORY AND LEGAL IMPLICATIONS

This review of policies has particularly included references to legislation to support the policy position. The policies are consistent with the current Local Government Act 1995 and relevant Regulations.

FINANCIAL IMPLICATIONS

Cost of staff time spent on reviewing the policies.
Some of the policies set out various strategic positions of Council in regards to accounting treatments and the setting of budgets, raising of loans and forward financial planning.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The process of policy review will serve to minimize both strategic and risk management implications by ensuring the policies are consistent with current legislation. One policy refers to environmental considerations when the purchase of goods or services occurs.

Risk Statement	Level of Risk	Risk Mitigation Strategy
Administration undertakes functions delegated by Council in a manner not in accordance with Council's objectives causing reputational risk	Minor to Major depending on issue.	Ensure sound Council policies are in place which provide clear guidance to the administration.
Policies are not in compliance with legislative requirements or contemporary standards.	Minor consequences which are possible, resulting in a **Medium** level of risk	Periodic review mitigates against outdated legislative or other relevant references.

POLICY IMPLICATIONS

All Council Policies are being reviewed and a significant number will be amended as a consequence of the review.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Each policy may be subject to various options which would be associated with a range of different options.

C11/5199 - POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

CONCLUSION

The individual polices have been reviewed by senior officers and their amendments are consistent with the current provisions of the Local Government Act 1995 and Regulations.

OFFICER RECOMMENDATION (5199) **APPROVAL**

At 8.44pm Cr Reidy moved, seconded Cr Barton -

That the 14 policies reviewed by the Director Corporate Services as contained in the following attachments be approved.

5199_CP_005_Property_Retention_&_Disposal
5199_CP_008_Financial_Sustainability_Forward_Financial_Planning_&_Funding_Allocation
5199_CP_009_Investment_of_Funds_Policy
5199_CP_010_Self_Supporting_Loans
5199_CP_014_Question_Time_at_Council_&_Committee_Meetings
5199_CP_018_Terms_of_Office
5199_CP_019_City_of_Melville_Prayer
5199_CP_020_Nomination_on_WALGA_Committees
5199_CP_021_Advisory_&_Management_Committees
5199_CP_022_Disaster_Appeals
5199_CP_023_Procurement_of_Products_or_Services
5199_CP_024_Asset_Financing_&_Borrowings
5199_CP_025_Accounting_Policy
5199_CP_062_Fraud_&_Corruption_Prevention_Policy

Amendment

At 8.44pm Cr Nicholson moved, seconded Cr Barton -

That Council Policy CP-005 Property Retention and Disposal be amended by the inclusion of the words "by Council" in Clause 3(c) after the words "will be a decision".

At 8.45pm the Mayor submitted the amendment, which was declared **CARRIED (13/0)**

C11/5199 - POLICY REVIEW – CORPORATE SERVICES (REC) (ATTACHMENT)

Reasons for Amendment

The amended sentence at clause 3c now reads -

3. c) The outcome of this process will be a decision by Council whether to develop the asset for its community opportunities or its commercial potential or a combination of both.

Ratepayers expect their Elected Members to act in their best interests and to make good decisions regarding their assets.

The main assets of the City are their land and buildings. The decision to retain or sell any of the City's land and buildings should rest solely with the Elected Members.

The Elected Members should not delegate this important strategic function.

The purpose of this motion is to ensure clarity that these asset decisions will come to Council.

COUNCIL RESOLUTION (5199) **APPROVAL**

At 8.46pm the Mayor submitted the substantive motion as amended –

That the 14 policies reviewed by the Director Corporate Services as contained in the following attachments be approved *subject to the following amendment*.

That Council Policy CP-005 Property Retention and Disposal be amended by the inclusion of the words "by Council" in Clause 3(c) after the words "will be a decision".

5199_CP_005_Property_Retention_&_Disposal
5199_CP_008_Financial_Sustainability_Forward_Financial_Planning_&_Funding_Allocation
5199_CP_009_Investment_of_Funds_Policy
5199_CP_010_Self_Supporting_Loans
5199_CP_014_Question_Time_at_Council_&_Committee_Meetings
5199_CP_018_Terms_of_Office
5199_CP_019_City_of_Melville_Prayer
5199_CP_020_Nomination_on_WALGA_Committees
5199_CP_021_Advisory_&_Management_Committees
5199_CP_022_Disaster_Appeals
5199_CP_023_Procurement_of_Products_or_Services
5199_CP_024_Asset_Financing_&_Borrowings
5199_CP_025_Accounting_Policy
5199_CP_062_Fraud_&_Corruption_Prevention_Policy

At 8.46pm the Mayor declared the motion **CARRIED (13/0)**

C11/5000 – COMMON SEAL REGISTER (REC)

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

AUTHORITY / DISCRETION

		DEFINITION
☐	Advocacy	*when the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	**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.***
☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
☐	Review	*when the Council review decisions made by Officers.*
☐	Quasi-Judicial	*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.*

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 16 September 2011 up to and including 20 October 2011 and recommends that the information be noted.

C11/5000 – COMMON SEAL REGISTER (REC)

BACKGROUND

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

DETAIL

Register Reference	Party	Description	File Reference
521	City of Melville & Minister of Education	Shared Used Agreement - Department of Education & City of Melville - Leeming Recreation Centre - School Facilities and Oval at Peter Ellis Reserve	2474233
558	The Scout Association of Australia WA Branch Bateman/Winthrop Scout Group	Deed of Lease	2474776
561	City of Melville & The Scout Association of Australia WA Branch 1st Bicton	Deed of Lease City of Melville and The Scout Association of Australia - Western Australian Branch 1st Bicton	2160756
569	City of Melville & Department for Communities (Kulungah Myah Family Centre)	Deed of Variation to Lease	2539573
584	City of Melville & Petrice Ann Judge	Caveat on Certificate of Title - Agreement for Boundary Alignment: Lots 20 & 21 Melville Beach Road, Applecross	2582601
587	City of Melville	Deletion of Clause 5.6 Home Occupations and inclusion of Home Office, Home Occupation and Home Business as Land Use Classes	2583293
589	City of Melville	Allow insurance of Building Licence prior to lot amalgamation	2592614

C11/5000 – COMMON SEAL REGISTER (REC)

PUBLIC CONSULTATION/COMMUNICATION

Not applicable.

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

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

Section 9.49. Documents, how authenticated.
A document, is, unless this Act requires otherwise, sufficiently authenticated by a local government without its common seal if signed by the CEO or an employee of the local government who purports to be authorised by the CEO to so sign.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Not applicable.

POLICY IMPLICATIONS

Not applicable.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

CONCLUSION

This is a standard report for Elected Members information.

C11/5000 – COMMON SEAL REGISTER (REC)

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

That the action of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 16 September 2011 up to and including 20 October 2011, be noted.

At 8.46pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

C11/6000 - INVESTMENT STATEMENTS (REC)

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

AUTHORITY / DISCRETION

		DEFINITION
☐	Advocacy	*when the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	**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.***
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KEY ISSUES / SUMMARY

- This report presents the investment statements for the month of September 2011 and recommends that the information detailed in the report be noted.
- No credit events were recorded in relation to the City's Collaterised Debt Obligation (CDO) investments in September 2011.
- When compared to the valuations used as at 30 June 2011, valuations obtained from Denison Financial Advisory as at 31 August 2011 show that:
    - Authorised Deposit-taking Institutions (ADIs) have increased in value by $92K.
    - CDOs have increased in value but dropped since 31 July due to the recent turmoil in the US, from $5.72m to $4.45m.
- The City's current contract for independent financial advisory with Denison has expired. As such, officers have decided to put these services back out for invited quotes, this time for a 2 year period.

C11/6000 - INVESTMENT STATEMENTS (REC)

BACKGROUND

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

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

DETAIL

Summary details of investments held at 30 September 2011 are shown in the table below.

