



**MINUTES**

**OF THE**

**ORDINARY MEETING OF THE COUNCIL**

**HELD ON**

**TUESDAY 15 AUGUST 2017**

**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 AUGUST 2017.**

**1. OFFICIAL OPENING**

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

**Affirmation of Civic Duty and Responsibility**

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

**2. PRESENT**

His Worship the Mayor R Aubrey

**COUNCILLORS**

Deputy Mayor Cr R Aubrey  
Cr D Macphail  
Cr N Pazolli, Cr C Schuster  
Cr J Barton  
Cr M Woodall, Cr C Robartson  
Cr P Phelan  
Cr N Foxtton, Cr T Barling

**WARD**

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

**3. IN ATTENDANCE**

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development
Ms K Johnson	A/Director Technical Services
Mr S Cope	Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Mr G Ponton ( <i>until 7:36pm</i> )	Manager Strategic Urban Planning
Mr J Rae ( <i>until 7:36pm</i> )	Strategic Land and Property Executive
Mr J Clark	Governance and Compliance Program Manager
Mr N Fimmano	Governance and Property Officer
Ms C Newman	Executive Support and Governance Officer
Ms G Healey-Burgess	Minute Secretary

At the commencement of the meeting there were seven members of the public and one representative from the Press in the Public Gallery.

**4. APOLOGIES AND APPROVED LEAVE OF ABSENCE****4.1 APOLOGIES**

Cr G Wieland – Bicton/Attadale Ward

**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 Questions Submitted to the 15 August 2017 Meeting of the Council.

#### 6.1.1 Mr E Nielsen, Booragoon

##### Background

With reference to my submission for Question Time at the Ordinary Meeting of the Council on 18 July 2017 once again my submission was 'intercepted' without explanation. This 'interception' resulted in only very limited parts of my submission being referred to during question time (Item 6.1.3) with the remainder being responded to via mail by administration.

This intervention resulted in ...

- 55% of the essential background information (supporting the questions) being totally ignored, with no reference to it ever existing.
- 71% of the responses given failed to answer the questions.
- The remaining 4 responses (29 %) being vague and unclear.

##### Question 1

Would the Elected Members please explain the reason for this happening?

##### Response

The responses to Mr Nielsen's questions were provided with accurate information and with the intention of clarifying the matters raised. Mr Nielsen is invited to meet with relevant staff to discuss the matters he has raised and clarify any misunderstanding in responses provided.

##### Question 2

Are you, our Elected Members, actually copied in and aware of the responses sent via mail by the administration?

##### Response

The responses to Mr Nielsen's operational or administrative questions are not provided to Elected Members just as all correspondence from the City to residents, ratepayers, government departments and others is not provided to Elected Members.

6.1.1 Mr E Nielsen, Booragoon – continued

Background

During Question Time at the Ordinary Meeting of the Council on 18 July 2017, Cr Barton addressed the Mayor on a couple of occasions alerting him to the fact that there were questions from the electors in the public gallery that were not being addressed.

The Mayor responded to advise that the questions were “*for the administration*”.

Having gone through the Act and Regulations a number of times I have difficulty in reconciling the Mayor's responses with Section 5.24 of the Act and Regulation 5, 6 and 7.

Question 3

Would our Elected Members please clarify what specifically determines which questions are for the Council and which are for Administration?

Response

See response to Question 5

Question 4

Would our Elected Members please clarify where in the Act or Regulations does it support the comment by the Mayor of “*that's the process we have...that's what the Act tells us?*”

Response

See response to Question 5

Question 5

How would a ratepayer determine “*the difference between a question for the Council and questions for administration?*”

Response

The responses to Mr Nielsen's questions 3 to 5 have been provided to Mr Nielsen in an email dated 11 August 2017.

The City confirms that all questions asked by the community are answered. In the answers given, the community are advised whether questions are administrative or not. In the main all questions dealing with the day-to-day operations of the City are administrative.

### 6.1.2 City of Melville Residents and Ratepayers Association

On 24 July 2017 the WAMN News published an article entitled "CALLS FOR CITY COUNCILS TO INCREASE TRANSPARENCY BY STREAMING MEETINGS" which mentioned on Mayor Russell Aubrey's position on the matter. In part, the article stated:

*"There are those who have concerns with the idea, however, and believe that having meetings recorded will change how people behave in them. One such person is City of Melville Mayor Russel Aubrey, who believes that having an online audience will influence the behaviour of those attending meeting, including councillors.*

*"How about those councillors that maybe have another agenda other than just representing the community, maybe have a political agenda and want to grandstand every event as it comes forward" he said. "*

We note the City of Joondalup, the Town of Vincent and the City of Cockburn are all in favour of live streaming for increased transparency and that live streaming and publically detailed records of meetings (eg Hansard) are common place in State and Federal Parliaments.

#### Question 1

Is Mayor Aubrey's stated position that of Council's or just Mayor Aubrey's personal view?

#### Response

The Council resolved in October 2012 to install electronic recording and voting to provide "*greater clarity, better governance...*" and to assist Administrative staff in preparation of Council Meeting minutes. The opportunity to live stream was not taken by the Council. The statement supports the Council's current position as reflected in the above mentioned resolution.

#### Question 2

Could Council, and/or Mayor Aubrey, elaborate on the reasons they/he believes that adopting the current best practice of live streaming and providing audio recordings of Council meeting is not in the interest of all residents and ratepayers; that is why they/he believes that increased transparency will not benefit community engagement?

#### Response

The Council is aware that only a small number of local governments have made use of live streaming technology. The assessment of live streaming is yet to be made.

## 6.1.2 City of Melville Residents and Ratepayers Association – continued

### Background

On Friday, 11 August 2017 the Secretary of the City of Melville Residents and Ratepayers Association (Inc.) submitted a request for a deputation to present on Transparency in Local Government. Our Secretary requested a response by the end of the day, but did not receive the response until Monday. The response from the City stated:

*“The topic that you wish to address the Council on: ‘Transparency of local government’, is a sector related matter and not appropriate for presentation to the Council. You may best be served by a representation on such issues to the Department of Local Government, Sport and Cultural Industries.”*

Mayor Aubrey, as the Presiding Member for tonight’s meeting, was questioned about the City Senior Officers response to which Mayor Aubrey’s response was:

*“Mr XXXXXX’s response appears to be entirely appropriate.”*

We note the City’s CP-088 Meeting Recording Policy governs how meetings are recorded and made available to the public; thus it is entirely in the control of Council, as it is with the Town of Vincent and others Local Governments, to decide to record and/or live stream Council meetings, be it video and/or audio, and provide free of charge to the public over the internet.

Please confirm:

### Question 1

If, and when, Mayor Aubrey was consulted prior to the City’s administration refusing the request.

### Response

The decision by the Chief Executive Officer to refuse the request made to him was communicated to the Mayor

### Question 2

Was it the Mayor, CEO or the Executive Manager Governance and Legal Services that made the decision to refuse the request for the deputation.

### Response

See the response to Question 1 above

6.1.2 City of Melville Residents and Ratepayers Association – continued

Question 3

The detailed grounds and reasons for the decision to refuse the request for a deputation.

Response

The proposed topic for the deputation: 'Transparency of local government', is a sector related matter and not appropriate for presentation to the Council. The applicant was advised that he may best be served by a representation on such issues to the Department of Local Government, Sport and Cultural Industries.

Question 4

Why Council is not interested in hearing opinions from concerned residents and ratepayers on such an important topic as increasing transparency; something that would likely improve community engagement and improve confidence in the operations of the City Administration and Council.

Response

It is noted that the MRRA, as stated by its President, only represents a small number of residents who have had personal issues with the City. However, as the Council is interested in governance and transparency in the City's operations, there is extensive consultation with the Melville community on matters of significance in appropriate forums.

Nevertheless the questioner is invited to advise the City and Councillors in writing of its views on the transparency of Local Government.

**COUNCIL RESOLUTION**

At 6.47pm Cr Pazolli moved, seconded Cr Barton –

**That the questions submitted by Mr Pearson of Myaree be read out at the meeting.**

At 6.50pm the Mayor submitted the motion, which was declared

**CARRIED (8/3)**

<b>Vote Result Summary</b>	
Yes	8
No	3

<b>Vote Result Detailed</b>	
Cr Barling	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Aubrey	No
Cr Macphail	No
Cr Phelan	No

### 6.1.3 Mr G Pearson, Myaree

At the Ordinary Meeting of Council on 18 July 2017, the Mayor stated that, of 82 questions submitted by the public for Question Time at that meeting, just 29 were to be addressed at the meeting, as the other 53 questions were deemed to be “administrative” in nature.

Firstly, it is my understanding that, under the Local Government (Administration) Regulations 1996 – Reg 7, all questions submitted to Question Time, regardless of their focus or import, are to be read out at the Ordinary Meeting of Council, so that Councillors are aware of the questions coming from the public.

Although under Reg 7(1), the presiding member determines the procedures for the asking of and responding to questions “raised by members of the public at a meeting”, the presiding member must do so by having regard to the requirements of regulation 7(3), which states:

*“Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.”*

The deeming of questions ahead of time as being “administrative” leading to them not being read out at the meeting appears, on the surface at least, to be a direct breach of these provisions, as it prevents “an equal and fair opportunity to ask the question at the meeting.”

In the hope that the following questions are not similarly deemed to be “administrative” in nature, and therefore prevented from being aired to the full Council would the Councillors please answer the following questions?

## 6.1.3 Mr G Pearson, Myaree - continued

Question 1

- 1 *Who exactly is the “deemer” of the said questions?*
- 2 *When were they appointed, what is the process by which their “deeming” is monitored,*
- 3 *and who monitors the accuracy and consistency of their “deeming”?*

Response

The Governance Team reviews questions and applies the relevant sections of the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996* to determine whether questions are administrative, operational or relate to the functions of the Council.

Question 2

- 1 *What are the criteria on which this “deeming” is based,*
- 2 *who established these,*
- 3 *when did this occur,*
- 4 *and how can a member of the public access these?*

Response

The *Local Government Act 1995*, at Clause 2.7 advises the responsibility of the Council and Clause 5.41 advises the functions of the Chief Executive Officer. The *Local Government (Administration) Regulations 1996*, at Regulation 7(4) confirms that questions at an Ordinary Meeting of the Council, must relate to the functions of the Council. The current Act and Regulations are available on the State Law Publisher website.

Question 3

- 1 *Making specific reference to the Local Government (Administration) Regulations, which clauses / provisions of the Regulations provide the grounds on which this process of “screening out of questions” has been established,*
- 2 *when precisely did this screening-out system start,*
- 3 *who made the decision that this “screening-out” would start,*
- 4 *and was this agreed to by a vote of the Council?*
- 5 *If so, where and when?*
- 6 *And are Councillors aware that this process appears to be in direct contravention of the Regulations by which they are bound?*

Response

See the response to Question 2. The review of public questions has been ongoing for over 10 years. The review ensures that questions are referred to appropriate officers to prepare responses on matters that are outside the functions of the Council. The Act and Regulations support the review process and assist to clarify the functions of the Council and responsibilities of the Chief Executive Officer.

## 6.1.3 Mr G Pearson, Myaree - continued

Question 4

1 *Would the Councillors, as servants of the people, agree that the said members of the public have a right to feel offended that they and their questions are not being treated with the respect they deserve?*

Response

The Melville community has an opportunity to phone to the Customer Contact Centre, lodge a customer request via the City's website or write to the Chief Executive Officer and ask questions at any time and many do so. The City has been acknowledged by external assessors to provide an excellent quality of Customer Service against the International Customer Service Standard ICSS:2010-14.

Question 5

1 *Do the Councillors, as servants of the people, understand that such treatment of residents and ratepayers simply encourages those and other residents and ratepayers to lose trust and confidence in those who presume to govern us?*

Response

All questions of the community are answered in writing with the responses becoming a record of the City. Overall the Council of the City enjoys the confidence of the Melville community.

Question 6

- 1 *What action, in light of the above, and in the clear contravention of Regulation 7(3) of the Local Government (Administration) Regulations 1996, are the Councillors, as servants of the people, prepared to take to address the lack of transparency in the potentially unlawful "screening-out of questions" described above,*
- 2 *to address the offence it repeatedly causes,*
- 3 *and to restore residents and ratepayers' trust and confidence in their Council Meeting processes regarding the airing of ALL questions posed by the public during Question Time?*

Response

The assumption that the *Local Government (Administration) Regulations 1996* are being breached is incorrect. The City has, and will respond and retain these questions and answers as part of its public record.

## 6.2 Questions Taken on Notice at the 18 July 2017 Meeting of the Council

The following questions were taken on notice at the 18 July 2017 Ordinary Meeting of the Council have been responded to as follows:

### 6.2.1 Ms M Towner

I, like many of my friends and neighbours support the Surf Park proposal, however a small group local resident protestors claim the project is not supported by the wider community.

#### Question 1

*Did Council consider the community's support, for or against the surf park proposal in their consideration of the Proposal's ground lease at Tompkins Park?*

#### Response

Yes. The responses received from the community as a result of the statutory public consultation process indicated a majority of local residents in favour of the Surf Park proposal and an overwhelming majority support by non-residents.

### 6.2.2 Mr M Towner, Winthrop

It is understood that the Risk Assessment Report by PWC (28 October 2016) on the Wave Park Proposal was commissioned by the City of Melville as part of its due diligence process on the proposal's ground lease. The report identified a number of potential risks which included the financial viability of the proposal's operation.

#### Question 1

*Can Council please advise if the proponent was able to provide input into the findings of the report?*

#### Response

This report was commissioned by the City without knowledge of or reference to the proponent.

#### Question 2

*Can Council please advise, whether in their consideration of approving the ground lease, implemented standard commercial practices to mitigate these risks? (therefore making many of the findings of the report somewhat redundant).*

#### Response

Yes. The purpose of the Risk Assessment was to inform the City in implementing mitigation strategies to be incorporated in clauses in the lease for the commercial/financial protection of the City.

### 6.2.3 Ms J Mulroney, Ardross

It has been noted that a number of the residents within "Pelican Cove", the medium density residential estate adjacent to the proposed surf park location, are opposed to the proposal, and are members of the Alfred Cove Action Group.

A fundamental concerns of these residents and the Action Group is the possible effect on the local environment of the surf park proposal.

Interestingly, the area of foreshore immediately in front (sic) of Pelican Cove is devoid of any trees and there are apparent and visible signs of ongoing illegal clearing occurring (sic).

#### Question 1

*Are Councillors aware of any actual or alleged (sic) illegal clearing of the area of foreshore immediately in front (sic) of Pelican Cove?*

#### Response

The Mayor has advised that councillors have not raised this matter with him.

#### Question 2

*If so, are Council aware of the matter/s being referred to the Department of Parks and Wildlife for investigation and possible prosecution?*

#### Response

Please see response to question 1.

#### Question 3

*If the area has indeed been subjected to illegal clearing, would Council be supportive of remedial rehabilitation of this area adjacent to "Pelican Cove"?*

#### Response

If there was illegal clearing of the "A" Class nature Reserve the City would be supportive in any remedial action implemented by DBCA.