CITY OF MELVILLE
STATEMENT OF INVESTMENTS
FOR THE PERIOD ENDING 30 SEPTEMBER 2011

SUMMARY BY FUND	PURCHASE PRICE $	ESTIMATED BOOK VALUE 30/06/2010 $	ESTIMATED CURRENT MARKET VALUE $	BOOK PROFIT/(LOSS) $	BOOK PROFIT/(LOSS) %
MUNICIPAL	$ 59,719,062	$ 59,719,062	$ 59,719,062	$ -	0.00%
RESERVE	$ 55,176,991	$ 37,041,084	$ 41,579,022	$ 4,537,938	8.22%
TRUST	$ 505,818	$ 505,818	$ 505,818	$ -	0.00%
CRF	$ 180,738	$ 180,738	$ 180,738	$ -	0.00%
	$ 115,582,609	**$ 97,446,702**	**$ 101,984,640**	**$ 4,537,938**	**3.93%**

SUMMARY BY INVESTMENT TYPE	PURCHASE PRICE $	ESTIMATED BOOK VALUE 30/06/2010 $	ESTIMATED CURRENT MARKET VALUE $	BOOK PROFIT/(LOSS) $	BOOK PROFIT/(LOSS) %
ADI	$ 3,500,000	$ 3,376,255	$ 3,468,435	$ 92,180	2.63%
CDO	$ 19,720,000	$ 1,707,838	$ 6,153,596	$ 4,445,758	22.54%
BOND	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ -	0.00%
FRN	$ 5,999,920	$ 5,999,920	$ 5,999,920	$ -	0.00%
FRTD	$ 2,500,000	$ 2,500,000	$ 2,500,000	$ -	0.00%
TERM DEPOSIT	$ 78,167,293	$ 78,167,293	$ 78,167,293	$ -	0.00%
11AM	$ 3,464,751	$ 3,464,751	$ 3,464,751	$ -	0.00%
UNITS (Local Govt Hse)	$ 230,645	$ 230,645	$ 230,645	$ -	0.00%
	$ 115,582,609	**$ 97,446,702**	**$ 101,984,640**	**$ 4,537,938**	**3.93%**

SUMMARY BY CREDIT RATING	PURCHASE PRICE $	ESTIMATED BOOK VALUE 30/06/2010 $	ESTIMATED CURRENT MARKET VALUE $	BOOK PROFIT/(LOSS) $	BOOK PROFIT/(LOSS) %
AA	$ 29,830,658	$ 29,830,658	$ 29,830,658	$ -	0.00%
AA-	$ 53,001,306	$ 52,983,576	$ 52,997,426	$ 13,850	0.03%
A+	$ 7,800,000	$ 7,800,000	$ 7,800,000	$ -	0.00%
A	$ 500,000	$ 500,000	$ 500,000	$ -	0.00%
A-	$ 2,500,000	$ 2,393,985	$ 2,472,315	$ 78,330	3.13%
BBB+	$ 2,000,000	$ 2,000,000	$ 2,000,000	$ -	0.00%
CCC	$ 1,500,000	$ 76,950	$ 310,950	$ 234,000	15.60%
CCC-	$ 3,600,000	$ 376,140	$ 342,180	-$ 33,960	-0.94%
NR	$ 14,620,000	$ 1,254,748	$ 5,500,466	$ 4,245,718	29.04%
UNITS (Local Govt Hse)	$ 230,645	$ 230,645	$ 230,645	$ -	0.00%
	$ 115,582,609	**$ 97,446,702**	**$ 101,984,640**	**$ 4,537,938**	**3.93%**

C11/6000 - INVESTMENT STATEMENTS (REC)

The following statements detail the investments held by the City. Marketable investments are shown at their estimated market value (Estimated Market Value).

CITY OF MELVILLE
STATEMENT OF INVESTMENTS
FOR THE PERIOD ENDING 30 SEPTEMBER 2011

INSTITUTION / INVESTMENT	RISK of IMPAIRMENT	INVESTMENT TYPE	Current Interest Rate %	S & P RATING	PROPORTION	MAX. PER INSTITUTION	FACE VALUE $	BOOK VALUE AT 30/6/2010 $	CURRENT EST MARKET VALUE $	INVESTMENT GAIN / (LOSS) SINCE 30/6/10 $
BANKWEST (11AM)		11AM	4.70%	AA	1%	20%	$763,445		$763,445	$0
WESTPAC (MAXI DIRECT)		11AM	4.80%	AA-	1%	20%	$1,300,000		$1,300,000	$0
WESTPAC (MAXI BONUS 1)		11AM	5.20%	AA-	1%	20%	$1,401,306		$1,401,306	$0
							$3,464,751		**$3,464,751**	**$0**
BANKWEST (TERM)		TERM	5.80%	AA	12%	20%	$13,467,293		$13,467,293	$0
COMMONWEALTH BANK (TERM)		TERM	5.54%	AA	10%	20%	$11,600,000		$11,600,000	$0
SUNCORP METWAY LTD (TERM)		TERM	6.00%	A+	5%	20%	$6,300,000		$6,300,000	$0
ING BANK		TERM	5.95%	A	0%	20%	$500,000		$500,000	$0
NAB		TERM	5.82%	AA	17%	20%	$20,200,000		$20,200,000	$0
ST GEORGE BANK (TERM)		TERM	5.88%	AA-	15%	20%	$17,300,000		$17,300,000	$0
RABODIRECT (TERM)		TERM	6.00%	A+	1%	15%	$1,500,000		$1,500,000	$0
WESTPAC (TERM)		TERM	5.87%	AA-	10%	20%	$11,800,000		$11,800,000	$0
							$82,667,293		**$82,667,293**	**$0**
COMMONWEALTH BANK (BOND)		BOND	5.90%	AA	2%	20%	$2,000,000		$2,000,000	$0
							$2,000,000		**$2,000,000**	**$0**
BANK OF QUEENSLAND (FLOAT RATE TD)		FRTD	6.42%	BBB+	2%	20%	$2,000,000		$2,000,000	$0
							$2,000,000		**$2,000,000**	**$0**
COMMONWEALTH BANK (FRN)		FRN	6.10%	AA	2%	20%	$1,999,920		$1,999,920	$0
							$1,999,920		**$1,999,920**	**$0**
ADELAIDE BANK	Very Low	ADI	5.35%	A-	1%	10%	$1,000,000	$983,880	$997,200	$13,320
MACQUARIE BANK	Very Low	ADI	5.22%	A-	1%	15%	$1,500,000	$1,410,105	$1,475,115	$65,010
WESTPAC BANK	Very Low	ADI	5.23%	AA-	1%	20%	$1,000,000	$982,270	$996,120	$13,850
APHEX (GLENELG)	High	CDO	6.68%	NR	2%	0%	$2,000,000	$125,600	$602,600	$477,000
BERYL FINANCE GLOBAL BANK NOTE	Early Term.	CDO	0.00%	NR	2%	0%	$2,000,000	$1	$1,200,000	$1,199,999
BERYL FINANCE GLOBAL BANK NOTE 2	Early Term.	CDO	0.00%	NR	0%	0%	$450,000	$1	$270,000	$269,999
CORSAIR (CAYMAN) KAKADU	High	CDO	6.39%	CCC	1%	0%	$1,500,000	$76,950	$310,950	$234,000
CORSAIR (CAYMAN) TORQUAY	Very High	CDO	6.64%	NR	2%	0%	$1,885,000	$23,000	$40,716	$17,716
ETHICAL LIMITED GREEN	High	CDO	5.99%	NR	1%	0%	$1,000,000	$11,000	$124,600	$113,600
HELIUM CAPITAL (ESPERANCE)	High	CDO	6.69%	CCC-	2%	0%	$1,800,000	$355,140	$324,180	-$30,960
HELIUM CAPITAL (SCARBOROUGH)	High	CDO	6.56%	CCC-	2%	0%	$1,800,000	$21,000	$18,000	-$3,000
MAGNOLIA FLINDERS	Moderate	CDO	6.49%	NR	2%	20%	$2,000,000	$988,139	$1,840,600	$852,461
MANAGED ACES CLASS 11A PARKES	Very High	CDO	8.29%	NR	1%	0%	$1,000,000	$3,000	$7,500	$4,500
MANAGED ACES CLASS 1A PARKES	High	CDO	6.62%	NR	1%	0%	$1,050,000	$10,500	$35,700	$25,200
OMEGA CAPITAL CLASS A HENLEY	Moderate	CDO	5.55%	NR	0%	0%	$385,000	$82,506	$288,750	$206,244
STARTS (CAYMAN) BLUE GUM	Defaulted	CDO	#N/A	NR	0%	0%	$0	$0	$0	$0
ZIRCON FINANCE COOLANGATTA	Early Term.	CDO	0.00%	NR	1%	0%	$1,500,000	$9,300	$600,000	$590,700
ZIRCON FINANCE MERIMBULA	Early Term.	CDO	0.00%	NR	0%	0%	$500,000	$1,700	$150,000	$148,300
ZIRCON FINANCE MIAMI	Early Term.	CDO	0.00%	NR	1%	0%	$850,000	$1	$340,000	$339,999
							$23,220,000	**$5,084,093**	**$9,622,031**	**$4,537,938**
UNITS IN LOCAL GOVT HOUSE		UNITS	0.00%				$230,645		$230,645	$0
TOTAL FUNDS INVESTED					**100%**		**$115,582,609**	**$5,084,093**	**$101,984,640**	**$4,537,938**