#### 6.2.4 Mr C and Ms C Paul, Willagee

My family and myself, like everyone around us are big supporters of the surf park project. We note that the Alfred Cove Action Group opposed the project, however, we are concerned by the factually incorrect information that is spread by this group (through press, online, letter drops and personally intimidating people in the community) in attempt to undermine the project and the due process the project deserves.

#### Question 1

*Are Councillors concerned by the misinformation that is spread by this group about the proposal and the Council's own procedures it had to adhere to in considering the proposal?*

#### Response

The Council is always concerned that the residents and ratepayers are accurately informed.

#### Question 2

*What is Council doing to ensure the misinformation that is spread on an ongoing basis is managed?*

#### Response

The City's Administration endeavours to report all relevant facts both accurately and timely to the Council for its decision making process and, where appropriate, reports these facts on the City's website and in the media.

#### 6.2.5 Ms J Wilson, Palmyra

The wave park anti-group continually promotes material suggesting the proposal will result in an "environmental disaster". This theme pervades much of their online material and comments.

#### Question 1

*In the Council's consideration of the ground lease, was there any specific information available suggesting what and how an "environmental disaster" might occur? (specifically, what elements of the surf park proposal will cause this disaster, what sensitive receptors will be affected and what technical studies and/or reports support this claim)?*

#### Response

No. The proposal will be subject to environmental assessment by three relevant State Government Agencies at the time the Lessee lodges their development application. The City of Melville is not the assessing agency for the development application.

6.2.5 Ms J Wilson, Palmyra – continued

Question 2

*Could Council please re-affirm their intent to allow the matters that the anti-group are concerned about be properly assessed through normal due process as required by relevant guidelines, legislation and policy?*

Response

The City has and will allow due process to be followed.

6.2.6 Ms N Cahill, Kardinya

I commend the City for commissioning PWC to undertake the Risk Assessment Report on the Surf Park Proposal. The findings of the report, since its release, have drawn the (sic) attention from the media and protestors of the project, particularly around the financial feasibility of the project. From reading the PWC report, I understand no economic modelling was provided by PWC by the City or the proponent for review. Accordingly, the following questions are asked of Council:

Question 1

*The City has a number of other lease agreements in place. Is it normal practice for Council, or indeed in business generally, to review a prospective tenant's detailed economic modelling in consideration of a ground lease agreement?*

Response

Whether the City requires detailed economic modelling is dependent on the proposed lease or commercial agreement. In the case of the Surf Park proposal suitable guarantees are incorporated in the lease.

6.2.7 Mr C Caddy, Kardinya

I have a small family and we currently live in Melville (City of Melville ratepayer since 2005). I strongly support the proposed surf park and all its benefits for our local community and wider Perth community.

Question 1

*Are Councillors aware of the resources that are required by the City's Executive Team and officers to respond to matters raised by the community group against the proposed project?*

Response

The Councillors are aware that considerable City resources have been required to respond to members of the community on this matter.

6.2.7 Mr C Caddy, Kardinya – continued

Question 2

*Could the council please estimate how much of ratepayers money has been spent responding to matters raised by the Community?*

Response

The cost has not been quantified.

Question 3

*Are Councillors aware of any potential legal action that could further result in significant costs to the City and ultimately the ratepayers?*

Response

Members of the community have continuously alluded to potential legal challenge. These matters are dealt with administratively in the normal course of the City's dealings.

## **7. AWARDS AND PRESENTATIONS**

The Mayor advised that at the August 2017 Annual General Meeting of the Western Australian Local Government Association, Councillor Patricia Phelan had been awarded the Special Award for long and Loyal Service to the community.

Mayor Aubrey presented Cr Phelan with the Award

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY MEETING OF THE COUNCIL – 18 JULY 2017**  
**Minutes 18 July 2017****COUNCIL RESOLUTION**

At 7:00pm Cr Schuster moved, seconded Cr Aubrey –

**That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 18 July 2017, be confirmed as a true and accurate record.**

At 7:00pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (11/0)**

**8.2 NOTES OF AGENDA BRIEFING FORUM – 1 AUGUST 2017**  
**Notes 1 August 2017****COUNCIL RESOLUTION**

At 7:00pm Cr Aubrey moved, seconded Cr Woodall –

**That the Notes of the Agenda Briefing Forum held on Tuesday, 1 August 2017, be received.**

At 7:00pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (11/0)**

**8.3 FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE  
COMMITTEE – 7 AUGUST 2017****COUNCIL RESOLUTION**

At 7:00pm Cr Macphail moved, seconded Cr Aubrey –

**That the Minutes of the Financial Management, Audit, Risk and Compliance Committee Meeting held on Monday, 7 August 2017 be noted.**

At 7:00pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (11/0)**

**NB:**

**Minutes to be confirmed at next Financial Management, Audit, Risk and Compliance Committee Meeting**

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

Nil.

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

Nil.

**10. DEPUTATIONS**

Nil.

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

Nil.

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

Nil.

**13. PETITIONS**

Nil.

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

**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSLED STREET, MYAREE (REC) (ATTACHMENT)**

Ward	: City
Category	: Strategic
Application Number	: N/A
Property	: Various
Proposal	: Adoption of Local Planning Scheme 6 Amendment 5 following public advertising
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.
Previous Items	: P17/3743, Ordinary Meeting of Council 21 March 2017
Responsible Officer	: Gavin Ponton Manager Strategic Urban Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSHED STREET, MYAREE (REC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- The City received a multi-signatory letter in August 2016, signed by six landowners, which requested a higher density coding in parts of Bolas Court and Evershed Street, Myaree.
- The Council initiated Local Planning Scheme 6 (LPS6) Amendment 5 at its Ordinary Meeting held on 21 March 2017. The amendment proposes that the density coding of 13 lots be changed from R20 to R25.
- The proposed amendment was advertised for 48 days and 19 submissions were received on the proposal, including eight submissions supporting the amendment, four supporting/commenting on the amendment and requesting that the area to be rezoned be extended further north, two submissions objecting to the amendment and five submissions providing no objections or comments.
- It is recommended that the Council support the proposed amendment.
- The Council may also wish to consider extending the area to be rezoned to include a further six lots as suggested by four submissions.



Aerial photo of the 13 lots currently included in LPS6 Amendment 5 in Bolas Court and Evershed Street, Myaree

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**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSHERD STREET, MYAREE (REC) (ATTACHMENT)****BACKGROUND**

Town Planning Scheme 3 (TPS3) was in force until the gazettal of Community Planning Scheme 5 (CPS5) in 1999. The subject area was coded R25 in TPS3. CPS5 reduced the coding of the area to R20. A number of lots in the area were subdivided under TPS3.

A multi-signatory letter was received by the City on 24 August 2016 and was signed by six (6) landowners of Bolas Court and Eversherd Street. The letter provided the following justifications for the proposed recoding from R20 to R40:

- The landowners believed that they may be rezoned as part of the adoption of LPS6 (but they were not)
- The properties are suitably located for a medium density coding, being:
  - Within 140 metres of a high frequency bus route along Marmion Street
  - Within 300 metres walking distance of the Neighbourhood Centre on the corner of North Lake Road and Marmion Street
  - Adjacent to Mel Maria Primary School
  - Walking distance to three local parks
  - Around 1.7 kilometres from the Melville City Centre
  - State Government documents such as Directions 2031 and Beyond suggest such areas are appropriate for higher density codings
  - WAPC planners were (apparently) supportive of the proposal in verbal discussions via telephone
  - Smaller lots and houses would make it more affordable for future residents
  - Some of the landowners are seniors who would like to downsize or move into retirement accommodation
- The proposal could be included in the proposed Amendment 2 omnibus amendment

The Council considered a report on the request at its Ordinary Meeting held on 21 March 2017 and resolved as follows:

1. *Notes the petition requesting a higher density coding of Residential R40 in parts of Bolas Court and Eversherd Street, Myaree.*
2. *In pursuance of Section 75 of the Planning and Development Act 2005, wishes to initiate Scheme Amendment No. 5 to Local Planning Scheme No. 6 by rezoning the following lots from Residential R20 to Residential R25:*
  - a. *The properties between Lot 93, No. 18 Eversherd Street Myaree to Lot 121, No. 28 Eversherd Street, Myaree (inclusive of the lots mentioned)*
  - b. *The properties between Lot 92, No. 9a Bolas Court, Myaree to Lot 2, No. 19 Bolas Court, Myaree (inclusive of the lots mentioned)*
3. *Authorise the preparation, processing and public advertising of documentation for Scheme Amendment No. 5 to Local Planning Scheme No. 6 in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015.*

**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSLED STREET, MYAREE (REC) (ATTACHMENT)**

4. Advise the Western Australian Planning Commission that the proposal is considered to be a standard amendment to Local Planning Scheme 6 in accordance with regulation 35 (2) of the Planning and Development (Local Planning Schemes) Regulations 2015, as:
  - a. It is an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
  - b. It is an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
  - c. It is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment; and
  - d. It is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
  
5. Note that a further report will be presented to the Council following the completion of the public advertising process.
  
6. That the Chief Executive Officer advises relevant landowners in writing of the Council's resolution.

Officers had originally recommended that the rezoning not proceed until further strategic planning work had been completed along the Marmion Street corridor. The scheme amendment has been progressed in accordance with the March 2017 Council resolution and the Officer Recommendation in this Report is reflective of that most recent Council resolution.

**Scheme Provisions**

MRS Zoning	: Urban
LPS Zoning	: Residential
R-Code	: R20
Use Type	: Not Applicable
Use Class	: Not Applicable

**Site Details**

Lot Area	: Not Applicable
Street Tree(s)	: Not Applicable
Street Furniture (drainage pits etc.)	: Not Applicable
Site Details	: Not Applicable

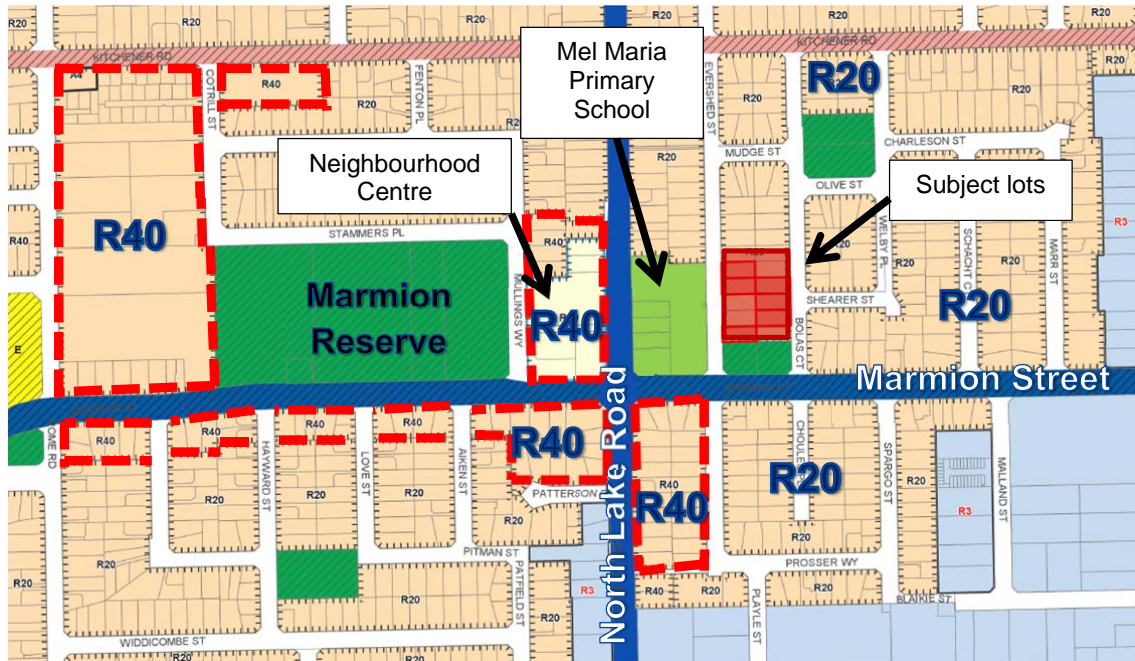
**DETAIL**

LPS6 was gazetted on 27 May 2016. It is the statutory tool to implement the City's Local Planning Strategy. The Local Planning Strategy aims to concentrate growth and development in activity centres and along public transport corridors. The Strategy is a long term approach based on a 20 year vision.

**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSHERD STREET, MYAREE (REC) (ATTACHMENT)**

The subject properties are currently zoned Residential R20 in LPS6.

Marmion Street is a high frequency public transport corridor. LPS6 coded selected areas along Marmion Street as R40 in the vicinity of this proposal, including lots between Rome Road and Prosser Way, Myaree as shown on the map below.



The subjects lots are coded R20 in LPS6 as they form part of the residential area north of Marmion Street and south of Kitchener Road.

The proposed amendment was initiated by the Council at its Ordinary Meeting held on 21 March 2017. The amendment is based on the resolution of the Council and includes the proposed rezoning of the following lots from Residential R20 to Residential R25:

- The properties between Lot 93, No. 18 Eversherd Street Myaree to Lot 121, No. 28 Eversherd Street, Myaree (inclusive of the lots mentioned)
- The properties between Lot 92, No. 9a Bolas Court, Myaree to Lot 2, No. 19 Bolas Court, Myaree (inclusive of the lots mentioned)

The scheme amendment map is shown in Attachment 1.

[3761 Attachment 1 Scheme Amendment 5 Map](#)

**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSLED STREET, MYAREE (REC) (ATTACHMENT)**

**STAKEHOLDER ENGAGEMENT**

Advertising Required: Yes

**I. COMMUNITY**

The amendment to LPS6 is a 'standard' scheme amendment and therefore is required to be advertised for a minimum of 42 days as per the *Planning and Development (Local Planning Schemes) Regulations*.

Amendment 5 was publicly advertised from 16 May 2017 to 3 July 2017 (48 days).

**II. OTHER AGENCIES / CONSULTANTS**

Relevant agencies were also consulted on the proposed amendment.

A total of 19 submissions were received, and are summarised as follows:

<b>Response</b>	<b>Number</b>	<b>Percentage</b>
Support the amendment as proposed	8	42%
Object to the amendment	2	11%
Comments	1	5%
No objection or comments and requests extension of the area to be rezoned	3	16%
Support and requests extension of the area to be rezoned	1	5%
No objection / no comment from Service Agencies	4	21%
<b>TOTAL</b>	<b>19</b>	<b>100%</b>

The submissions received can be viewed in the submissions table in Attachment 2.

[3761 Attachment 2 Public Submissions Table](#)

Main Themes Raised

The main themes raised in the submissions are summarised below.

- Support for the amendment as proposed
- Support for the amendment and the area to be rezoned should be extended north to include the whole street block
- Concerned about the ad hoc nature of the amendment and preference for a more strategic approach to increasing densities in this area
- Object to increases to density in this area

**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSHERD STREET, MYAREE (REC) (ATTACHMENT)**

The subject properties are considered to be suitably located for an R25 coding for the following reasons:

- They were previously coded R25 in TPS3 up until 1999
- One of the subject lots has already been subdivided to the R25 coding under TPS3
- The lots are suitably located, being:
  - Within 140 metres of a high frequency bus route along Marmion Street
  - Within 300 metres of a bus route along North Lake Road
  - Within 300 metres walking distance of the Neighbourhood Centre on the corner of North Lake Road and Marmion Street
  - In close proximity to existing R40 codings along Marmion Street
  - Adjacent to Mel Maria Primary School
  - Walking distance to three local parks
  - Around 1.7 kilometres from the Booragoon Secondary Centre

The draft Local Housing Strategy is currently being finalised. It has identified the need to promote a great range of housing for the current and future population of the City. It recommends that the City promote smaller dwellings and lot sizes in suitable locations near shops and public transport. The proposed amendment would help to implement recommendations from the City's Local Planning Strategy and Local Housing Strategy.

It is not expected that a Residential R25 coding would adversely impact on the surrounding Residential R20 area as:

- It is not a significant increase in residential density
- It would not change the land uses permitted on the subject lots
- There are a number examples of lots with an R25 density in the immediate vicinity that would have been subdivided under the previous TPS3
- It would generally retain the residential character of the surrounding streets

Requested Extension to the area to be rezoned

Four submissions requested that the area to be recoded to R25 be extended further to north to include an additional six lots. Based on the requests received, the lots would include:

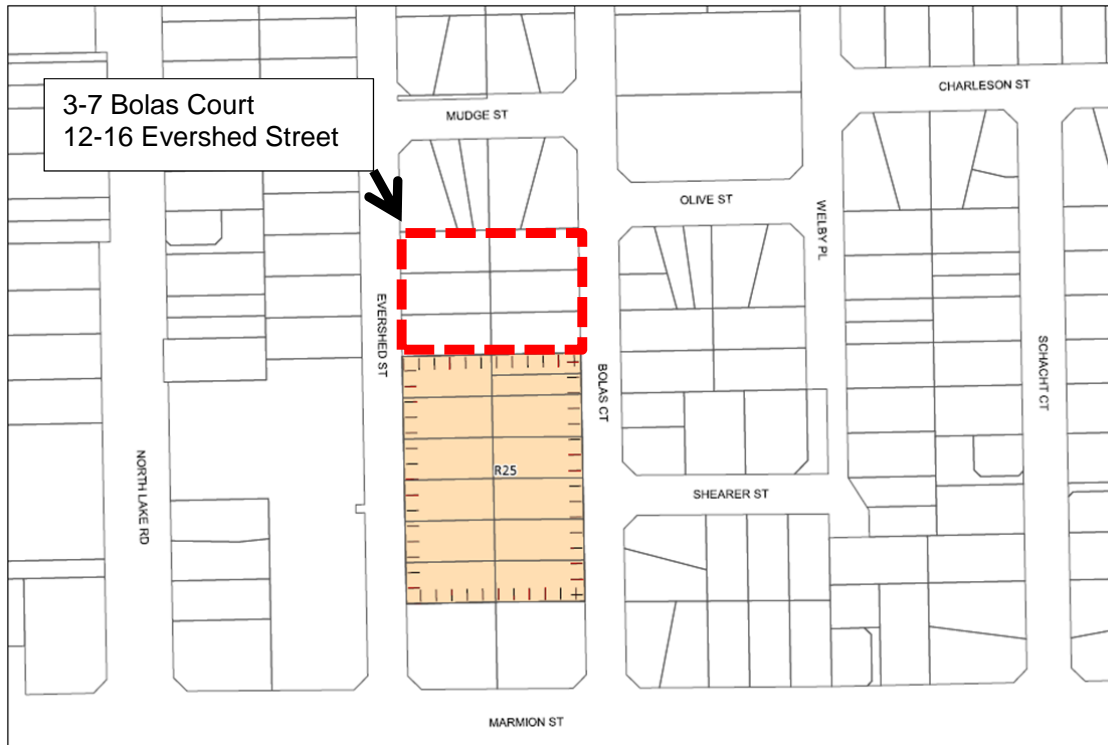
Lot 89, No. 3 Bolas Court	Lot 96, No. 12 Evershed Street
Lot 90, No. 5 Bolas Court	Lot 95, No. 14 Evershed Street
Lot 91, No. 7 Bolas Court	Lot 94, No. 16 Evershed Street

This would require an amendment to the Officer recommendation, should the Council wish to include this amendment. This proposal would “square off” the street block and include all lots facing Bolas Court and Evershed Street, but not include lots facing north to Mudge Street. No requests were received or comments were made by the landowners facing Mudge Street.

Should the Council resolve to support the inclusion of the additional six lots noted above, the Department of Planning would be contacted to provide advice on procedural matters, such as whether additional public advertising would be required or not.

**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSHERD STREET, MYAREE (REC) (ATTACHMENT)**

The scheme amendment map would be adjusted as shown below should the Council wish to support the landowners' request.



**STATUTORY AND LEGAL IMPLICATIONS**

The process undertaken is being followed as per LPS6 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with this request.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

There are no policy implications with this proposal.

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**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSLED STREET, MYAREE (REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

1. The Council could support the extension of the area to be rezoned to include an additional six lots as requested in four submissions. Based on the requests received, the extended area could include:
  - Lot 89, No. 3 Bolas Court
  - Lot 90, No. 5 Bolas Court
  - Lot 91, No. 7 Bolas Court
  - Lot 96, No. 12 Evershed Street
  - Lot 95, No. 14 Evershed Street
  - Lot 94, No. 16 Evershed Street

This would require an amendment to the Report recommendation, should the Council wish to include this amendment.

Upcoding of additional lots would provide a consistent density coding for the whole street block, except for the lots facing Mudge Street. Two of the five lots facing Mudge Street are already subdivided to R25 standard, which occurred prior to 1999, while the other three lots have not been subdivided.

Officers have not recommended support for the extension of the area to be rezoned as it is proposed to consider residential codings via proposed planning studies of future development along and adjacent to key transport corridors. Should the Council wish to consider the extension to the area to be rezoned, the Department of Planning would be contacted to provide advice on procedural matters, such as whether additional public advertising would be required or not.

2. The Council could resolve to not support the scheme amendment. Such a resolution could be expressed as a final position or could be subject to further strategic urban planning for the Marmion Street transport corridor as originally recommended by officers. The amendment and the Council's resolution would be forwarded to the Western Australian Planning Commission for the Minister for Planning's decision on the proposal.

**CONCLUSION**

Officers had originally recommended that the rezoning not proceed until further strategic planning work had been completed along the Marmion Street corridor. The scheme amendment has been progressed in accordance with the March 2017 Council resolution and the Officer Recommendation in this Report is reflective of that most recent Council resolution.

The subject 13 properties are considered to be suitably located for a Residential R25 zoning for the following reasons:

**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSHERD STREET, MYAREE (REC) (ATTACHMENT)**

- TPS3 was in force until the gazettal of CPS5 in 1999. The subject area was coded R25 in TPS3. CPS5 reduced the coding to R20. The proposed amendment would therefore return the area to the zoning that was in place prior to 1999.
- One of the subject lots has already been subdivided into two lots under the R25 coding under TPS3
- The lots are suitably located for a medium density coding, being:
  - Within 140 metres of a high frequency bus route along Marmion Street
  - Within 300 metres of a bus route along North Lake Road
  - Within 300 metres walking distance of the Neighbourhood Centre on the corner of North Lake Road and Marmion Street
  - In close proximity to existing R40 codings along Marmion Street

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3761)**

At 7:02pm Cr Schuster moved, seconded Cr Macphail –

**That the Council:**

1. **Endorses, pursuant to Section 87 of the *Planning and Development Act 2005*, Scheme Amendment No. 5 to Local Planning Scheme No. 6 by rezoning the following lots from Residential R20 to Residential R25:**
  - a. **The properties between Lot 93, No. 18 Eversherd Street Myaree to Lot 121, No. 28 Eversherd Street, Myaree (inclusive of the lots mentioned)**
  - b. **The properties between Lot 92, No. 9a Bolas Court, Myaree to Lot 2, No. 19 Bolas Court, Myaree (inclusive of the lots mentioned)**
2. **Advises the Western Australian Planning Commission that the proposal is considered to be a standard amendment to Local Planning Scheme 6 in accordance with regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as:**
  - a. **It is an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;**
  - b. **It is an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;**
  - c. **It is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment; and**
  - d. **It is an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.**
3. **Directs the Chief Executive Officer to advise all submitters and relevant landowners in writing of the Council's resolution.**

At 7:13pm the Mayor submitted the motion, which was declared

**CARRIED (7/4)**

**P17/3761 – ADOPTION OF LOCAL PLANNING SCHEME 6 AMENDMENT 5 – CHANGE FROM R20 TO R25, BOLAS COURT AND EVERSLED STREET, MYAREE (REC)  
(ATTACHMENT)**

<b>Vote Result Summary</b>	
Yes	7
No	4

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Barton	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Foxtton	No
Cr Pazolli	No
Cr Woodall	No
Mayor Aubrey	No

**P17/3763 – DEMOLITION OF EXISTING RESIDENCE AND IMPROVEMENTS 5 WILLCOCK STREET, ARDROSS (REC)**

Ward : Applecross/Mt Pleasant  
 Category : Strategic  
 Subject Index : Not Applicable  
 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 : Item P15/3678 - Purchase of 5 and 7 Willcock Street, Ardross and 31 Moreau Mews, Applecross and Sale of 15 Willcock Street, Ardross  
 Works Programme : Not Applicable  
 Funding : Land and Property Reserve  
 Responsible Officer : Jeremy Rae  
 Strategic Land and Property Executive

**AUTHORITY / DISCRETION**

**DEFINITION**

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

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**P17/3763 – DEMOLITION OF EXISTING RESIDENCE AND IMPROVEMENTS 5 WILLCOCK STREET, ARDROSS (REC)****KEY ISSUES / SUMMARY**

- Delegated Authority 'DA-090 Grant of Demolition Permit' grants authority to the Chief Executive Officer to approve demolition permits in accordance with relevant sections of the *Building Act 2011*, *Building and Construction Industry Training Levy Act 1990* and the *Heritage Act 1990* except that Council approval is required for demolition of buildings on property owned by the City of Melville.
- This report recommends that the Council approve the demolition of the residence and improvements situated at 5 Willcock Street, Ardross at a future date.

**BACKGROUND**

At the Ordinary Meeting of the Council on 17 November 2015, the Council approved the purchase of the property situated at 5 Willcock Street, Ardross. The property was purchased for the purpose of amalgamating 1, 3 and potentially 7 Willcock Street to create a uniform large strategic redevelopment site. At the time of purchase it was not the City's intention to retain the residential premises and improvements on the site. However, as a condition of sale the vendors requested a lease back option for a period of 6-12 months. The property was leased to the vendors and managed by the City's property management agent.

**DETAIL**

The City's property management agent advised the City on 5 July 2017 that the tenants had issued proper notice that they will vacate the property on 1 August 2017. The matter was raised at a meeting of Strategic Property Management Group (SPMG) on 10 July 2017 where it was agreed that the premises and improvements be demolished in accordance with the City's original strategy.

Delegated Authority (DA-090) – Grant of Demolition Permit requires Council approval for demolition of buildings on property owned by the City of Melville.

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

Not Required. Past practice of the City is to inform surrounding owners and occupiers in advance of an impending demolition.

**II. OTHER AGENCIES / CONSULTANTS**

Not Required.

**P17/3763 – DEMOLITION OF EXISTING RESIDENCE AND IMPROVEMENTS 5 WILLCOCK STREET, ARDROSS (REC)**

**STATUTORY AND LEGAL IMPLICATIONS**

Delegated Authority 'DA-090 Grant of Demolition Permit' requires any property (Buildings) owned by the City of Melville and recommended for demolition, to be referred to the Council for approval, prior to demolition.

**FINANCIAL IMPLICATIONS**

As per Council Policy CP-023 Procurement of Products or Services, the cost of demolition is anticipated to be less than \$50,000, therefore three written quotes will be obtained and the quote that represents the best value for money would be selected.

The cost of the demolition would be funded from the Land and Property Reserve.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

Risk Statement	Level of Risk	Risk Mitigation Strategy
If the existing building is not demolished then future redevelopment cannot proceed.	<b>Low</b> level of risk.	Ensure that approval is given to proceed with demolition.
Risk of injury to public during/following demolition activities.	Major consequences which are possible, resulting in a <b>High</b> level of risk.	A contractor undertaking works would be required to provide safe work practices and a management plan that would include activities such as; security fencing, Job Safety Analyses, all required tickets etc. Once demolition is complete the site will be temporarily fenced off to prevent public access until such time that the site is redeveloped with the adjoining lots.

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**P17/3763 – DEMOLITION OF EXISTING RESIDENCE AND IMPROVEMENTS 5 WILLCOCK STREET, ARDROSS (REC)****POLICY IMPLICATIONS**

There are no Policy implications associated with this report apart from CP-023 Procurement of Products or Services Policy which would apply should the decision be made by the Council to approve the demolition.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council could choose not to approve the demolition of the residence and improvements and continue to lease the property through its property manager. The implications of not proceeding with the demolition would include the receipt of additional income of approximately \$600 per week.

**CONCLUSION**

The advice to proceed with demolishing the residence and improvements at 5 Willcock Street, Ardross has been arrived at after detailed discussion at the SPMG meeting. Whilst there is an interim loss of rental holding income, it was never the City's intention to purely purchase the property for its rental income return. The strategic focus and intention behind the purchase was to assemble a large redevelopment parcel of land within the Riseley Activity Centre precinct with a view to generating a commercial income stream to the City when redeveloped.

Demolishing the improvements on the site is consistent with a strategic approach to de-constrain the site in readiness for redevelopment.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3763)**

At 7:14pm Cr Schuster moved, seconded Cr Barton –

**That the Council:**

- 1. Approves the demolition of the existing residence and improvements at 5 Willcock Street, Ardross at a future date.**
- 2. Directs the Chief Executive Officer to instruct the City's property management Agent to re-lease the property for a further term of up to 12 months.**

At 7:35pm the Mayor submitted the motion, which was declared

**CARRIED (9/2)**

**P17/3763 – DEMOLITION OF EXISTING RESIDENCE AND IMPROVEMENTS 5 WILLCOCK STREET, ARDROSS (REC)**

<b>Vote Result Summary</b>	
Yes	9
No	2

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Foxton	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Pazolli	No

**T17/3762 – DURDHAM CRESCENT, BICTON – REMOVAL OF TURF CELLS AND REPLACEMENT WITH RED ASPHALT PARKING (REC) (ATTACHMENT)**

Ward : Bicton/Attadale  
 Category : Operational  
 Subject Index : Traffic Treatment/Management  
 Customer Index : Technical Services  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : T13/3404 – Durdham Crescent, Bicton – Proposed Parking, Path and Access Improvements (July 2013)  
 Works Programme : 2017-2018 Capital Works Programme  
 Funding : Parking and Footpath works: \$32,000  
 Responsible Officer : Jeff Bird  
 Manager Natural Areas and Parks

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**T17/3762 – DURDHAM CRESCENT, BICTON – REMOVAL OF TURF CELLS AND REPLACEMENT WITH RED ASPHALT PARKING (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- Item T13/3404 - Durdham Crescent, Bicton – Proposed Parking, Path and Access Improvements presented and endorsed by Council at the July 2013 Ordinary Council Meeting is attached: [3762 Durdham Crescent Council Resolution 2013](#).
- Turf cell verge parking along the eastern verge of the Durdham Crescent adjoining Rob Campbell Reserve was installed in 2013.
- The northern section of the turf cell verge parking area has degraded over time since installation due to high vehicle usage.
- 69 letters were sent to residents seeking their feedback on the option to replace turf cells or install red asphalt on the northern car bays. 12 responses were returned, with eight in favour of asphalt paved parking in this section.
- An onsite meeting with a group of residents was held on 3 July 2017 to discuss the options.
- The City's preferred option is to formalise the northern section (50 metre section) of the parking area with red asphalt to appropriately manage the volume of cars parking at that location. The remainder of turf cell parking is proposed to be retained as the wear in this area is manageable.