DIVERSIFICATION / CREDIT RISK COMPARISON

CREDIT RISK		PURCHASE PRICE $		CURRENT ESTIMATED MARKET VALUE	ACTUAL PROPORTION	MAX. % AMOUNT IN TOTAL PORTFOLIO	Comments
AA		$50,030,658		$50,030,658	49%	80%	
AA-		$32,801,306		$32,797,426	32%	80%	
A+		$7,800,000		$7,800,000	8%	50%	
A		$500,000		$500,000	0%	50%	
A-		$2,500,000		$2,472,315	2%	50%	
BBB+		$2,000,000		$2,000,000	2%	20%	
CCC		$1,500,000		$310,950	0%	0%	**Purchased Prior To Policy Change**
CCC-		$3,600,000		$342,180	0%	0%	
NR		$14,620,000		$5,500,466	5%		
UNITS IN LOCAL GOVT: HOUSE		$230,645		$230,645	0%	0.1%	**Council Decision**
TOTAL		**115,582,609**		**101,984,640**	**100%**		

C11/6000 - INVESTMENT STATEMENTS (REC)

DIVERSIFICATION RISK

INSTITUTION		INVESTMENT TYPE	S & P RATING	CURRENT ESTIMATED MARKET VALUE	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION	Comments
BANKWEST (11AM)		11AM	AA	763,445	0.75%		20%	
BANKWEST (TERM)		TERM	AA	13,467,293	13.21%	13.95%	20%	
BANK OF QUEENSLAND (FLOAT RATE TD)		FRTD	BBB+	2,000,000	1.96%	1.96%	10%	
COMMONWEALTH BANK (TERM)		TERM	AA	11,600,000	11.37%		20%	
COMMONWEALTH BANK (FRN)		FRN	AA	1,999,920	1.96%			
COMMONWEALTH BANK (BOND)		BOND	AA	2,000,000	1.96%	15.30%	20%	
MACQUARIE BANK		ADI	A-	1,475,115	1.45%		15%	
MACQUARIE BANK (TERM)		TERM	AAA	-	0.00%	1.45%	20%	
NAB		TERM	AA	20,200,000	19.81%	19.81%	20%	
ING BANK		TERM	A	500,000	0.49%	0.49%	20%	
ST GEORGE BANK (TERM)		TERM	AA-	17,300,000	16.96%	16.96%	20%	
RABODIRECT (TERM)		TERM	A+	1,500,000	1.47%	1.47%	15%	
WESTPAC (MAXI BONUS 1)		11AM	AA-	1,401,306	1.37%		20%	
WESTPAC (MAXI BONUS 2)		11AM	AA-	-	0.00%		20%	
WESTPAC (MAXI DIRECT)		11AM	AA-	1,300,000	1.27%		20%	
WESTPAC (TERM)		TERM	AA-	11,800,000	11.57%		20%	
WESTPAC BANK		ADI	AA-	996,120	0.98%	15.20%	20%	
ADELAIDE BANK		ADI	A-	997,200	0.98%	0.98%	10%	
SUNCORP METWAY LTD (TERM)		TERM	A+	6,300,000	6.18%		15%	
CDO - Various		CDO		6,153,596	6.03%	6.03%		Purchased Prior To Policy Change
UNITS IN LOCAL GOVT HOUSE		UNITS		230,645	0.23%	0.23%		
				$101,984,640	**100%**	**100%**		

MATURITY COMPARISON

-

TERM to MATURITY				CURRENT ESTIMATED MARKET VALUE	ACTUAL PROPORTION	MAX. % IN ANY ONE YEAR	Comments
MUNICIPAL & TRUST FUNDS							
< 1 year				59,994,235	100%	100%	
< 2 years				-	0%	10%	
< 3 years				-	0%	10%	
< 4 years				-	0%	0%	
< 5 years				-	0%	0%	
> 5 years				-	0%	0%	
				59,994,235	**100%**		
RESERVE FUNDS							
< 1 year				25,083,621	60%	100%	
< 2 years				514,896	1%	80%	
< 3 years				6,523,550	16%	80%	
< 4 years				645,800	2%	40%	
< 5 years				5,999,920	14%	40%	
> 5 years				2,811,235	7%	20%	Purchased Prior To Policy Change
				41,579,022	**100%**		

C11/6000 - INVESTMENT STATEMENTS (REC)

The values ascribed to Authorised Deposit Taking Institutions (ADIs) by the City's independent financial advisers are based on current market evidence. Positive improvements in the market since 30 June 2010 are evident by an increase in market valuations. These valuations assume that the City will be required to sell these investments prior to maturity. The City is however a holder to maturity of these investments as there is no need to sell ADIs. There is therefore no reason to expect that any losses will be incurred. Recent repurchases by the issuing banks at their full value supports this view.

Since 30 June 2009 $14,000,000 worth of ADIs has been repurchased by the issuing banks. These had been written down in previous financial years, to a book value of $13,743,550. A book profit of $256,450 has therefore been realised. The City expects that further ADIs will be repurchased by the issuing banks as they reach their call dates over the next seven months.

Due to the absence of an active market for CDOs and the ongoing uncertainty in financial markets, the City adopted a very conservative approach when valuing its CDOs for year end reporting purposes.

The City's 12 month contract for the provision of independent financial advice with Denison Financial Advisory expired on the 31 August 2011. A Request for Quotation was issued during October to seek to renew the contract for independent financial advisory services for a 2 year period. This process is expected to be completed by the end of December 2011.

Monthly valuations shown for 30 September 2011 have therefore been maintained at the values provided by the City's independent financial adviser Denison Financial Advisory as at 31 August 2011. When compared to the valuations used as at 30 June 2010, valuations obtained from Denison Financial Advisory as at 31 August 2011 show that:

- ADIs have increased in value by $92,180.
- CDOs have increased in value by $4.45 million.

Values for August had come down slightly from $5.72m to $4.45m when compared to values as at 31 July,. This was a result of the recent turmoil in the US and the subsequent downgrade by Standard & Poors (D&P_ of the US credit rating.

Lehman Brothers arranged CDOs have experienced an increase, as heightened investor expectations of a favourable ruling in the courts grew which will result in an early termination and the City gaining access to the collateral representing the City's original investments which are held by the Trustees.

All other non Lehman Brothers arranged CDOs continue to pay coupon payments (albeit some at reduced levels due to the erosion of credit support and therefore underlying principal) and this is expected to continue. Based on previous independent advice from a number of sources, the City's policy has been to continue to hold these investments to maturity unless opportunities to sell at realistic values are presented. No realistic offers have been received to date.

It should be noted that CDOs are structured in such a manner so as to provide for a level of defaults of a number of the entities referenced by the CDOs before there is loss of value at maturity of the CDOs themselves. Further investment in CDOs is specifically excluded under the City's current Investment Policy.

C11/6000 - INVESTMENT STATEMENTS (REC)

Credit Ratings and Credit Events

There were no credit events or defaults in September that affected the City's CDO investments.

Twenty credit events impacting the City's CDO investments have now been recorded to date. The Companies involved are AMBAC Financial, Takefuji, AMBAC Assurance, AIFUL, Tribune, Thomson, Financial Guaranty Insurance Company (FGIC), XL Capital Assurance, Bank TuranAlem, Idearc, Federal National Mortgage Association (Fannie Mae), the Federal Home Loan Mortgage Corporation (Freddie Mac), Lehman Brothers, WaMu, Glitnir, Kaupthing, Landsbanki, Chemtura, Abitibi and CIT Group. This has resulted in a loss of $3.486m to date, as detailed below:

- The total loss ($1.5m) of the Starts Cayman Blue Gum CDO with a face value of $1.5m.
- The partial loss ($0.924m) of the Corsair Cayman Torquay CDO with a face value of $1.885m.
- The partial loss ($0.592m) of the Helium Capital Scarborough CDO with a face value of $1.8m.
- The partial loss ($0.47m) of the Managed Aces Class Parkes IIA CDO with a face value of $1.0m.

A portion (approximately $1.5m as at 30 June 2010) of the Risk Management Reserve was created to fund losses arising from the City's investment activities. $1.5m has since been applied against this Reserve, from the total loss of the Starts Cayman Blue Gum CDO.

Where losses exceed the available funds, these will be prorated and deducted across the City's other Reserve Funds excluding the Leave Entitlement and the remainder of the Risk Management Reserve. These Reserve funds are restricted to the payment of employee entitlements and contingent Workers Compensation Insurance Claims.

The impact of these credit events on each of the City's CDOs is shown below.

C11/6000 - INVESTMENT STATEMENTS (REC)

CDO Arranger Face Value	No. of Credit Events	Remaining Credit Support before FIRST Loss of Principal	Remaining Credit Support before TOTAL Loss of Principal	Comments
Aphex Glenelg Arranger: Nomura International **$2.0m**	**6 credit events:** Takefuji, AIFUL, Tribune, Thomson, Lehman's, Landsbanki & CIT Group.	3	3.8	
Beryl Finance Global Bank Note Arranger: Lehman Brothers **$2.45m**	**Nil credit events:**	1	N/A	Being terminated due to trustee taking control of underlying security.
Corsair Cayman Kakadu Arranger: J.P. Morgan Australia **$1.5m**	**9 credit events:** AMBAC Assurance, AIFUL, XL Capital Assurance, Freddie Mac, Fannie Mae, Lehman's, WaMu, Kaupthing & CIT Group.	3	5	
Corsair Cayman Torquay Arranger: J.P. Morgan Australia **$1.885m**	**8.5 credit events:** AMBAC Assurance, AIFUL, XL Capital Assurance, Idearc, Freddie Mac, Lehman, WaMu, Glitnir, Kaupthing & CIT Group.	0 (-0.39)	1	Partial loss (**49%**) of principal has occurred. Very high likelihood of total default.
Ethical Limited Green Arranger: J.P. Morgan Australia **$1.0m**	**7.5 credit events:** AMBAC Assurance, AIFUL, XL Capital Assurance, Idearc, Lehman's, WaMu, Glitnir, Kaupthing & CIT Group.	0.6	1.9	High likelihood of total default.
Helium Capital Esperance Arranger: Merrill Lynch International **$1.80m**	**2.5 credit events:** Idearc, Tribune, Thomson, Lehman's & CIT Group.	1.5	3.2	High likelihood of total default.

C11/6000 - INVESTMENT STATEMENTS (REC)

CDO Arranger Face Value	No. of Credit Events	Remaining Credit Support before FIRST Loss of Principal	Remaining Credit Support before TOTAL Loss of Principal	Comments
Helium Capital Scarborough Arranger: Merrill Lynch **$1.8m**	**7.0 credit events:** AMBAC Financial, AIFUL, Idearc, Freddie Mac, Fannie Mae, Tribune, Lehman's, Kaupthing & Landsbanki.	-0.5	1	Partial loss (**32.9%**) of principal has occurred. Very High likelihood of total default.
Magnolia Flinders Arranger: Credit Suisse First Boston **$2.0m**	**Nil CDO defaults:**	N/A	N/A	A "CDO-squared" of four individual standard CDOs.
Managed Aces Class Parkes 1A Arranger: Morgan Stanley **$1.05m**	**8.0 credit events:** AMBAC Assurance, AIFUL, XL Capital Assurance, Freddie Mac, Fannie Mae, Lehman's, WaMu & CIT Group.	1	3	High likelihood of total default.
Managed Aces Class Parkes 11A Arranger: Morgan Stanley **$1.0m**	**9.0 credit events:** AMBAC Assurance, AIFUL, FGIC, XL Capital Assurance, Freddie Mac, Fannie Mae, Lehman's, WaMu & CIT Group.	0 (-0.5)	1	Partial loss (**47%**) of principal has occurred. Very high likelihood of total default.
Omega Capital Class A Henley Arranger: BNP Paribas **$0.385m**	**6.0 credit events:** AMBAC Assurance, Freddie Mac, Fannie Mae, Thomson, Lehman's & CIT Group.	5	5.9	
Starts Cayman Blue Gum Arranger: HSBC Bank USA **$1.50m**	**10.0 credit events:** AMBAC Financial, Bank TuranAlem, Freddie Mac, Fannie Mae, Lehman's, WaMu, Glitnir, Kaupthing, Landsbanki & CIT Group.	Defaulted	Defaulted	Total loss of principal and investment CDO has defaulted.

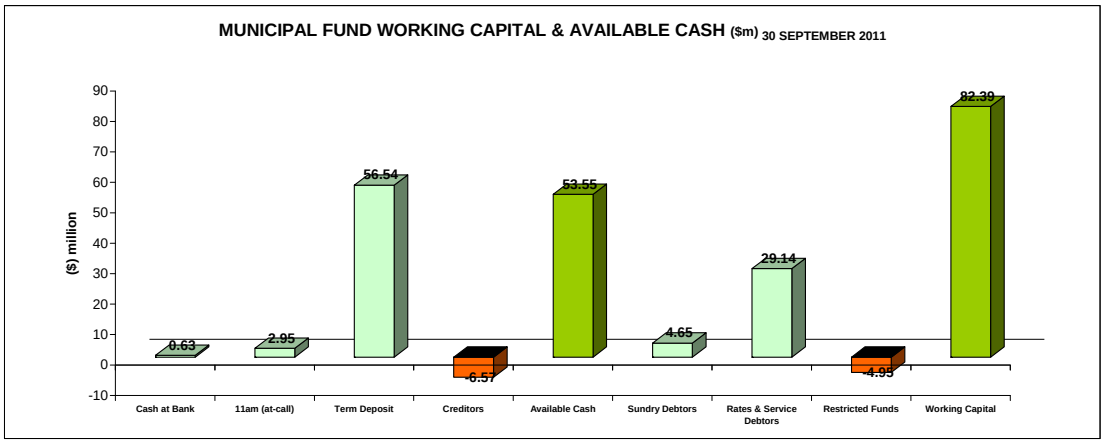
C11/6000 - INVESTMENT STATEMENTS (REC)

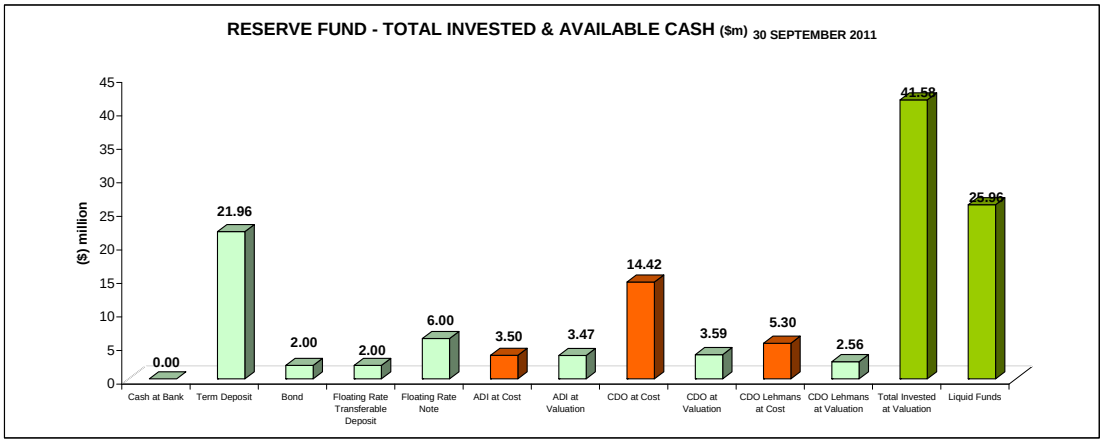
CDO Arranger Face Value	No. of Credit Events	Remaining Credit Support before FIRST Loss of Principal	Remaining Credit Support before TOTAL Loss of Principal	Comments
Zircon Finance Coolangatta Arranger: Lehman Brothers **$1.50m**	**8.0 credit events:** Ambac Assurance, Aiful, FGIC, Freddie Mac, Fannie Mae, WaMu, Chemtura & Cit Group.	4.7	6.5	Being terminated due to trustee taking control of underlying security.
Zircon Finance Merimbula A Arranger: Lehman Brothers **$0.50m**	**8.0 credit events:** Ambac Assurance, Aiful, FGIC, Freddie Mac, Fannie Mae, WaMu, Chemtura & Cit Group.	2.9	3.7	Being terminated due to trustee taking control of underlying security.
Zircon Finance Miami Arranger: Lehman Brothers **$0.85m**	**7.0 credit events:** Ambac Assurance, Aiful, Thomson, Freddie Mac, Fannie Mae, Abitibi & CIT Group.	8.4	10.1	Being terminated due to trustee taking control of underlying security.