**BACKGROUND**

In late 2011, the City was contacted by a resident of Angove Lane who had concerns about a number of specific issues connected with traffic and parking in Durdham Crescent.

The matters raised included:-

- Request for traffic counting to be carried out in the street.
- Provision of a stop sign at the intersection of Angove Lane and Durdham Crescent.
- Hazards associated with the drop off and pick up area at the northern end of Durdham Crescent.
- Verge parking on Rob Campbell Reserve and the impacts on the health of verge trees.
- Cracked footpath on the verge of Rob Campbell Reserve.
- Request for resident parking only with visitor permits.
- Parking restrictions and review of existing parking signage.
- Continued blocking of resident driveways and illegal verge parking.

The City prepared a Draft Concept Plan for Parking, Path and Access Improvements and sought community feedback. The consultation process indicated that respondents in favour and against the proposed works had a preference to maintain the streetscape and aesthetics of the street. Feedback included comments that in lieu of the proposed red asphalt parking area, a surfacing treatment that allowed grass to grow whilst still providing a suitable surface for vehicle parking was preferred.

**T17/3762 – DURDHAM CRESCENT, BICTON – REMOVAL OF TURF CELLS AND REPLACEMENT WITH RED ASPHALT PARKING (REC) (ATTACHMENT)**

As a result of the City's consultation process in July 2013, *Item T13/3404 - Durdham Crescent, Bicton – Proposed Parking, Path and Access*, [3762 Durdham Crescent Council Resolution 2013](#) the Council resolved as follows -

COUNCIL RESOLUTION (3404)

APPROVAL

*That the Council;*

- 1. Note that Durdham Crescent is a public road and provides both vehicle and pedestrian access to a public facility, the Swan River and foreshore areas.*
- 2. Approve the construction of a cul-de-sac turning treatment at the northern end of the Durdham Crescent, together with the construction of a new realigned footpath, parking modifications and the installation of a street print entry statement at the intersection of Angove Lane and Durdham Crescent as shown on the attached Durdham Crescent, Bicton Road and Parking Layout Concept Amended Plan;  
3404 Durdham Crescent Bicton Road and Parking Layout Concept Amended Plan*
- 3. Approves that the parking bays in Durdham Crescent, north of Angove Lane be designated as "Permit Holders Only" parking and that "Permit Holders" be limited to residents who reside or own property in Durdham Crescent or Angove Lane, Bicton.*
- 4. Approve the installation of a "turf cell" in lieu of the proposed formal red asphalt verge parking along the eastern verge of the street adjoining Rob Campbell Reserve to maintain the aesthetics of the street, whilst still providing a suitable hardstand for vehicle parking; with new street tree planting to the east of the new footpath within Rob Campbell Reserve.*
- 5. Approve the continued use of the existing informal grass verge parking area at the corner of Durdham Crescent and Preston Point Road and that this be clearly defined by the use of bollards for use as bus and car overflow parking as detailed on the City's "Durdham Crescent, Bicton Road and Parking Layout Concept Plan".*
- 6. Request the Chief Executive Officer to notify the respondents to the concept design consultation carried out during March and April 2013, in writing of points 1 to 5 above.*
- 7. Request the Chief Executive Officer to notify the lead petitioner in writing of points 1 to 5 above.*

CARRIED (9/0)

As a result of the Council endorsing turf cells to be used as an alternative to asphalt, the City installed formalised turf parking bays along Durdham Crescent in September 2013.

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**T17/3762 – DURDHAM CRESCENT, BICTON – REMOVAL OF TURF CELLS AND REPLACEMENT WITH RED ASPHALT PARKING (REC) (ATTACHMENT)****DETAIL**

The initial installation of the turf parking bays, supported by a plastic cell to manage compaction, proved to be successful however over time the City has had difficulties in maintaining the turf areas due to the high use of the parking bays.

The ongoing damage to the turf area has resulted in the City investigating the merit of continuing to maintain the entire area as turf. The northern car bays are of particular concern and have deteriorated to a point where the turf cells will need to be removed, replaced and new turf installed. The turf condition of a number of the southern bays is in a reasonable condition due to the limited number of cars parking on this section of the turf. Feedback from residents and observations from City employees is the northern bays are heavily used.

As a result of the ongoing maintenance requirements and what is now considered a very short useful life expectancy of this style of parking in a high volume traffic area, the preferred option of the City is to remove the turf area on the northern bays and formalise the car parking with asphalt. The distance of area that will need to be replaced is approximately 50 metres in length.

It is important to note that the City had not used this style of parking bay previously. The learning from this installation is that the turf cell parking bays does work in certain situations; however there are limitations when vehicle traffic becomes more consistent.

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

Due to the focus of this area in terms of concerns with loss of open space during the original consultation process in 2013, the City has sought further information from local residents on their thoughts of removing a 50 metre section of the grass parking areas and installing asphalt.

The City sent out 69 consultation letters outlining the difficulties the City is having in maintaining the turf areas due to the high use of the northern bays and seeking feedback on the option of removing a 50 metre section of the grass parking areas and installing asphalt. . [3762 Durdham Crescent Letter to Residents](#)

The City received 12 responses with eight in favour of asphaltting the area. Further correspondence was sent to the residents thanking them for their feedback and that if any further information was required to contact the Manager Natural Areas and Parks or to request a site meeting to further clarify.

**T17/3762 – DURDHAM CRESCENT, BICTON – REMOVAL OF TURF CELLS AND REPLACEMENT WITH RED ASPHALT PARKING (REC) (ATTACHMENT)**

At the request of a small group of residents, a site meeting was held on 3 July 2017 with the City to discuss the options. The residents understood the dilemma facing the City however still had concerns from the original decision to formalise the car parking in 2013. The preferred option of the group was to return the verge to its original condition which consisted of just turf. It was explained that installing new turf would soon again become an ongoing maintenance concern as result of the wear. The options were discussed by the City and explained that a recommendation would be presented to the Council. The group indicated that they understood the process that would occur.

**II. OTHER AGENCIES / CONSULTANTS**

There were no external consultants used to prepare this report.

**STATUTORY AND LEGAL IMPLICATIONS**

There are no statutory or legal implications for this report

**FINANCIAL IMPLICATIONS**

The City has received quotes to replace the turf and the plastic cells. This will involve removal of existing turf cells and associated sub-base, with a complete reinstall required at a cost of \$32,000. As noted previously, the distance of area that will need to be replaced is approximately 50 metres in length. Based on the current usage since installation, it is anticipated that this re-lay process will be required every three to four years.

The option to install red asphalt in the damaged area is estimated at a similar cost of \$32,000, however would not require replacement for at least 20-25 years. This option would also reduce the cost of mowing maintenance and a small reduction in irrigation requirements.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Loss of green space due to change from turf to asphalt	Minor consequences which are unlikely, resulting in a <b>LOW</b> level of risk	Consultation undertaken resulting in 8 of 12 responses supporting asphalt
Installation of the asphalt is not planned construction or maintenance	Insignificant consequences which are likely, resulting in a <b>LOW</b> level of risk	Funds to be sourced from the Engineering Road Maintenance budget
Increased heat island effect due to loss of turf	Insignificant consequences which are likely, resulting in a <b>LOW</b> level of risk	Retain the southern car parking area as turf. Ensure trees in the area are maintained to a healthy level

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**T17/3762 – DURDHAM CRESCENT, BICTON – REMOVAL OF TURF CELLS AND REPLACEMENT WITH RED ASPHALT PARKING (REC) (ATTACHMENT)****POLICY IMPLICATIONS**

The most significant Policy Implications are from the Asset Management Policy, namely:

- Ensure budgeting priority be given to the maintenance and renewal of existing assets and services.
- Provide adequate resources to manage these assets in a cost effective and timely manner.
- Consider the “whole of life” cost for all new assets and for any major renewal or improvements and ensure those costs are incorporated in the City’s Long Term Financial Plan.
- Where appropriate, involve and consult with the community and key stakeholders on determining levels of service.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**Replace the turf and the plastic cells

Removal of existing turf cells and associated subbase, with a complete reinstall required at a cost of \$32,000. Based on the current usage since installation it is anticipated that this process will be required every three - four years.

Replace the turf and the plastic cells with turf only (no plastic cells)

Removal of existing turf cells and associated sub-base and replace with turf on a sand base with no turf cells at a estimated at a cost of \$10,000. The area would wear quickly based on experience of Parks Supervisors who manage turf in high use areas such as goal squares on ovals. It is anticipated that this option would require regular replacement or the bays would have to be roped off for long stretches of time to allow for recovery.

Remove all of the turf and formalise with asphalt

The City could take the option to remove all of the turf cell parking area and install asphalt to the entire site. It is estimated that this work would cost the City \$70,000 to \$100,000 as the area to asphalt is larger in proportion to what is proposed. If this was the preferred option it is anticipated there would be negative feedback from the local community based on previous correspondence and site meetings, however the long term expenditure of maintenance will be reduced.

Take no action

The verge parking could continue in its current form which is in a degraded state however it does allow for vehicles to park in the area.

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**T17/3762 – DURDHAM CRESCENT, BICTON – REMOVAL OF TURF CELLS AND REPLACEMENT WITH RED ASPHALT PARKING (REC) (ATTACHMENT)****CONCLUSION**

The City has investigated a number of options and has sought community feedback on the issue of parking along Durdham Crescent, Bicton. The area in question is heavily used which has created a high wear area that has resulted in the turf cell option not being successful in this northern section. Turf cell options have proven to be viable in locations where traffic is reduced such as the southern end of this car parking area; which will be retained as turf.

Based on feedback and long term sustainability of the parking it is recommended that the northern section of the car parking bays, approximately 50 metres of existing area, be formalised with red asphalt and be installed in the 2017-2018 financial year.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3762)**

**That the Council approves the installation of red asphalt car parking bays on approximately 50 metres of the northern section of the car parking bays along Durdham Crescent in the 2017-2018 financial year.**

At 8:22pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (11/0)**

**CD17/8099 - DISABILITY ACCESS INCLUSION PLAN 2017-2022 (REC) (ATTACHMENT)**

Ward : All  
 Category : Strategic  
 Subject Index : Disability Services  
 Customer Index : Disability Services – Access and Inclusion Plan  
 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 : Leanne Hartill  
 Manager Neighbourhood Development

**DEFINITION**

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

**CD17/8099 - DISABILITY ACCESS INCLUSION PLAN 2017-2022 (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The Disability Access Inclusion Plan (DAIP) 2017-2022 lists the objectives and strategies under the eight 'outcome' areas set out in the *Disability Services Act 1993* to plan for and progressively achieve greater access and inclusion for people with disability in our community.
- The strategies within this plan have been developed by direct consultation with key stakeholders within the community including people with disability and with staff.
- Responsibility for developing, monitoring, implementing, reviewing and amending the DAIP is a whole-of-organisation responsibility that is coordinated by the City's Social Justice Advocate. This will be integrated within the City's business reporting processes with relevant officers and business units responsible for key actions. Reports will be prepared bi-annually to monitor progress and report on outcomes. Progress reports will be provided to the Disability Services Commission each financial year.

**[8099 Disability Access Inclusion Plan 2017-2022](#)****BACKGROUND**

A Disability Access Inclusion plan (DAIP) is required under the WA *Disability Services Act 1993*. The City's previous DAIP 2012-2017 was reviewed this year and this new five year plan will replace it.

**DETAIL**

This plan will outline eight key areas of planning (set out under legislation) that will be adopted by the City to address each of the 'outcome' areas under the DAIP being:

1. Equitable access to services and events;
2. Equitable access to buildings and facilities;
3. Equitable access to information;
4. Equitable access to quality customer service;
5. Equitable complaints procedures;
6. Equitable access to community engagement;
7. Equitable access to employment and traineeship; and
8. Improved community awareness (of access and inclusion).

This plan links to and supports the aspiration of an accessible and inclusive 'sense of community' for the City under the Strategic Community Plan 'People, Places, Participation: A Strategic Community Plan for the City of Melville 2016-2026.

The report also specifies how each of the outcome areas will be implemented by way of strategies and outcomes. The report also contains an internal implementation plan which specifies the obligations, timeframes and performance indicators.

**CD17/8099 - DISABILITY ACCESS INCLUSION PLAN 2017-2022 (REC) (ATTACHMENT)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The level of communication and engagement in accordance with the Stakeholder Engagement Policy CP-002 for this item is to “consult, involve and collaborate” with the community. A detailed stakeholder engagement plan was implemented.

- A wide engagement process was carried out to identify potential strategies to be incorporated into the new Plan. This included community members, people with disabilities, their families and carers, local businesses and service providers. A detailed planning and feedback workshop was conducted with the City’s Access Advisory Panel Stakeholders who provided direct input into the development of the Plan.
- The various community engagement methods used included community surveys (hard copy and electronic with 33 surveys received), consultation with the Access Advisory Panel, telephone interviews with ‘Activelink’ program users, and three public workshops conducted in March 2017 on specific topics of Visual Access and Inclusion, Mental Health and Invisible Disabilities, Culture, Disability and Aboriginal Communities.
- Information was also reviewed from the project planning phase of the *Melville Age-Friendly Accessible Businesses Project* in 2015 where over 50 surveys were received on how disability access could be improved in the City and within businesses.
- The City has established an ‘Accessible Inclusive Melville’ e-newsletter with 4,000 subscribers consisting of many agencies who were provided opportunity to provide input and feedback. Information was also made available on the City’s *Melville Talks* page where a discussion forum provided opportunity for discussion.
- Relevant feedback in the consultation processes of the 2016 Strategic Community Plan review and the 2017 Culturally and Linguistically Diverse (CALD) Community Survey results were also considered.
- Internal staff provided consultation and feedback through email, meetings and consultation/planning workshops. Internal Managers and staff at both the Civic Centre and the Operations Centre were consulted.

**II. OTHER AGENCIES / CONSULTANTS**

Specific feedback and discussion on the development of this DAIP has included consulting with:

- Other local government authorities who are also reviewing and developing their DAIPs through relevant networking meetings 2016-2017.
- Specific and direct feedback from disability organisations such as for example: Visibility, Ethnic Disability Advocacy Centre, WA Deaf Society, People with Disabilities, Carers WA.

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**CD17/8099 - DISABILITY ACCESS INCLUSION PLAN 2017-2022 (REC) (ATTACHMENT)****STATUTORY AND LEGAL IMPLICATIONS**

It is a requirement of the *WA Disability Services Act 1993* that all local government authorities develop and implement a Disability Access and Inclusion Plan (DAIP) that outlines the ways in which the authority will ensure that people with disabilities have equal access to its facilities and services. Other legislation of relevance and which underpin the outcomes and objectives of this plan include the *WA Equal Opportunity Act 1984* and the *Commonwealth Disability Discrimination Act 1992*. This Plan focuses on outcomes in this City.