C11/6000 - INVESTMENT STATEMENTS (REC)

Net Funds Held

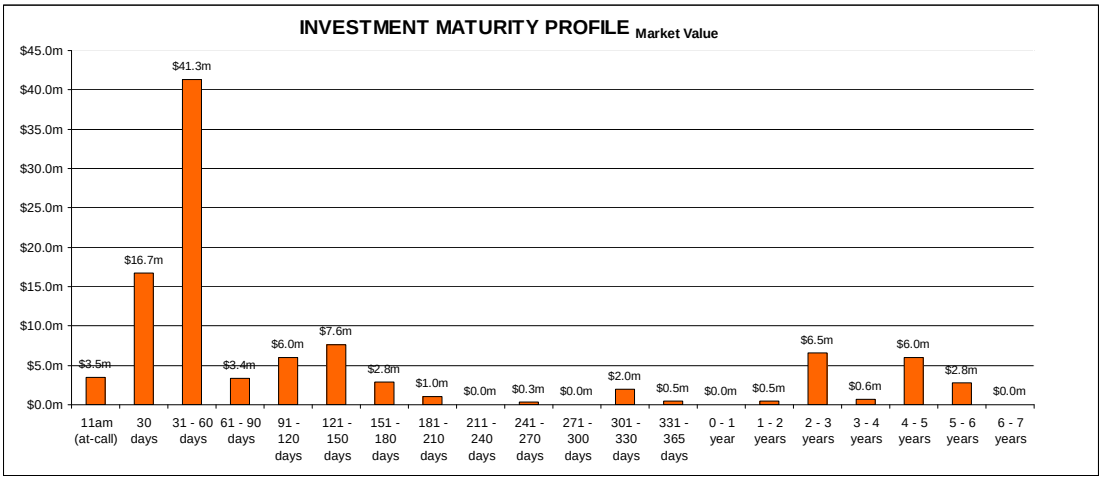
The graphs below summarise the Municipal Fund working capital and available cash and the funds held in the Reserve Fund at purchase price and last valuation, for September 2011.





C11/6000 - INVESTMENT STATEMENTS (REC)

The graph below summarise the maturity profile of the City's investments at market value as at 30 September 2011.



PUBLIC CONSULTATION/COMMUNICATION

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

In addition the City's bi-monthly newsletter, Mosaic, has contained several articles that highlight this issue. Numerous press articles have also been published on this topic.

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

Denison Financial Advisory, the City's outgoing investment advisor, reviewed the current investment portfolio and we will continue to work with the City's new independent investment advisor to review the City's investment strategy going forward.

In 2007 Price Waterhouse Coopers (PWC) were engaged to provide advice in regards to the appropriateness of the City's investment strategy in light of the recent volatility in the credit markets. Following the receipt of their report and further clarification, a revised investment policy was adopted.

The Department of Local Government and Regional Development issued Investment Policy Guidelines during 2008, well after the global financial crisis, and the Council's investment policy was amended in December 2009 to give effect to the guidelines.

C11/6000 - INVESTMENT STATEMENTS (REC)

STATUTORY AND LEGAL IMPLICATIONS

The following legislation is relevant to this report:

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

The legal firm Piper Alderman have been engaged to seek recovery of any losses that may eventually be realised and to seek early termination of the Lehman arranged CDOs, so that the City gains access to the more valuable collateral representing the City's original investments which are held by Trustees for the Lehman Brothers arranged CDOs.

In conjunction with approximately 72 other corporations and local government authorities the City of Melville has engaged litigation funder IMF Australia to seek recovery of book losses from Lehman Brothers Australia. Whilst the decisions taken by the various courts have been positive for the City the legal process is lengthy and it will still be some time before certainty is achieved.

Legal actions are taking place between the United Kingdom (UK) and United States (US) courts as to whose laws should be applied in respect of the Lehman Brothers arranged CDOs, which is subject of an early termination. Lehman Brothers was successful in gaining the right to appeal the current UK judgement in favour of investors to the Supreme Court of England and Wales. This is the highest possible court whose decision will bring finality to the legal process in the UK. It is therefore likely that the legal process will continue for at least another year as the US court has not yet issued its first judgement, which is almost certain to be appealed.

As previously mentioned, the likelihood of this happening can be demonstrated by the upward valuations in these CDOs over the past months.

FINANCIAL IMPLICATIONS

For the period ending 30 September 2011, interest earned on:

- Municipal and Trust Funds was $764,410 against a year to date budget of $544,850. This represents a $219,560 positive variance.
- Reserve Funds was $619,258 against a year to date budget of $312,914. This represents a $306,344 positive variance.

Investment earnings received in respect to CDO investments since 1 July 2007 has been $4.47m and $2.83m in respect to ADIs.

In accordance with the Council's Investment Policy, any surplus investment returns derived as a result of investing in ADIs, CDOs, Bonds, Floating Rate Notes and Term Deposits when compared to the average 90 day Bank Bill rate, will be transferred to the Risk Management Reserve.

C11/6000 - INVESTMENT STATEMENTS (REC)

Due to Lehman Brothers entering into Chapter 11 bankruptcy proceedings, the City has not received interest payments on the $5.3m face value of Lehman Brothers arranged CDOs. At this time we understand that interest on the underlying collateral is being retained by the trustee who has taken control of that collateral.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Council's investment policy was constructed to minimise credit risk through investing in highly rated securities and diversification. The policy also incorporates mechanisms that protect the City's investments from undue volatility risk as well as the risk to reputation as a result of investments that may be perceived as unsuitable by the Community.

Due to the continuing credit market concerns overseas, the risks associated with the City's investment portfolio in CDOs also increased to levels which are of concern. Whilst the City continues to earn and be paid interest from its non Lehman arranged CDOs, the reassessment by the major rating agencies of their credit risk models used to assess the credit ratings associated with CDO portfolios, has resulted in significant downgrading of CDO investments to credit rating levels that do not meet the Council's investment policy.

Due however to the lack of an active market for CDOs, these investments must continue to be held unless opportunities to sell at realistic values are presented.

The risk of loss due to the default of some of the CDOs is very high whilst the risk of loss due to the default of deposits with banks or ADIs is considered extremely low.

In response to the current market conditions, funds are currently being invested for short periods and/or only with highly credit rated Australian banking institutions.

No other identifiable strategic, risk and environmental management implications.

POLICY IMPLICATIONS

Council Policy CP-009 – Investment of Funds.

The Investment Policy was reviewed and readopted at the Ordinary Meeting of Council held on 15 December 2009. The policy has also been recently reviewed and report C11_5199 Policy Review contained in this Council agenda shows the results of this further review. Council's Investment of Funds policy is considered to represent a low risk approach to investing.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

C11/6000 - INVESTMENT STATEMENTS (REC)

CONCLUSION

Whilst the situation regarding the CDO investments remains tenuous with the loss of one and the partial default/loss of three other CDO investments, the full impact of the book value devaluation of these investments was accounted for in the previous financial years. No further material devaluations are expected over the course of the current and future financial years.

Officers in conjunction with the City's investment advisor will continue to monitor the situation regarding CDO investments and report this on a monthly basis. Based on independent advice received from various sources, the City's policy is to continue to hold these investments to maturity unless opportunities to sell at realistic values are presented. No realistic offers have been received to date.

The City also expects that the remaining three ADIs with a total face value of $3.5m, will be repurchased by the issuing banks as they reach their call dates over the next seven months.

As a result of improved book values of previously written down investments, continuing cost savings/efficiencies, alternative revenue generation projects and the strong investment returns that have been realised over the past years, the value of the City's Reserve funds have been restored to in excess of pre global financial crisis levels.

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

That the Investment Report for the month of September 2011 be noted.

At 8.46pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

C11/6001 – SCHEDULE OF ACCOUNTS (REC) (ATTACHMENT)

Ward	:	All
Category	:	Operational
Subject Index	:	Financial Statement and Investments
Customer Index	:	Not applicable
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Standard Item
Works Programme	:	Not Applicable
Funding	:	201112012 Budget
Responsible Officer	:	Khris Yeoh Senior Financial Accountant

AUTHORITY / DISCRETION

		DEFINITION
☐	Advocacy	*when the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	**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.***
☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
☐	Review	*when the Council review decisions made by Officers.*
☐	Quasi-Judicial	*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.*

C11/6001 – SCHEDULE OF ACCOUNTS (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

This report presents details of the payments made to suppliers for the provision of goods and services for the month of September 2011 and recommends that the Schedule of Accounts be noted.

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 Administration) Regulations 1996, where this power has been delegated, a list of payments for each month is to be compiled and presented to Council. The list is to show each payment, payee name, amount and date of payment and sufficient information to identify the transaction.

DETAIL

The Schedule of Accounts for the month ending 30 September 2011**,** **6001_September_2011** including Payment Registers numbers **Cheques 245 to 248** and Electronic Funds Transfers **213 to 217** were distributed to the Members of Council on the 15 November 2011.

Payments in excess of $25,000 in the month are as follows:-

C11/6001 – SCHEDULE OF ACCOUNTS (REC) (ATTACHMENT)

Supplier Name	Remittance Number	Remittance Details	Amount
Advanced Traffic Management	E025750 & E025943	Traffic Management	$32,700.44
Badge Constructions (WA) Pty Ltd	E025796	Progress Claim 5 for Melville Aquatic Fitness Centre Redevelopment	$795,808.38
Boral Construction	E025653	Road Resurfacing	$86,496.74
City of Cockburn	E025859 & E025659	Tip Fees for July & August 2011	$130,164.62
Crabclaw Holdings Pty Ltd	E025915, E025725 & E025633	Various Building Maintenance Jobs	$29,430.39
Davro Interiors Pty Ltd	Chq 044995	Shelving to Canning Bridge Library	$44,382.79
Dickies Tree Service	E025661 & E025862	Tree Lopping Services	$147,255.90
Dowsing Concrete	E025844	Concrete Works	$75,132.04
Excel Kerbing	Chqs 045225 & 044983	Concrete Kerbing	$35,093.30
Flexi Staff	E025890 & E025689	Staff Hire	$68,352.32
Forpark Australia	E025864	Outdoor Gym Equipment	$28,759.50
Greening Australia (WA)	E025921 & E025730	Shipping Container for Piney Lakes Grass Spraying, Maintenance of Bushland and Lachanalia Control at Piney Lakes	$2,200.00 $26,284.57
Maxwell Robinson & Phelps	E025639, E025759 & E025949	Herbicide Application	$27,276.31
Perth Engineering & Maintenance WA Pty Ltd	E025928 & E025635	Gate Fees Recyclable Materials for July & August 2011	$183,539.01
Retech Rubber	E025938	Repair Rubber Soft Falls at Piney Lakes	$36,971.99
Rhysco Electrical Services	E025782 & E025960	Electrical Maintenance	$59,738.37
Robinson Buildtech	E025673 & E025874	Building Maintenance	$83,515.39
Southern Metropolitan Regional Council	E025936, E025637 & E025744	MSW Gate Fees for July & August 2011, RRRC Loan Repayment for September 2011	$1,362,202.30
Sulo MGB Australia Pty Ltd	Chq 045217	Garbage Bins & Lids	$87,158.50
Supersealing Pty Ltd	Chq 044981	Crack Sealing Works	$46,663.53
Synergy	Chqs 045165 & 044941	Electricity Supply	$241,501.26
Syrinx Environmental Pty Ltd	Chq 044972	Consultancy for Point Walter Foreshore	$50,897.00
Treee Amigos Tree Surgeons	E025780	Tree Lopping Services	$28,504.30
WA Restoration Co	E025638	Cleaning after Civic Centre Fire	$25,407.77
Water Corporation	Chqs 045202 & 044959	Water Supply	$36,094.00
Yarnell Pty Ltd	E025797	Progress claim for August for Melville Beach Road Foreshore & Aboriginal monitoring for August 2011	$151,580.00

C11/6001 – SCHEDULE OF ACCOUNTS (REC) (ATTACHMENT)

PUBLIC CONSULTATION/COMMUNICATION

Not applicable.

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Expenditures were provided for in the 2010/2011 Budget.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

No other identifiable strategic, risk and environmental management implications.

POLICY IMPLICATIONS

Not Applicable.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

C11/6001 – SCHEDULE OF ACCOUNTS (REC) (ATTACHMENT)

CONCLUSION

This is a regular monthly report for Elected Members information.

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

That the Schedule of Accounts for the month ending 30 September 2011 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment 6001 September 2011 be noted.

At 8.46pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (13/0)

C11/6002 – FINANCIAL STATEMENTS FOR SEPTEMBER 2011 (AMREC) (ATTACHMENT)

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

AUTHORITY / DISCRETION

		DEFINITION
☐	Advocacy	*when the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.*
☒	**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.***
☐	Legislative	*includes adopting local laws, town planning schemes & policies.*
☐	Review	*when the Council review decisions made by Officers.*
☐	Quasi-Judicial	*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.*

KEY ISSUES / SUMMARY

- This report presents the financial statements for the period ending 30 September 2011 and recommends that they be noted by the Council.
- This report presents budget amendments for the period ending 30 September 2011 and recommends that they be adopted by Absolute Majority.
- Money expended in an emergency:
  - As a result of the fire at the Civic Centre, unbudgeted expenditure of $390,625 has been expended or committed since the day of the fire from Municipal funds.

C11/6002 – FINANCIAL STATEMENTS FOR SEPTEMBER 2011 (AMREC) (ATTACHMENT)

BACKGROUND

The Financial Statements for the period ending 30 September 2011 have been prepared and tabled in accordance with the Local Government (Financial Management) Regulations 1996 as amended.

DETAIL

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

To 30 September 2011, a net operating positive variance of $1.42m was recorded. A net positive variance of $1.58m was recorded against capital.

Variances

A summary of variances is included below.

	September Actual $	YTD Budget $	YTD Actual $	Current Commit. $	Variance $	Variance %	Annual Budget $	Annual Rev. Budget $
Revenues								
General Purpose Funding	1,095,165	2,664,973	3,220,989	-	556,016	21%	8,068,771	8,038,771
Recreation and Culture	681,973	1,909,538	2,029,585	-	120,046	6%	7,897,263	8,475,698
Transport	397,768	2,495,171	2,286,775	(250)	(208,647)	-8%	4,379,770	4,839,905
Other Property and Services	89,343	4,322,643	4,210,484	-	(112,159)	-3%	491,281	3,617,656
	2,587,132	29,486,284	29,879,834	(432)	393,118	1%	41,010,932	45,145,877
Expenses								
Governance	(1,681,150)	(5,374,916)	(4,471,752)	(543,366)	359,798	-17%	(15,632,267)	(15,808,180)
Law, Order, Public Safety	(259,230)	(949,961)	(784,646)	(58,347)	106,968	-17%	(3,598,560)	(3,670,586)
Education & Welfare	(386,599)	(1,360,973)	(1,159,347)	(78,586)	123,041	-15%	(5,460,056)	(5,470,565)
Community Amenities	(1,818,630)	(4,872,753)	(3,845,285)	(775,260)	252,208	-21%	(18,233,961)	(18,528,991)
Recreation and Culture	(1,935,008)	(6,782,862)	(5,615,900)	(966,838)	200,125	-17%	(25,508,929)	(25,564,083)
Transport	(478,828)	(2,481,424)	(1,643,017)	(428,946)	409,462	-34%	(9,924,356)	(9,924,356)
Other Property and Services	(694,441)	(1,773,605)	(2,103,014)	(339,991)	(669,399)	19%	(3,109,231)	(3,085,892)
	(8,193,169)	(25,880,961)	(21,820,518)	(3,290,060)	770,382	-16%	(85,495,791)	(86,101,085)

Revenue

$50.87m in Rates has been raised to 30 September 2011. This is compared with a year to date budget of $50.77m, resulting in a positive variance of $0.10m.