**FINANCIAL IMPLICATIONS**

1. There are no direct up-front financial implications as the new DAIP will be implemented within existing service area budgets according to responsible officers.
2. There are no ongoing financial implications for the Council.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

This new DAIP 2017-2022 replaces the previous DAIP 2012-2017 which was highly positively received by the local community. To achieve the outcomes identified in the 2017-2022 DAIP consideration must be given to the long term financial plan, changing design standards and community expectations around being able to respond to access requirements in a timely way.

The following is a consideration of risks involved.

**CD17/8099 - DISABILITY ACCESS INCLUSION PLAN 2017-2022 (REC) (ATTACHMENT)**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Key initiatives set out in the plan are not achieved.	Moderate consequences which are not likely, resulting in a <b>Low</b> level of risk.	Ensuring that the DAIP implementation is monitored and reported on internally throughout the year and a report produced for the Disability Services Commission each financial year to track progress.
There are insufficient resources or budget to meet the requirements or feedback of the community.	Moderate consequences which are not likely, resulting in a <b>Low</b> level of risk.	Ongoing communication and planning with all areas and officers responsible for implementation under the plan including planning during budget cycles.
The aims or objectives of the DAIP are not understood by staff or agents and contractors.	Moderate consequences which are not likely, resulting in a <b>Low</b> level of risk.	Providing staff awareness and training of the DAIP and access and inclusion.
The level of satisfaction reported by the community as identified by surveys such as the City's wellbeing survey (conducted every two years) will decrease if accessible inclusive objectives are not met satisfactorily.	Moderate consequences which are not likely, resulting in a <b>Low</b> level of risk.	Continuous engagement with the community through <i>Mosaic</i> , <i>Melville Talks</i> and the <i>Accessible Inclusive Melville</i> e-newsletter.

**POLICY IMPLICATIONS**

Current Council Policy 'Disability Access and Inclusion Policy CP-084' relates to all staff and Elected Members and contractors providing services on behalf of the City and all City buildings, services and facilities.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The City is required under legislation to implement a DAIP.

**CONCLUSION**

The DAIP 2017-2022 will provide a detailed plan of action for the City to make a contribution towards people with all abilities having equal access to services and events, buildings and facilities, information, customer service, complaints procedures, community engagement and employment.

**CD17/8099 - DISABILITY ACCESS INCLUSION PLAN 2017-2022 (REC) (ATTACHMENT)**

This new DAIP will meet the requirements of the *Disability Services Act 1993* and match community expectations of having clear strategies to deliver outcomes under each of the eight areas specified by legislation. In doing so, the Plan will outline how the City will both deliver on and contribute to raising awareness in the community of creating an accessible inclusive Melville.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8099)                      APPROVAL**

**That the Council endorses the attached Disability Access and Inclusion Plan 2017-2022.  
[8099 Disability Access Inclusion Plan 2017-2022](#)**

At 8:22pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (11/0)**

*At 7:36 Mr G Ponton left the meeting and did not return.*

*At 7:36pm Mr J Rae left the meeting and did not return.*

*At 7:38pm Cr C Schuster left the meeting and returned at 7:40pm*

*At 7:40pm Cr M Woodall left the meeting and returned at 7:42pm*

**CD17/8100 - CITY OF MELVILLE PUBLIC ART STRATEGY AND MASTERPLAN (REC)  
(ATTACHMENT)**

Ward	: All
Category	: Strategic
Subject Index	: Arts – Public Art 3.28 5A LPP1.4 Provision of Public Art in Development Proposals 20.153 5A
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	: Leeann Reid Manager Cultural Services

**AUTHORITY / DISCRETION**

**DEFINITION**

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<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**CD17/8100 - CITY OF MELVILLE PUBLIC ART STRATEGY AND MASTERPLAN (REC)  
(ATTACHMENT)****KEY ISSUES / SUMMARY**

The Public Art Strategy and Masterplan formally recognises how public art plays a major role in the community's aspiration for a 'Sense Of Community' (The Strategic Community Plan for the City of Melville People Places Participation 2016 – 2026) and the City's corporate priority area 'Priority 3' addressing 'Urban Development' (Corporate Business Plan 2016-2020). This coincides with the growing demand for artwork integrated into various City capital projects (landscape design, play spaces, facilities) and the developer contributions now being received via the Provision for Public Art in Development Proposals Policy.

The Public Art Strategy and Masterplan addresses the following key issues and requirements for the City:

- Creating a narrative about the identity of the City of Melville and its places (suburbs and precincts).
- Understanding the community aspiration for Public Art in the City of Melville in terms of its value to the community, type, location and outcomes sought from Public Art.
- Identification and setting of priorities for future public art in the City of Melville aligned to the community aspiration to allow for adequate planning and resourcing, and to encourage early integration into City developments and projects.
- Ensuring the expenditure of existing and future cash-in-lieu funds acquired through the Provision for Public Art in Development Proposals Policy is aligned to community aspirations.
- Providing a curatorial and technical framework for new commissions, ensuring that the City of Melville's public art collection (including developer public art contributions) is cohesive, curated, cutting-edge and in line with industry best practice.
- Providing inspiration in the City's stories, history and themes, to support developers in their planning and achievement of public art in developments that are authentic to Melville.

Extensive community engagement occurred with this process which has informed the Strategy and Masterplan. The Strategy and Masterplan were developed by consultants FORM, who are recognised as leaders in public art consultation and development in Western Australia.

The Strategy does not propose any increased financial implications to the City. Rather it is a guiding document for the expenditure of existing or future funds for Public Art, to ensure the investment by the City, community and developers is appropriate for the City of Melville and provides long standing social, cultural and economic benefits for the Melville community.

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**CD17/8100 - CITY OF MELVILLE PUBLIC ART STRATEGY AND MASTERPLAN (REC)  
(ATTACHMENT)****BACKGROUND**

Public Art in the City of Melville is comprised of the City's public art collection and public art as a result of the Public Art in Developments Policy. The City of Melville's public art collection is integrated into playgrounds, parks, open spaces and building designs. These artworks have been acquired through artist commissions, exhibition purchases, donations, community arts projects and programs. The City encourages public art in private developments through its percent for art policy, Provision for Public Art in Development Proposals. This has resulted in public art integrated into building designs and in surrounding precincts and public spaces.

The City has an Operational Arts and Culture Policy which outlines broad objectives for public art. However the City does not currently have a strategy or masterplan for public art, therefore Public Art to date has been site based artworks or associated with capital works, community projects and public art as an outcome of development.

A strategic approach is critical for identifying and implementing public art projects, and creating opportunities for early integration into developments that previously, have on occasion been missed. In the past, Developers have not been guided by the community aspirations about specific places and precincts in the City. In spite of this, the City has developed a collection of public art and a good reputation for enhancing its public spaces through public art and supporting artists in this field. Most importantly, the opportunities to develop artworks that truly reflect the local character and context of the City's distinct neighbourhoods could be missed without a clear Strategy. This new Strategy and Masterplan presents a further opportunity for the City to position itself as a leader in this arena, delivering innovative, best quality public art outcomes characteristic of the suburbs of the City.

Over the past six months, the City has worked with consultants from FORM (Cultural Organisation) to develop a detailed and tailored document to address the City of Melville's requirements.

**DETAIL**

The Strategy and Masterplan proposes artwork opportunities, which will facilitate engagement and collaboration within the community, including with developers, arts and cultural organisations, and within the City's departments. New artworks will reflect the City of Melville's history and heritage, its diverse communities, its creativity and commitment to activities and events that promote vibrancy and equity of participation.

Extensive community engagement has provided input into the development of the Strategy and Masterplan with particular reference for highlighting local identity and what the local communities value.

Part One: The Strategy creates a foundation for these new public art opportunities through a detailed Vision, Principles and Curatorial Themes which reflect the future aspirations of its citizens and the multi-faceted ecologies of the City. The Strategy is to be used by the City and developers alike.

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**CD17/8100 - CITY OF MELVILLE PUBLIC ART STRATEGY AND MASTERPLAN (REC)  
(ATTACHMENT)**

Three curatorial themes have been developed in response to the City's culture, community, landscape and history. The themes, 'Habitat', 'Play' and 'Belong' were developed to provide inspiration and stimulation for artists, and to assist in maintaining a level of artistic excellence and contextual appropriateness throughout all commissions within the City of Melville.

Part Two: The Masterplan takes account of the City's changing public face, identifying a set of artwork opportunities and key locations for major artwork investment across priority areas in the City that are designed to complement the capital works program and wider City developments and initiatives, as identified by the City and its citizens. The Masterplan is to be used by the City of Melville and developers in the procurement of new works, and as a reference point for developers and the wider community.

The opportunities presented in the Masterplan range from major, statement artworks to small scale, integrated works. Twenty two Artwork Opportunity Place Plans have been developed to outline for each Precinct /Area the following:

- A Local Character Statement;
- Precinct Artwork Aspirations;
- Site Specific Considerations; and
- Percent for Art Recommendations.

Within these Precincts/Areas, a total of 37 Individual Artwork Opportunities have been identified with recommendations for the following:

- Proposed Location;
- Artwork Scope and Objective;
- The assigned Curatorial Theme; and
- Procurement Method.

The final section Masterplan covers industry best practice and technical standards, commissioning process guidelines, procurement methodologies and management of public art as well as definitions and a glossary of public art types.

## **STAKEHOLDER ENGAGEMENT**

### **I. COMMUNITY**

The level of communication in accordance with the Stakeholder Engagement Policy CP-002 for this item is to "Consult" the community because the City acknowledges that the community has a keen interest in their public spaces and values the community's aspiration for a 'Sense of Community' (Strategic Community Plan People Places Participation 2016 – 2022) which public art is demonstrated to contribute to.

Consultation for the Strategy and Masterplan took place between February and May 2017.

External engagement was undertaken by holding workshops and conducting surveys with community groups, cultural organisations, artists and individual community members.

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**CD17/8100 - CITY OF MELVILLE PUBLIC ART STRATEGY AND MASTERPLAN (REC)  
(ATTACHMENT)**

Internal consultation by conducting surveys and holding meetings was undertaken with Elected Members and Officers across the City's departments including Strategic Urban Planning, Community Development, Corporate Services and Natural Areas and Parks, Operational Managers and Executive Managers.

The most prominent aspirations for future public artworks highlighted in the consultation, were:

- Public artworks that provide engaging and significant interpretation of a site's history;
- Public art that creates memorable public spaces enabling meeting places and local destinations; and
- Artwork that is sensitive to the surrounding landscape.

Reports on both the internal and external consultation process undertaken and key findings are attached to this report.

[8100 City of Melville Public Art Strategy and Masterplan](#)

#### **STATUTORY AND LEGAL IMPLICATIONS**

There are no statutory or legal implications associated with the Public Art Strategy and Masterplan.

#### **FINANCIAL IMPLICATIONS**

The Public Art Strategy and Masterplan is a guiding document for the City's Capital Arts program, Developers as part of the Public Art in Development Policy (Percent for Art) and Cash-in-Lieu funds from the Public Art in Development Reserve. The Public Art Strategy provides opportunities for public artworks in the City of Melville however has not direct financial implication.

Funding of the City's Capital Arts program forms part of the annual operational budget process and the long term financial plan. This funding is submitted annually in the budget approval process.

The Strategy does not propose any increased financial implications to the City. Rather it is a guiding document for the expenditure of existing or future funds for Public Art, to ensure the investment by the City, community and developers is appropriate for the City of Melville and provides long standing social, cultural and economic benefits for the Melville community.

**CD17/8100 - CITY OF MELVILLE PUBLIC ART STRATEGY AND MASTERPLAN (REC)  
(ATTACHMENT)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Reduced achievement of the City's aspiration 'Sense of Community' due to Public Art being ad-hoc and not aligned to community aspirations.	Moderate consequences which is possible, resulting in a <b>Medium</b> level of risk.	Endorsement of the Public Art Strategy and Master Plan as the guiding document for Public Art in the City of Melville.
A reduced focus on the positive achievement of the City's Corporate Business Plan key priority area 'Urban development creates changes in amenity.	Moderate consequences which is possible, resulting in a <b>Medium</b> level of risk.	Endorsement of the Public Art Strategy and Master Plan as the guiding public art document for development in the City as part of the Public Art in Development Proposals Policy.
Developers not referencing the Public Art Strategy and Masterplan in proposing public art in their development.	Minor consequences which are unlikely, resulting in a <b>Low</b> level of risk.	Providing developers with the Public Art Strategy and Master Plan as part of the Developers Public Art kit.

**POLICY IMPLICATIONS**

LPP1.4 Provision of Public Art in Development Proposals

- 1 The Public Art Strategy and Masterplan will be a reference document for LPP1.4 Provision of Public Art in Development Proposals which states that each application for the construction of a multiple dwelling, mixed use or non-residential development (or alterations, additions or extensions to these developments) where the cost of development exceeds \$1 million, are to provide public art (or cash-in lieu) to the value of 1% of the cost of development. It is intended to provide a framework for the commissioning of public art across City precincts.
- 2 Findings and recommendations arising from the Public Art Strategy and Masterplan development process and community consultation has been used in the review of the current policy which will be resubmitted to Council in September 2017.

**CD17/8100 - CITY OF MELVILLE PUBLIC ART STRATEGY AND MASTERPLAN (REC)  
(ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The alternative option is to not endorse the Public Art Strategy and Masterplan in which case the City would have no official strategy for guiding developers and officers in the procurement of future public art in the City. This would result in public art outcomes being less reflective of the communities' aspirations.

**CONCLUSION**

The Public Art Strategy and Masterplan, is in response to the Corporate Plan, Community Plan Aspirations and urban development planning needs. It defines a set of shared principles and priorities which will inform all levels of decision-making related to public art and in turn will focus resources and funding towards a series of relevant public art prospects. These prospects will have the potential to enhance the cultural profile of the City of Melville and the experience of its residents and visitors.

The development of the Strategy and Masterplan was informed by significant community engagement that has clearly identified the importance of sense of place, to where people live, work and play.

The Strategy looks at outcomes of successful public art within the context of what is possible for the City of Melville and takes into consideration the City's distinctive natural assets, significant Indigenous sites, historic locations and key destinations within Perth. The artwork opportunities outlined in Part Two: The Masterplan has been identified to emphasise these points of difference for the City of Melville.

**OFFICER RECOMMENDATION (8100)****APPROVAL**

At 7:38pm Cr Robartson moved, seconded Cr Phelan –

**That the Council endorses the City of Melville Public Art Strategy and Masterplan.  
8100 City of Melville Public Art Strategy and Masterplan**

Amendment

At 7:38pm Cr Foxtan moved, seconded Cr Aubrey –

***That the Council numbers the Officer Recommendation as point 1 and inserts the following as point 2:***

- 2. Requests the Chief Executive Officer to identify further opportunities for the installation of public art in the southern part of the City and report the findings to Elected Members at an Elected Member Information Session prior to the end of the year, for consideration of possible inclusion in future versions of the Strategy and Masterplan.***

At 7:46pm the Mayor submitted the amendment, which was declared

**CARRIED UNANIMOUSLY (11/0)**

**CD17/8100 - CITY OF MELVILLE PUBLIC ART STRATEGY AND MASTERPLAN (REC)  
(ATTACHMENT)****COUNCIL RESOLUTION (8100)****APPROVAL**

- 1. That the Council endorses the City of Melville Public Art Strategy and Masterplan. 8100 City of Melville Public Art Strategy and Masterplan**
- 2. *Requests the Chief Executive Officer to identify further opportunities for the installation of public art in the southern part of the City and report the findings to Elected Members at an Elected Member Information Session prior to the end of the year, for consideration of possible inclusion in future versions of the Strategy and Masterplan.***

At 7:47pm the Mayor submitted the substantive motion as amended, which was declared  
**CARRIED UNANIMOUSLY (11/0)**

Reasons for Amendment

Cr Foxton provided the following reasons in support of the amendment.