Money Expended in an Emergency

As a result of a recent fire at the Civic Centre, unbudgeted expenditure of $390,625 has been expended or committed since the day of the fire from Council's Municipal funds. It is anticipated that the costs incurred, less the City's $10,000 insurance excess and any betterment, will be recouped from our insurers in the 2011/12 financial year. Officers will continue to report to Council, on the progress of expenditures.

Some of the major expenditure items include:

- Fire damage repairs to date : $129K
- Purchase of a new scanner/printer : $94K
- Committed Expenditure : $195K

C11/6002 – FINANCIAL STATEMENTS FOR SEPTEMBER 2011 (AMREC) (ATTACHMENT)

Quotations for the balance of works to be undertaken have been accepted by the City's insurers and the works commenced in October and expected to be completed by the end of November 2011.

Budget Amendments

Details of Budget Amendments requested during the month of September 2011 are shown in attachment **6002J September 2011.** Some of these amendments have been carried out to reflect the appropriate responsible officers, correction of account numbers, the reinstatement of carry forwards from 2010/11 and the creation of budgets for new grant funding.

Rates Collections and Debtors

Details of Rates and Sundry debtors are shown in attachment 6002L, 6002M and 6002N.

Rates, Refuse & FESA payments totalling $3.8million, were collected over the course of the month. Rate collection progress for the month of September was 0.1% below target, and 63.9% of the 2011/12 rates was collected as at 30 September 2011 which compares favourably to the 63.3% collected at the same time last year with the improvement being attributed to the earlier issue of rate notices this year.

The total sundry debtors balance decreased by $3.7M over the course of the month. The 90+ day's debtor balance increased from $15K to $17K.

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

DESCRIPTION	LINK
Statement of Financial Activity – September 2011	6002A September 2011
Operating Statements by Program – September 2011	6002B September 2011
Representation of Working Capital – September 2011	6002E September 2011
Reconciliation of Net Working Capital – September 2011	6002F September 2011
Notes on Operating Statements reporting on variances of 10% or greater – September 2011	6002H September 2011
Details of Budget Amendments requested – September 2011	6002J September 2011
Summary of Rates debtors – September 2011	6002L September 2011
Graph showing Rates collections – September 2011	6002M September 2011
Summary of general debtors aged 90 days old or greater – September 2011	6002N September 2011
Detail of Debts Written Off for the Month – September 2011	Not Applicable

C11/6002 – FINANCIAL STATEMENTS FOR SEPTEMBER 2011 (AMREC) (ATTACHMENT)

Granting Of Concession Or Writing Off Debts Owed To The Council

Delegation DA-032 empowers the Chief Executive Officer (CEO) to grant concessions and rates off monies owing to the City to a limit of $10,000 for any one item. The CEO has partially on-delegated this to the Director Corporate Services to write off debts or grant concessions to a value of $5,000. The delegation is conditioned on the basis that a quarterly report detailing any debts written off is to be submitted to the Council.

No debts were written off, for the month of September 2011.

PUBLIC CONSULTATION/COMMUNICATION

Not applicable.

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

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

Local Government (Financial Regulations) 1996 Part 4 – Financial Reports
Regulation 34 of the Local Government (Financial Management) Regulations 1996 as amended in March 2005, requires that:

(1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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 sub-regulation (1)(d); and
(c) such other supporting information as is considered relevant by the local government.

C11/6002 – FINANCIAL STATEMENTS FOR SEPTEMBER 2011 (AMREC) (ATTACHMENT)

(3) The information in a statement of financial activity may be shown-
  (a) according to nature and type classification;
  (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 to the Council-
    (i) at the next ordinary meeting of Council following the end of the month to which the statement relates; or
    (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of Council after that meeting;
  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 AAS 5, to be used in statements of financial activity for reporting material variances.

The variance adopted by the Council at its meeting held on 28 June 2011, which also adopted the 2011/12 Budget, was 10% or $50,000 whichever is greater.

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

FINANCIAL IMPLICATIONS

The majority of variances identified for the period ending 30 September 2011 are a result of minor phasing issues.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

No identifiable strategic, risk and environmental management implications.

POLICY IMPLICATIONS

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

C11/6002 – FINANCIAL STATEMENTS FOR SEPTEMBER 2011 (AMREC) (ATTACHMENT)

CONCLUSION

The attached reports reflect a positive financial position of the City of Melville as at 30 September 2011.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION (6002)

ABSOLUTE MAJORITY

At 8.46pm Cr Kinnell moved, seconded Cr Reidy -

1. That the Statements of Financial Activity and the Operating Statements for the financial year to date ending 30 September 2011 as detailed in the following attachments be noted:

DESCRIPTION	LINK
Statement Of Financial Activity – September 2011	6002A_September_2011
Operating Statements By Program – September 2011	6002B_September_2011
Representation Of Working Capital – September 2011	6002E_September_2011
Reconciliation Of Net Working Capital – September 2011	6002F_September_2011
Notes On Operating Statements Reporting On Variances Of 10% Or Greater – September 2011	6002H_September_2011
Details of Budget Amendments requested – September 2011	6002J_September_2011
Summary Of Rates Debtors – September 2011	6002L_September_2011
Graph Showing Rates Collections – September 2011	6002M_September_2011
Summary Of General Debtors Aged 90 Days Old Or Greater – September 2011	6002N_September_2011
Detail of Debts Written Off – September 2011	Not Applicable

2. That by Absolute Majority Decision the budget amendments, as listed in the Budget Amendment Reports for September 2011, as detailed in attachment 6002J_September_2011, be adopted.

At 8.47pm the Mayor submitted the motion, which was declared

CARRIED BY ABSOLUTE MAJORITY (13/0)

LATE ITEM - C11/6044 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT AND ANNUAL FINANCIAL STATEMENTS FOR 2010-2011 (AMREC) (ATTACHMENT)

Ward	:	All
Category	:	Operational
Subject Index	:	City of Melville Annual Financial Statements
Customer Index	:	Not Applicable
Disclosure of any Interest	:	No Officer involved in the preparation of this Annual Financial Statements has a declarable interest in this matter.
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officers	:	Khris Yeoh Senior Financial Accountant

AUTHORITY / DISCRETION

		DEFINITION
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LATE ITEM - C11/6044 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT AND ANNUAL FINANCIAL STATEMENTS FOR 2010-2011 (AMREC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- This report presents the 2010-2011 Community Annual Report and Annual Financial Statements as well as the independent auditor's unqualified report in respect to those Statements.
- The overall unrestricted cash amount carried forward into 2011/2012 as per the Rate Setting Statement, after taking into account capital expenditure and reserve transfers, for the 2010-2011 financial year was a very healthy $7,375,224. Of this, $1,863,486 was pre-identified and used in the 2011-2012 Budget to offset the need to raise rates further. This leaves a surplus of $5,511,738 available to be applied at the direction of the Council during the next budget review.
- 2010-2011 has seen the unimpaired value of the City's cash backed reserve accounts (funds) being restored to in excess of pre global financial crisis levels.

BACKGROUND

In accordance with Section 5.53(1) of the Local Government Act 1995 (the Act), a local government is required to prepare an Annual Report for each financial year. Section 5.54 of the Act requires that the Annual Report (which includes the financial report for the year) be accepted by the Local Government no later than 31 December for the previous financial year. Section 5.27 requires the Annual Report be accepted prior to the Annual Meeting of Electors. The Draft Community Annual Report was presented to Council at the Ordinary Council Meeting held on Tuesday 11 October 2011 and the Council resolved as follows:

"That the text component of the City of Melville 2010-2011 Annual Report be approved."

The Council is required to accept the full Annual Financial Statements as per Section 6.4(2) of the Act. Electors will be made aware that in addition to the Community Annual Report, which includes the abbreviated set of the Annual Financial Statements, the complete Annual Financial Statements will be available on request.

The Community Annual Report for 2010/2011 requires acceptance by the Council prior to the General Meeting of Electors to be held on Thursday, 8 December 2011. A copy of that report is attached. **6044_City_of_Melville_Community_Annual_Report_2011** Since the October meeting of the Council minor typographical changes have been made to the Community Annual Report following receipt of suggestions from some Elected Members, proof reading and inclusion of the abbreviated set of the 2010/2011 Annual Financial Statements. The Community Annual Report has also been reformatted into a publishable document by the City's graphic designers.