Extensive community engagement has provided input into the development of the Strategy and Masterplan with particular reference for highlighting local identity and what the local communities value.

Opportunities for the installation of public art were identified through community feedback. Whilst community comment should provide suggestions for potential sites for public art, opportunities should be spread throughout the City and not concentrated in areas close to the river.

Residents living in the southern part of the City enjoy public art just as much as those living in the northern part, and as such should receive their fair share of public art.

It is acknowledged that the Strategy and Masterplan are a starting point for the City in terms of guiding documents for a coordinated approach to public art across the City, but it is deemed appropriate to identify appropriate opportunities across the entire district at this early stage.



**M17/5570- NEW COUNCIL POLICY ELECTION CARETAKER PERIOD (REC)  
(ATTACHMENT)****KEY ISSUES / SUMMARY**

- The previous Department of Local Government and Communities advocated for local governments to have a policy in place to implement an election caretaker period in the lead up to elections.
- A policy has been drafted to address the Election Bulletin provided by the then Department of Local Government and Communities.
- The proposed policy can be implemented in the instances where an elected member nominates for, or is pre-selected as a candidate for a State or Federal election.
- The report was deferred at the Ordinary Meeting of Council held July 2017, pending discussion at an Elected Member Information Session.
- The proposed policy was presented at the Elected Member Information Session held 25 July 2017 and the proposed policy updated to include the outcome of that discussion.
- This reports recommends the proposed Council Policy – Election Caretaker Period be endorsed for implementation.

**BACKGROUND**

The previous Department of Local Government and Communities has in recent times advocated for individual local governments to consider implementing a Caretaker Period policy with respect to elections, as such a policy provides guidelines to protect the reputation of the local government administration and its Elected Members and that such a policy should cover:

- Decisions made by the Council;
- Materials published by the local government;
- Attendance and participation in functions and events;
- Use of local government resources and
- Access to local government information.

The proposed policy was presented to the 18 July 2017 Ordinary Meeting of Council, where the following was resolved:

*That the Council defer consideration of this report (Item M17/5564 – New Council Policy Election Caretaker Period) to the August 2017 Ordinary Meeting of Council to allow for further discussion at an Elected Member Information Session.*

**DETAIL**

The purpose of the Caretaker Period Policy is to:

- limit major decision-making that may bind an incoming Council;
- ensure public resources and the Council decisions during this period are not seen to be advantageous to Elected Members seeking re-election; and
- provide guidance to ensure the continuation and transparency of ordinary business.

**M17/5570 - NEW COUNCIL POLICY ELECTION CARETAKER PERIOD (REC)  
(ATTACHMENT)**

The period before an election may be subject to close scrutiny by the community and it suggested that the Council and the City's administration acknowledge this through the implementation of a caretaker period that would commence from the close of candidate nominations. The proposed Election Caretaker Period policy provides guidance during this time to ensure the continuation of ordinary business for the City in a responsible and transparent manner that ensures elections are conducted in an ethical, fair and equitable manner and are publicly perceived as such.

The policy addresses the following matters:

- a) decisions that are made by the Council and the circumstances where a major decision may be undertaken;
- b) the role of the Chief Executive Officer during the caretaker period.
- b) information and material published by the City, including on-line formats and social media;
- c) attendance and participation in functions and events;
- d) use of the City's resources;
- e) access to information held by the City.

The *Local Government Act 1995* does not provide guidance on protocol when an Elected Member nominates for, or is pre-selected as a candidate for a State or Federal election and this policy may be implemented in these instances.

The proposed policy was presented to the Elected Member Information Session held 25 July 2017 for discussion with the following points recommended for inclusion:

- Policy Objective – clarity required that all relevant legislation, local laws, delegations, policies, procedures and processes are applicable;
- Clause 2.2 – clarity required around the circumstances when a “major policy decision” may be presented to the Council;
- Clause 2.4 – clarity required that on consultation that was to be commenced during the caretaker period would be affected and that consultation required under existing policy would be undertaken;
- Section 3 – clarity required that this section applies to Elected Members nominating to, or preselected for, State or Federal Elections and that consideration of planning matters by the Joint Development Assessment Panel (JDAP) is a separate process;
- Clause 4.5 – clarity required around information published prior to the caretaker period;

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

Members of the community provided a deputation on this proposed policy to the Ordinary Meeting of Council held 18 July 2017.

**II. OTHER AGENCIES / CONSULTANTS**

No comment has been sought from other agencies or consultants.

**M17/5570 - NEW COUNCIL POLICY ELECTION CARETAKER PERIOD (REC)  
(ATTACHMENT)**

**STATUTORY AND LEGAL IMPLICATIONS**

There is no statutory requirement for a Caretaker Period to be implemented prior to elections, however such a policy would meet the intent of the *Local Government Act 1995* that seeks to ensure that local governments are efficient and effective and accountable to their communities.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with the implementation of this policy.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Risk of public perception that decisions are made by Elected Members that are not reflective of the community's desires, or the perception or real misuse of resources.	Major consequences which are possible, resulting in a <b>High</b> level of risk	Ensure policy and processes in place to mitigate the likelihood of occurrence and ensure good governance practices and organisational transparency.

**POLICY IMPLICATIONS**

The proposed Election Caretaker Period policy supports the existing CP-041 Code of Conduct – Elected Members which provides guidance on the behaviours expected to be demonstrated by Elected Members and encourages a commitment to ethical and professional behaviour.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council could resolve not to adopt a policy that implements a caretaker period and which may allow the Council to make decisions right up to election day for implementation by the incoming Council.

**CONCLUSION**

The community has an expectation that the Council and the City will make decisions that are reflective of the community's wishes and conduct its business in a transparent and accountable manner.

The implementation of this policy will provide guidance in the lead up to election day to ensure that wherever possible, major decisions are not made to obligate the incoming Elected Members and that the conduct of the City's day-to-day operations does not, and is not perceived, to favour any candidates.

At 7:47pm Cr N Foxton left the meeting and returned at 7:48pm.  
At 8:14pm Mr M Tieleman left the meeting and returned at 8:16pm.

**M17/5570 - NEW COUNCIL POLICY ELECTION CARETAKER PERIOD (REC)  
(ATTACHMENT)**

**OFFICER RECOMMENDATION (5570)**

**APPROVAL**

At 7:47pm Cr Macphail moved, seconded Cr Robartson –

**That the Council approves the implementation of the Council Policy Election Caretaker Period as attached 5570 Election Caretaker Period Policy**

**Amendment 1**

At 7:48pm Cr Schuster moved, seconded Cr Woodall –

**That the Council directs that:**

- 1. The existing Officer's Recommendation in Item M17/5570 be renumbered to 1 and:**
- 2. A new item 2 be added to read as follows:**

**“That the Council requests the Chief Executive Officer to make a submission to the Department of Local Government, Sport and Cultural Industries, as part of the review of the *Local Government Act 1995*, requesting that the issue of serving Councillors who nominate for election to either State or Federal Parliament be required to take leave of absence from the date nominations for the relevant election close, until the day after the poll for the seat they contest is declared, and that they not be entitled to claim sitting fees or allowances in that period, be considered in that review”**

Cr Pazolli requested that word “election” in the last sentence be changed to “seat”. The mover and seconder consented to the change.

At 7:56pm the Mayor submitted Amendment 1, which was declared

**CARRIED UNANIMOUSLY (11/0)**

**Amendment 2**

At 7:57pm Cr Schuster moved, seconded Cr Phelan –

**That the Council amend the draft policy on Election Caretaker Period as follows:**

- 1. The definition titled “Caretaker Period” be amended to read “Local Government Caretaker Period” and the word a) and the whole of the clause at b) in that definition be deleted; and,**
- 2. Clause 3 be amended by adding at the end of Clause 3 a new paragraph as follows: “NOTE: for State or Federal Government elections, the Caretaker Period commences from the date of the election writ issued by the Governor or Governor General as is relevant.”**

At 7:58pm the Mayor submitted Amendment 2, which was declared

**CARRIED UNANIMOUSLY (11/0)**

**M17/5570 - NEW COUNCIL POLICY ELECTION CARETAKER PERIOD (REC)  
(ATTACHMENT)**

**COUNCIL RESOLUTION (5570)**

**APPROVAL**

1. That the Council approves the implementation of the Council Policy Election Caretaker Period as attached [5570 Election Caretaker Period Policy](#).
2. That the Council requests the Chief Executive Officer to make a submission to the Department of Local Government, Sport and Cultural Industries, as part of the review of the Local Government Act 1995, requesting that the issue of serving Councillors who nominate for election to either State or Federal Parliament be required to take leave of absence from the date nominations for the relevant election close, until the day after the poll for the election they contest is declared, and that they not be entitled to claim sitting fees or allowances in that period, be considered in that review.
3. The definition titled "Caretaker Period" be amended to read "Local Government Caretaker Period" and the word a) and the whole of the clause at b) in that definition be deleted; and
4. Clause 3 be amended by adding at the end of Clause 3 a new paragraph as follows: "NOTE: for State or Federal Government elections, the Caretaker Period commences from the date of the election writ issued by the Governor or Governor General as is relevant."

At 8:18pm the Mayor submitted the substantive motion as amended, which was declared  
**CARRIED (9/2)**

<b>Vote Result Summary</b>	
Yes	9
No	2

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Foxtton	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Pazolli	No

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**M17/5570 - NEW COUNCIL POLICY ELECTION CARETAKER PERIOD (REC)  
(ATTACHMENT)**Reasons for Amendment 1

Cr Schuster provided the following reasons in support of amendment 1.

1. Firstly this proposal is not a comment on any Elected Member, present or past (and Melville has had several sitting Councillors seek election to State or Federal Parliament over the years);
2. State and Federal elections are usually fiercely partisan and hard fought, with the potential for the Council to become embroiled in the election because one or more Councillors are standing for election. This proposal reduces the perceptive or real inference of the Council taking the side of one candidate or another; and,
3. The proposal to cease the payment of allowances is simply to reinforce that individuals are not acting as Local Government Councillors during the formal election period from close of nominations to the declaration of the poll.

Reasons for Amendment 2

Cr Schuster provided the following reasons in support of amendment 2.

1. The term Local Government Caretaker Period appears in several places in the draft Policy but is not actually defined as such; and,
2. Because State and Federal caretaker periods are only referred to once there is some logic in the definition appearing with the text.

**M17/5571 - REVISED PETITION FORM (REC) (ATTACHMENT)**

Ward : All  
 Category : Operational  
 Subject Index : Petitions – Policies & Procedures  
 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 : Corrine Newman  
 Executive Support and Governance Officer

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**M17/5571 - REVISED PETITION FORM (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- Clause 7.11 of the City of Melville Meeting Procedures Local Law 2017 relates to petitions.
- Petitions to the Council should contain specific information and be in a form approved by the Council.
- Officers have revised the petition form, for use by the community, in accordance with the requirements of the Meeting Procedures Local Law.
- The purpose of this report is to seek the Council's endorsement of the revised petition form.

**BACKGROUND**

At the Ordinary Meeting of Council, held 18 April 2017, the City adopted by absolute majority the new *City of Melville Meeting Procedures Local Law 2017*. This local law was subsequently gazetted on 7 June 2017 and came into operation on 21 June 2017.

**DETAIL**

The gazettal of the new local law has provided an opportunity to review and update the processes and documents associate with the meeting procedures.

Clause 7.11 of the Meeting Procedures Local Law relates to petitions that are addressed to the Council and provides guidelines on the information they should contain and once received the processes to deal with them.

The City's current petition form does not necessary meet the requirements of the new local law and the terminology is somewhat outdated.

Officers have revised the petition form to ensure it meets the requirements of the local law, and have included an information sheet to assist the community in submitting petitions. In accordance with the Meeting Procedures Local Law, the proposed petition form requires endorsement from the Council. A copy of the revised petition form is attached. [5571 Revised Petition Form](#).

The purpose of this report is to ensure that petitions lodged by the community contain sufficient information for the Council to deal with them. The updated form will assist the community with this process.

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

The community has not been consulted on this matter.

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**M17/5571 - REVISED PETITION FORM (REC) (ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**

No other agencies or consultants have been consulted on this matter.

**STATUTORY AND LEGAL IMPLICATIONS**

The City of Melville Meeting Procedures Local Law 2017 requires that a petition is to:

- (a) be addressed to the Council
- (b) be in a form approved by the Council
- (c) be made by electors of the district
- (d) state the request on each page of the petition
- (e) contain the name, address and signature of each elector making the request, and the date each elector signed
- (f) contain a summary of the reasons for the request; and
- (g) state the name of the person to who, and an address at which, notice to the petitions can be given; and
- (h) be respectful and temperate in its language.

The local law also outlines the process that will be undertaken once a conforming petition is received by the City.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

There is no Council Policy that relates to petitions to the Council of the City of Melville.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council could choose not to endorse the proposed updated petition form and the community could still submit petitions to the Council, however, they may not be in a format or contain the necessary information for the Council to deal with them in accordance with the relevant local law.

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**M17/5571 - REVISED PETITION FORM (REC) (ATTACHMENT)****CONCLUSION**

Following the gazettal of the new Meeting Procedures Local Law, officers are reviewing the documents and processes associated with the formal meetings held by the City. In accordance with the local law, petitions are to be submitted in a form approved by the Council. The revised form provides clarity to the community on the information required for the Council to deal with a petition.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5571)          APPROVAL**

**That the Council, in accordance with the Meeting Procedures Local Law 2017, endorses the Petition Form for use by the community as attached. [5571 Revised Petition Form](#).**

At 8:22pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (11/0)**

**M17/5000 – COMMON SEAL REGISTER (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report details the documents to which the City of Melville Common Seal has been applied for the period from 30 May 2017 up to and including 20 July 2017 for the Council's noting.