LATE ITEM - C11/6044 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT AND ANNUAL FINANCIAL STATEMENTS FOR 2010-2011 (AMREC) (ATTACHMENT)

DETAIL

Section 5.53 of the Act requires the Annual Report to contain, among other things, the financial report for the financial year under review.

This financial report which is titled City of Melville 2010-2011 Annual Financial Statements has been prepared and includes the following:

1. Profit and Loss Statement – Attachment **6044_Profit_&_Loss_Statement_2010-11**
2. Closing Surplus Reconciliation– Attachment **6044_Closing_Surplus_Reconciliation_2010-11**
3. Reserve Transfers **6044_Reserve_Transfers_2010-11**
4. Notes on Council Financial Report (Variance Analysis) **6044_Notes_On_Council_Financial_Report_(Variance_Analysis)_2010-11**
5. Audited Annual Financial Report (including):
   a. Statement by the Chief Executive Officer
   b. Independent Auditor's Report
   c. Management Representation Letter
   d. Statements of Comprehensive Income by Nature or Type and by Program
   e. Statement of Financial Position
   f. Statement of Changes in Equity
   g. Statement of Cash Flows
   h. Rate Setting Statement
   i. Notes to and Forming Part of the Financial Report

   Attachment **6044_Annual_Financial_Report_2010_2011**

The 2010-2011 Annual Financial Statements show a very healthy end of year financial situation due to the strong performance of major revenue streams over the course of 2010-2011 and significant savings achieved in the operating and capital budgets due to prudent financial management by budget responsible officers. An analysis of the significant variances which contributed to this positive position is included in the above list of attachments.

The Financial outcomes of the year are specified in the Audited Annual Financial Statements and are summarised in the Financial Implications section of this report.

The Independent Auditor's Report provides an unqualified audit opinion in respect to the 2010-2011 Annual Financial Statements.

PUBLIC CONSULTATION/COMMUNICATION

No external public consultation has been carried out.

LATE ITEM - C11/6044 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT AND ANNUAL FINANCIAL STATEMENTS FOR 2010-2011 (AMREC) (ATTACHMENT)

CONSULTATION WITH OTHER AGENCIES / CONSULTANTS

The Council's independent external auditors Macri Partners have audited the 2010-2011 annual report.

STATUTORY AND LEGAL IMPLICATIONS

Section 5.53 of the Local Government Act 1995 (the Act) headed "Annual reports" specifies that:-

(1) The local government is to prepare an annual report for each financial year and that.
(2) The annual report is to contain… (f) the financial report for the financial year; …

Section 5.54 of the Local Government Act 1995 (the Act) headed "Acceptance of annual reports" specifies that the Annual Report for the financial year is to be accepted by the Local Government no later than 31 December after that financial year.

Section 5.27 of the Act specifies that a General Meeting of Electors is to be held within fifty-six (56) days after the local government accepts the Annual Report for the previous financial year.

Section 5.94 of the Act provides that "a person can attend the office of a local government during office hours and, unless it would be contrary to section 5.95, inspect, free of charge, in the form or medium in which it is held by the local government and whether or not it is current at the time of inspection — …(c) any annual report;

Section 6.4 of the Act headed "Financial report" specifies that:-

(1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
(2) The financial report is to —
    (a) be prepared and presented in the manner and form prescribed; and
    (b) contain the prescribed information.
(3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
    (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
    (b) the annual financial report of the local government for the preceding financial year.

The Annual Financial Statements has been prepared in accordance with all relevant legal requirements and accounting standards.

LATE ITEM - C11/6044 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT AND ANNUAL FINANCIAL STATEMENTS FOR 2010-2011 (AMREC) (ATTACHMENT)

FINANCIAL IMPLICATIONS

Changes to the accounting standards effective from the 2009-2010 financial year has resulted in revaluations of non-current assets now forming part of the 'Statement of Comprehensive Income' (previously known as Income Statement). This has to some extent distorted the figures that were reported in previous financial years as movement in revaluations was in the past recognised in the Balance Sheet.

The net result for the 2010-2011 financial year was an operating surplus of $16.35m on total operating revenues of $91.98 million, operating expenses of $81.69 million, non operating revenues of $2.3 million, increase in equity from the City's joint venture with Southern Metropolitan Regional Council of $3.39m and an increase in Infrastructure asset values by $0.5m.

The Rate Setting Statement however reveals an overall unrestricted cash amount available to be carried forward of $7,375,224, after taking into account capital expenditures, Reserve transfers and the reversal of non cash items such as asset depreciation. Of this, $1,863,486 was pre-identified and used in the 2011-2012 Budget to offset the need to raise rates further. This leaves a surplus of $5,511,738 available to be applied at the direction of Council during the mid year budget review.

The unimpaired (real) value of Council's cash backed reserve accounts has now been restored to in excess pre global financial crisis levels. The value of cash backed reserves (i.e. after deducting the impaired value of investments) increased by $9,706,690. Unexpended Capital Works and Specific Purpose Grants Reserve, which will be expended in 2011-2012 decreased by $2,711,891. The net effect is that the cash backed value of longer term cash backed reserve accounts has increased by $6,994,799.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Nil.

POLICY IMPLICATIONS

CP - 025 Accounting Policy – defines the policy relating to the preparation of the Annual Financial Statements.

14-PL-001 – relating to the Annual Meeting of Electors was deleted at the October 2008 Ordinary Meeting of Council so that the date of the meeting will now be set by the Chief Executive Officer each year in accordance with section 5.29(1) of the Local Government Act 1995. The date set for the meeting this year is Thursday 8 December 2011.

LATE ITEM - C11/6044 - CITY OF MELVILLE COMMUNITY ANNUAL REPORT AND ANNUAL FINANCIAL STATEMENTS FOR 2010-2011 (AMREC) (ATTACHMENT)

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Nil.

CONCLUSION

The 2010-2011 Annual Financial Statements have been completed and a short form version will be included in the Community Annual Report for 2010-2011, with a full set of financial statements being made available on the City's web-site, at it's five libraries, the Civic Centre and in printed form upon request.

An unqualified auditor's report was received following the final audit, and the 2010-2011 Annual Financial Statements will be presented to the Council for acceptance.

The finalised Community Annual Report has now also been completed.

The Community Annual Report (including the short-form Annual Financial Statements for the 2010/2011 Financial Year) is presented to the Committee for noting and for recommendation to Council for acceptance by absolute majority decision.

OFFICER AND COMMITTEE RECOMMENDATION (6044) **APPROVAL**

1. **That the Financial Management, Audit, Risk and Compliance Committee note the City of Melville 2010-2011 Annual Financial Statements including the Unqualified Independent External Auditor's Report and the City of Melville Community Annual Report 2010/2011, including the Short-Form Annual Financial Statements.**

2. **That the Financial Management, Audit, Risk and Compliance Committee recommend the following recommendation to the Council -**

   That Council, by Absolute Majority Decision, accepts the City of Melville 2010-2011 Annual Financial Statements including the Unqualified Independent External Auditor's Report and the City of Melville Community Annual Report 2010/2011, including the Short-Form Annual Financial Statements, at the Ordinary Meeting of the Council to be held on Tuesday 15 November 2011.

COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION (6044)
ABSOLUTE MAJORITY

At 8.50pm Cr Kinnell moved, seconded Cr Macphail -

That Council, by Absolute Majority Decision, accepts the City of Melville 2010-2011 Annual Financial Statements including the Unqualified Independent External Auditor's Report and the City of Melville Community Annual Report 2010/2011, including the Short-Form Annual Financial Statements, at the Ordinary Meeting of the Council to be held on Tuesday 15 November 2011.

At 9.06pm the Mayor submitted the motion, which was declared
CARRIED BY ABSOLUTE MAJORITY (13/0)

15. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

16. EN BLOC ITEMS

At 9.07pm Cr Reynolds moved, seconded Cr Kinnell -

That the recommendations for items P11/3267, P11/3269, P11/3271, T11/3264, C11/5000, C11/6000 and C11/6001 be carried En Bloc.

At 9.07pm the Mayor submitted the motion, which was declared

CARRIED (13/0)

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

18. CLOSURE

There being no further business to discuss, His Worship the Mayor declared the meeting closed at 9.07pm.