**M17/5000 – COMMON SEAL REGISTER (REC)**

**BACKGROUND**

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

**DETAIL**

<b>Register Reference</b>	<b>Parties</b>	<b>Description</b>	<b>ECM Reference</b>
1399	The City of Melville and Melville Sporting Association Inc.	Melville Sporting Association Management Licence – A Portion of Melville Reserve, Cnr Stock Road & Canning Hwy Melville	4216722
1364	The City of Melville and Leeming Sports Association Inc.	Management Licence Portion of John Connell Reserve No 24826 five year Lease Renewal	4148567
1365	The City of Melville and Leeming Bowls and Rec Club	Leeming Bowls and Rec Club five year Licence Renewal	4150862
1366	The City of Melville and Melville Homing Club	Amalgamated Melville Homing Club two year Licence Renewal	4154658
1367	The City of Melville and Attitudinal Healing WA	Attitudinal Healing WA variation to extend further three years - 6 Hickey Street Ardross	4155048
1372	The City of Melville and Community First International Ltd	Deed of Extension to Lease for a further 12 months to 30 June 2018	4164181
1394	The City of Melville and Guides Western Australia 1 <sup>st</sup> Applecross	Girl Guides Applecross Portion of Baden Powell Reserve three year Lease	4192411
1396	The City of Melville and Scout Assoc. of Australia WA Bull Creek Leeming	Five year Lease Agreement between CoM and Scout Association of Australia WA Branch – Bull Creek Leeming	4214897
1412	The City of Melville and Stock Road Seniors	Stock Road Seniors Management Licence for one year to 30/06/2018	4235168

**M17/5000 – COMMON SEAL REGISTER (REC)**

1413	The City of Melville and Tivoli Club of WA	Tivoli Club of WA Management Licence for three years to 2020	4235283
1414	The City of Melville and Veteran Car Club of WA	Veteran car Club of WA Management Licence for three years commencing 1 July 2017 and expiring on 30 June 2020	4236270
1416	The City of Melville and Melville Cares	Melville Cares – Arthur Kay Reserve Management Licence for a further three years commencing 1 July 2017 and expiring 30 June 2020	4239154
1423	The City of Melville and Marina Saker	Marina Saker Heathcote Artist Studio 4 Admin – Hire Agreement to commence on 1 July 2017 and expiring on 31 December 2017	4250253
1424	The City of Melville and Erin Madeley	Erin Madeley Heathcote Artist Studio 5 Admin – Hire Agreement to commence on 1 July 2017 and expiring on 31 December 2017	4250252
1426	The City of Melville and Fiona Buchanan	Fiona Buchanan Heathcote Artist Studio 2 Kitchen – Hire Agreement to commence on 7 July 2017 and expiring on 31 December 2017	4251678
1427	The City of Melville and Kady Ward	Kady Ward Heathcote Artist Studio 3 Kitchen – Hire Agreement to commence on 7 July 2017 and expiring on 31 December 2017	4251730
1428	The City of Melville and Nikki Lundy	Nikki Lundy Heathcote Artist Studio 4 Kitchen – Hire Agreement to commence on 7 July 2017 and expiring on 31 December 2017	4251750
1429	The City of Melville and Maureen Silc	Maureen Silc Heathcote Artist Studio 5 Kitchen – Hire Agreement to commence on 7 July 2017 and expiring on 31 December 2017	4251997
1431	The City of Melville and Susan Radaich	Heathcote Administration Building Artist Studio Two – 1 July 2017 and expiring on 31 December 2017	4250250

**M17/5000 – COMMON SEAL REGISTER (REC)**

1435	The City of Melville and Vodafone Network Pty Ltd	Deed of Lease Beasley Park Telecommunications Tower - Lease Term and Purpose of Reserve 21 Years	4286728
1440	The City of Melville and Dome Café	Ground lease agreement between CoM and Dome Group for portion of land at Deep Water Point Reserve for 42 years	4300779
1444	The City of Melville and Rusty Dolphin Pty Ltd and Leeder & Co Pty Ltd	Deed of Assignment of Lease - City of Melville, Rusty Dolphin Pty Ltd and Leeder Pty Ltd	4303407

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

Section 9.49A (3) of the *Local Government Act 1995* states:  
(3) *The common seal of the local government is to be affixed to a document in the presence of —*

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

**FINANCIAL IMPLICATIONS**

There are no financial implications in this report other than that held in the contracts advised above.

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**M17/5000 – COMMON SEAL REGISTER (REC)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

There are no policy implications in this report.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

This is a standard report for the Council's information.

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

**That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 30 May 2017 up to and including 20 July 2017.**

At 8:22pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (11/0)**

**C17/5565 – NEW COUNCIL POLICY – CP-104 RELATED PARTY DISCLOSURES POLICY  
(REC) (ATTACHMENT)**

Ward : All  
 Category : Policy  
 Subject Index : Declaration/Disclosure of Interests  
 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 : Nil  
 Works Programme : Not Applicable  
 Funding : Not Applicable  
 Responsible Officer : Bruce Taylor  
 Manager Financial Services

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**C17/5565 – NEW COUNCIL POLICY – CP-104 RELATED PARTY DISCLOSURES POLICY  
(REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The purpose of this Policy is to define the parameters for Related Party Transactions and the level of disclosure and reporting required for City of Melville (the City) to achieve compliance with the Australian Accounting Standard AASB 124 – Related Party Disclosures. (AASB 124)
- This requirement is in addition to current requirements of the *Local Government Act 1995*, Rules of Conduct Regulations and the City's Code of Conduct.

**BACKGROUND**

Effective for reporting periods beginning on or after 1 July 2016, local governments must disclose certain related party relationships and related party transactions, together with information associated with those transactions, in its annual financial report in order to comply with Australian Standard AASB 124 Related Party Disclosures.

The purpose of the new Policy is to ensure that the City's financial statements contain the disclosures necessary to draw attention to the possibility that the City's financial position and surplus or deficit may have been affected by the existence of related parties and by transactions and outstanding balances, including commitments, with such parties.

**[5565 Related Party Disclosures Policy](#)****DETAIL**

The disclosure requirements apply to the existence of relationships regardless of whether a transaction has occurred or not. For each financial year, the City must make an informed judgement as to who is deemed to be a related party and what transactions need to be considered, when determining if disclosure is required.

The purpose of this Policy is to stipulate the information to be requested from related parties to enable an informed judgement to be made.

**Identification of Key Management Personnel (KMP)**

AASB 124 defines Key Management Personnel as "those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity".

Key Management Personnel for the City are considered to include:

- Elected Members (including the Mayor);
- Chief Executive Officer; and
- Senior Executive Officers (i.e. Directors and Executive Managers).

**C17/5565 – NEW COUNCIL POLICY – CP-104 RELATED PARTY DISCLOSURES POLICY  
(REC) (ATTACHMENT)**Roles and Responsibilities Key Management Personnel:

- Chief Executive Officer, All Elected Members and Senior Executive Officers are responsible for ensuring that this policy is understood and complied with.
- Responsible for identifying their related party relationships and notifying any related party transactions to the City.
- Responsible to complete a Related Party Disclosures – Declaration form each six months.

Roles and Responsibilities Financial Services:

- Responsible for issuing declaration forms to Key Management Personnel.
- Responsible for maintaining a register of Related Party Transactions.
- Responsible for preparing and reporting disclosure requirements in order to comply with the Standards.

In addition to above the Policy covers:

- Assessment of materiality.
- Required Disclosures and Reporting in the financial statements.
- Ordinary Citizens Transactions, which do not require to be disclosed.
- Privacy and Right to Information.

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

Not Applicable

**II. OTHER AGENCIES / CONSULTANTS**

Discussion held with external Auditors Grant Thornton concerning AASB124.

A presentation on the Policy, Australian Accounting Standard AASB 124 and the declarations that need to be made is scheduled for the Elected Member Information Session to be held on 8 August 2017.

**STATUTORY AND LEGAL IMPLICATIONS**

The *Local Government (Financial Management) Regulations 1996* require compliance with the Accounting Standards as follows:

*Regulation 3. Terms used*

*(1) In these regulations, unless the contrary intention appears —*

*AAS means the Australian Accounting Standards made and amended from time to time by the Australian Accounting Standards Board;...*

*4. AAS, effect of*

*(1) These regulations are in addition to and not in derogation of the requirements of the AAS.*

**C17/5565 – NEW COUNCIL POLICY – CP-104 RELATED PARTY DISCLOSURES POLICY  
(REC) (ATTACHMENT)**

**STATUTORY AND LEGAL IMPLICATIONS Cont.**

*Regulation 5A. Local governments to comply with AAS*

*Subject to regulation 4, the annual budget, annual financial report and other financial reports of a local government must comply with the AAS.*

The Australian Accounting Standards AASB 11 Joint Arrangements, AASB 124: Related Party Disclosures, and AASB 128 Investments in Associates and Joint Ventures prescribe the requirements.

**FINANCIAL IMPLICATIONS**

For the purposes of determining relevant transactions, key management personnel as identified above, will be required to complete every six months a Related Party Disclosures – Declaration Form for submission to Financial Services.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Non compliance with Australian Accounting Standards resulting in possible audit qualification.	Unlikely and moderate consequence resulting in <b>Medium</b> risk rating.	Implementation of Policy, training and compliance with legislative requirements.
Key Management Personnel not declaring related party relationships or transactions either advertently or inadvertently.	Possible and moderate consequence resulting in <b>Medium</b> risk rating.	Training and understanding of Policy and requirements for full disclosure

**POLICY IMPLICATIONS**

Related Party Transactions are required to be disclosed, regardless of whether or not a price is charged. Such transactions may include:

- Purchase or sale of goods;
- Purchase or sale of property and other assets;
- Rendering or receiving services;
- Leases;
- Awarding of quotations and/or tenders;
- Guarantees given or received;
- Commitments;
- Loans and settlements of liabilities on behalf of Council or by Council on behalf the related party.
- Expense recognised during the period in respect of bad debts; and
- Provision for doubtful debts relating to outstanding balances.

**C17/5565 – NEW COUNCIL POLICY – CP-104 RELATED PARTY DISCLOSURES POLICY  
(REC) (ATTACHMENT)**

The Department of Local Government and Communities has distributed an Implementation Guide – ASB 124 Related Party Disclosures which forms part of the policy. The Implementation Guide June 2017 to AASB 124 – Related Party Disclosures, is attached.

[5565 Implementation Guide](#)

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Whilst the form of the Policy is up to the discretion of the Council compliance with the Accounting Standard is mandatory.

**CONCLUSION**

Adoption of the Related Party Disclosures Policy and compliance by Key Management Personnel is required.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5565)**

At 8:19pm Cr Phelan moved, seconded Cr Barton –

**That the Council approves and adopts Council Policy CP-0104 – Related Party Disclosures, which defines the parameters for Related Party Transactions and the level of disclosure and reporting required for the City to achieve compliance with the Australian Accounting Standard AASB 124 – Related Party Disclosures.**

[5565 Related Party Disclosures Policy](#)

At 8:21pm the Mayor submitted the motion, which was declared

**CARRIED (9/2)**

<b>Vote Result Summary</b>	
Yes	9
No	2

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Foxtton	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Pazolli	No

**C17/6000 - INVESTMENT STATEMENTS As AT 30 June 2017 (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the investment statements for the period ending 30 June 2017 for the Council's information and noting.

Final investment figures for the year end are yet to be finalised as inter fund transfers between accounts still need to be undertaken as part of year end processing.

**C17/6000 - INVESTMENT STATEMENTS FOR JUNE 2017 (REC)**

**BACKGROUND**

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

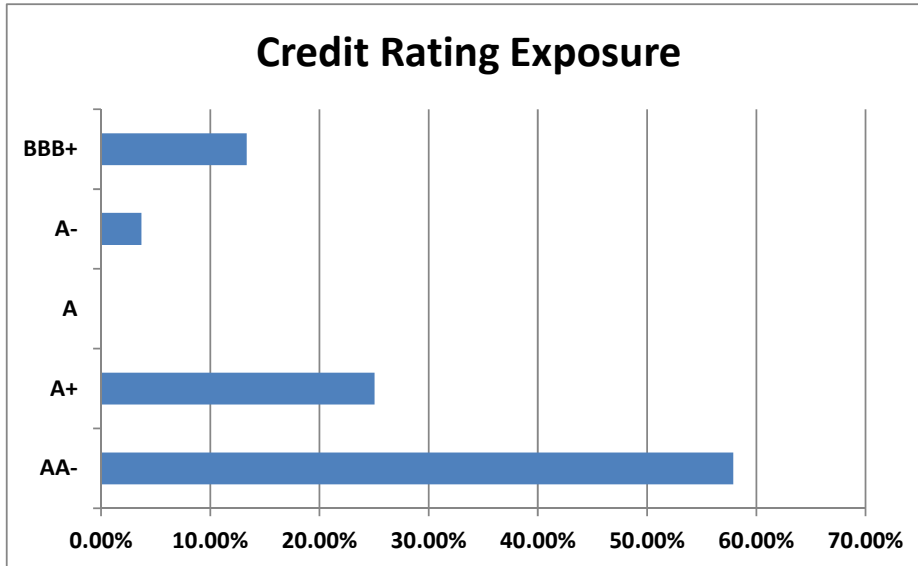
The investment of cash holdings is undertaken in accordance with Council Policy CP-009 - Investment of Funds, with the objective of maximising returns whilst maintaining low levels of credit risk exposure.

**DETAIL**

Summary details of investments held as at 30 June 2017 are shown in the tables below. The following statements detail the investments held by the City as at 30 June 2017.

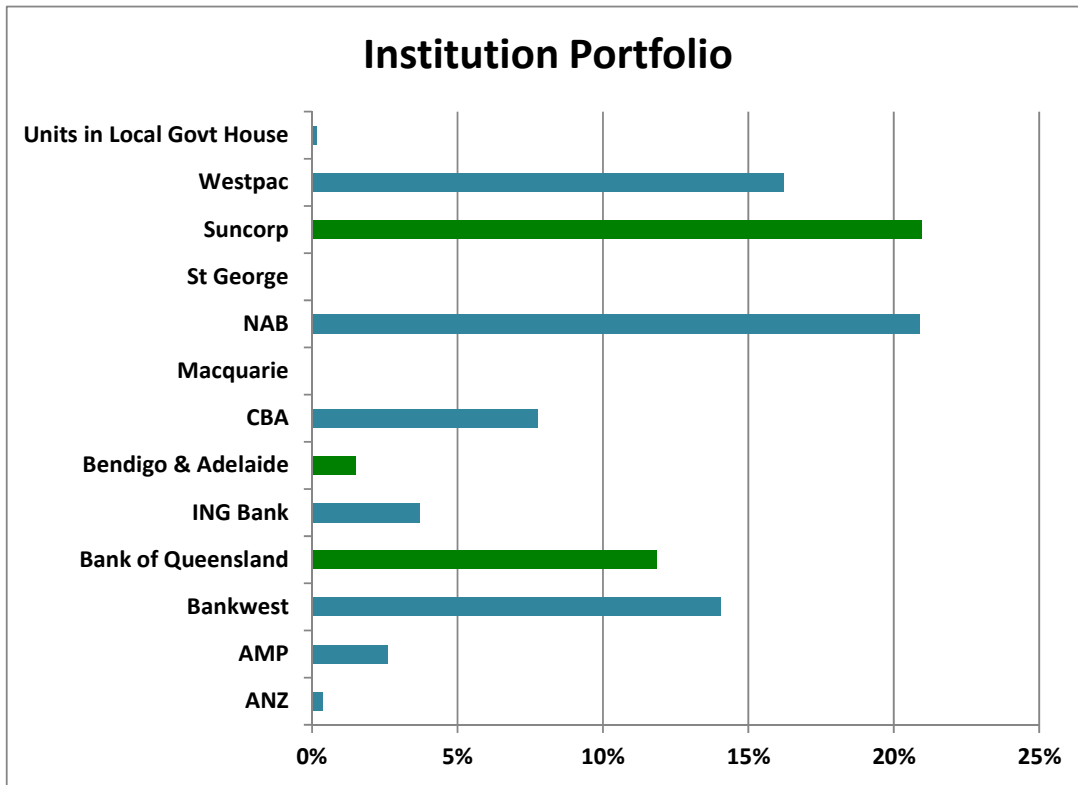
<b>CITY OF MELVILLE</b>	
<b>STATEMENT OF INVESTMENTS</b>	
<b>FOR THE PERIOD ENDING 30 JUNE 2017</b>	
<b>SUMMARY BY FUND</b>	
	<b>AMOUNT</b>
	<b>\$</b>
MUNICIPAL	\$ 15,881,860
RESERVE	\$ 118,118,134
TRUST	\$ 947,115
CITIZEN RELIEF	\$ 209,131
	<b>\$ 135,156,240</b>
<b>SUMMARY BY INVESTMENT TYPE</b>	
	<b>AMOUNT</b>
	<b>\$</b>
11AM	\$ 5,818,893
31DAYS AT CALL	\$ 4,500,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 6,100,000
TERM DEPOSIT	\$ 116,506,702
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 135,156,240</b>
<b>SUMMARY BY CREDIT RATING</b>	
	<b>AMOUNT</b>
	<b>\$</b>
AA-	\$ 78,125,595
A+	\$ 33,800,000
A	\$ -
A-	\$ 5,000,000
BBB+	\$ 18,000,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 135,156,240</b>

**C17/6000 - INVESTMENT STATEMENTS FOR JUNE 2017 (REC)**



DIVERSIFICATION RISK & GREEN INVESTMENTS									
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT	\$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION	NON FOSSIL FUEL	INVESTMENT WITH ADI WITH NON FOSSIL FUEL
ANZ BANK (TERM)	TERM	AA-	500,000		0.37%	0.37%	30%	No	
AMP BANK (TERM)	TERM	A+	3,500,000		2.59%	2.59%	25%	No	
BANKWEST (TERM)	TERM	AA-	19,000,000		14.06%	14.06%	30%	No	
BANK OF QUEENSLAND (TERM)	TERM	BBB+	16,000,000		11.84%	11.84%	15%	Yes	16,000,000
BENDIGO AND ADELAIDE BANK (TERM)	TERM	BBB+	2,000,000		1.48%	1.48%	15%	Yes	2,000,000
COMMONWEALTH BANK (TERM)	TERM	AA-	10,500,000		7.77%	7.77%	30%	No	
ING BANK (TERM)	TERM	A-	5,000,000		3.70%				
ING BANK (FRTD)	FRTD	A-	-		0.00%	3.70%	25%	No	
MACQUARIE BANK (TERM)	TERM	A	-		0.00%	0.00%	25%	No	
NAB (TERM)	TERM	AA-	28,206,702		20.87%	20.87%	30%	No	
ST GEORGE BANK (TERM)	TERM	AA-	-		0.00%	0.00%	30%	No	
SUNCORP METWAY LTD (TERM)	TERM	A+	28,300,000		20.94%	20.94%	25%	Yes	28,300,000
WESTPAC (MAXI BONUS 1)	11AM	AA-	2,362,341		1.75%				
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,039,292		0.77%				
WESTPAC (MAXI DIRECT)	11AM	AA-	2,417,260		1.79%				
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	4,500,000		3.33%				
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000		1.48%				
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	6,100,000		4.51%				
WESTPAC (TERM)	TERM	AA-	3,500,000		2.59%	16.22%	30%	No	
UNITS IN LOCAL GOVT HOUSE	NA	NA	230,645		0.17%	0.17%		N/A	
			<b>135,156,240</b>		<b>100%</b>	<b>100%</b>			<b>46,300,000</b>
<b>Total Non Fossil Fuel Lending ADI</b>									<b>34%</b>

C17/6000 - INVESTMENT STATEMENTS FOR JUNE 2017 (REC)



■ Non Fossil Fuel Authorised Deposit Taking Institutions. (ADI's)

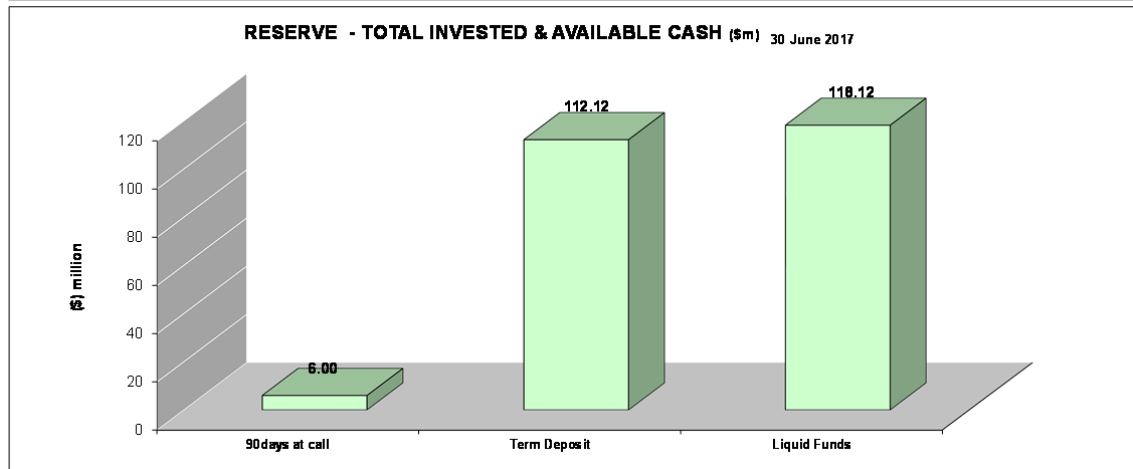
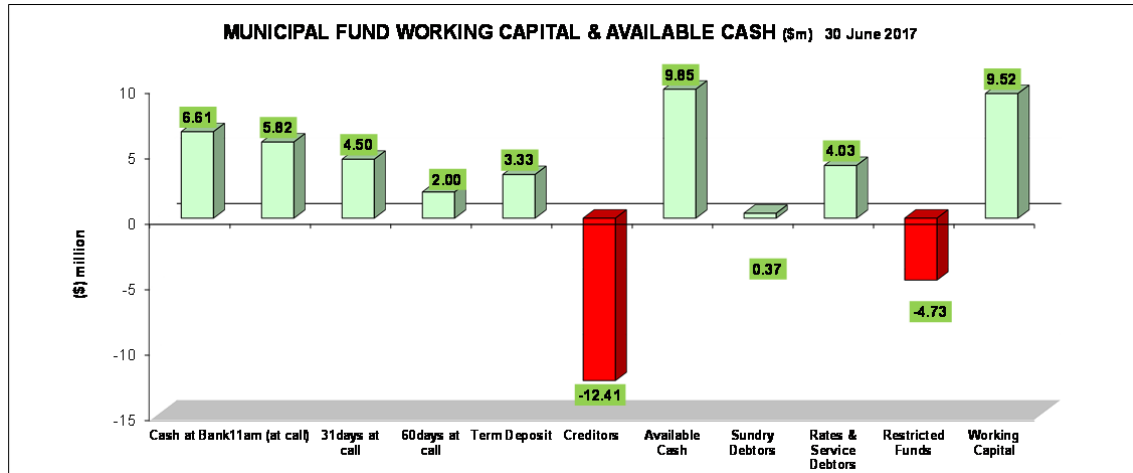
“Green investments” are authorised investment products made in authorised institutions that respect the environment by not investing in fossil fuel industries.

The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 30 June was 34%.

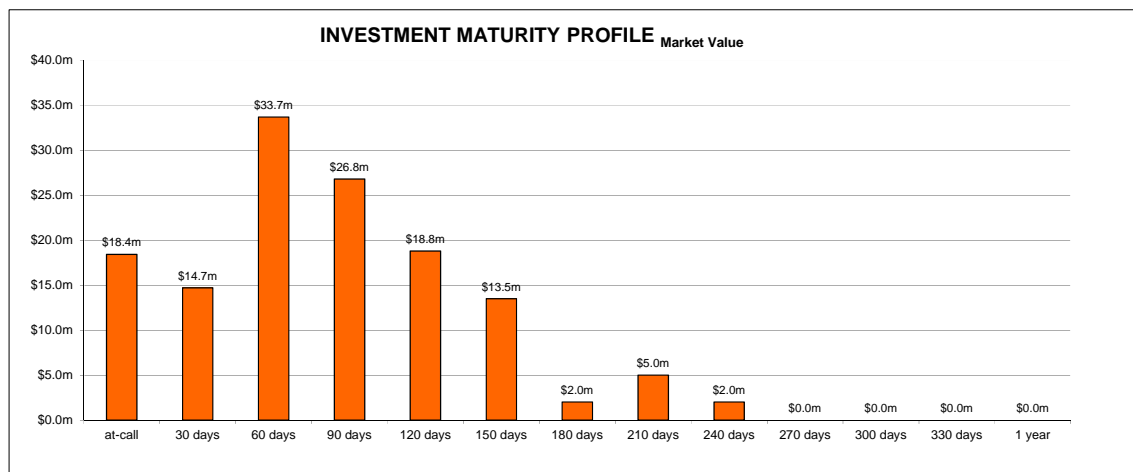
**C17/6000 - INVESTMENT STATEMENTS FOR JUNE 2017 (REC)**

**Net Funds Held**

The graphs on the following page summarise the Municipal Fund working capital and available cash and the funds held in Cash Backed Specific Purpose Reserve Accounts as at 30 June 2017.



The graph below summarises the maturity profile of the City's investments at market value as at 30 June 2017.



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**C17/6000 - INVESTMENT STATEMENTS FOR JUNE 2017 (REC)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

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

**II. OTHER AGENCIES / CONSULTANTS**

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

**STATUTORY AND LEGAL IMPLICATIONS**

The following legislation is relevant to this report:

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

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

**FINANCIAL IMPLICATIONS**

For the period ending 30 June 2017:

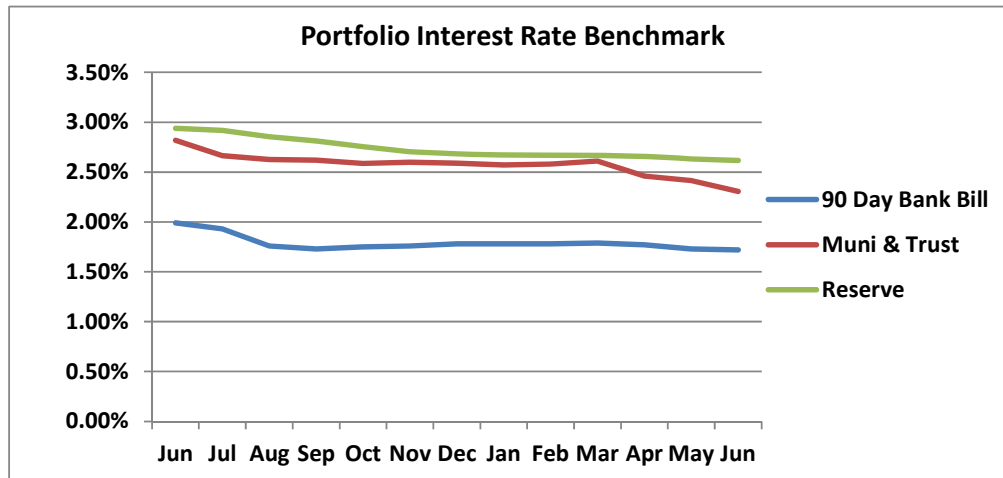
- Investment earnings on Municipal and Trust Funds were \$539,630 against a year to date budget of \$641,031 representing a \$101,401 negative variance.

The weighted average interest rate for Municipal and Trust Fund investments as at 30 June 2017 was 2.31% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.72%.

- Investment earnings on Reserve accounts were \$3,500,089 against a year to date budget of \$3,400,000 representing a \$100,089 positive variance.

The weighted average interest rate for Reserve account investments as at 30 June 2017 was 2.62% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.72%.

**C17/6000 - INVESTMENT STATEMENTS FOR JUNE 2017 (REC)**



**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

**Strategic**

The interest earned on invested funds assists in addressing the following key priority area identified in The City of Melville Corporate Business Plan 2016-2020.

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

**Risk**

The Council’s Investment of Funds Policy CP-009 was drafted so as to minimise credit risk through investing in highly rated securities and diversification. The Policy also incorporates mechanisms that protect the City’s investments from undue volatility risk as well as the risk to reputation as a result of investments that may be perceived as unsuitable by the Community. The interest rate risk is high due to the short-term nature of the City’s investments and the inability, due to legislative restrictions, to lock into longer dated investments which attract higher interest rates and help reduce exposure to reductions in interest rates.

**Environmental**

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

**POLICY IMPLICATIONS**

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

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**C17/6000 - INVESTMENT STATEMENTS FOR JUNE 2017 (REC)****Policy Implications Contd.**

Council Policy CP-030 – Environmental states that the “The City aims to prevent, manage and minimise environmental impacts associated with its activities, while conserving and enhancing the City’s biodiversity and environmental quality, thereby maintaining and creating healthy surroundings for the community.” Whilst this Policy directly relates to the environmental impacts that relate to activities within the Cities boundaries and there is a tenuous link between the City’s investment activities and lending to organisations producing fossil fuels, the City will to the extent it can without putting invested funds at undue risk, direct its investments to financial institutions that do not lend to those organisations.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable as report only presents information for noting.

**CONCLUSION**

The City’s investment portfolio is invested in highly secure investments that are returning low investment returns which are commensurate with the low level of risk of the portfolio.

34% of the City’s investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels.

Future investment earnings are expected to continue to decrease when compared to previous years as interest rates continue to stay low and readjustment from the Standard and Poor’s Australian ratings on the banks (from A- to BBB+) will force us to reduce our investment with institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels.

Effective from 13 May 2017 the *Local Government (Financial Management) Regulations 1996* were amended (regulation 19C) to allow local governments to deposit funds for a fixed term of three years or less. The regulation previously only allowed for deposits of 12 months or less. Deposits of greater than one year may enable the City to achieve better investment returns.

Council Policy CP-009 Investment of Funds was amended at the Ordinary Meeting of Council meeting held 20 June 2017, Item C17/5561- Policy Review – Corporate Services, to reflect the above change to legislation and an increase in the thresholds for BBB+ investments.

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

**That the Council notes the Investment Report for the period ending 30 June 2017.**

At 8:22pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (11/0)**

**C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR JUNE 2017 (REC) (ATTACHMENT)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the details of payments made under delegated authority to suppliers for the month of June 2017 and recommends that the Schedule of Accounts Paid be noted.

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**C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR JUNE 2017 (REC) (ATTACHMENT)****BACKGROUND**

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

**DETAIL**

The Schedule of Accounts Paid for the period ending 30 June 2017 including Payment Registers numbers, Cheques 590 to 596 and Electronic Funds Transfers batches 454 to 459, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 28 July 2017. Payments for the period totalled \$10,410,500.64 for the Municipal Fund and \$72,278.15 for the Trust Fund whilst new investment transactions totalled \$6,500,000.00. Details of the payments are shown in attachment [6001 June 2017](#).

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

**C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR JUNE 2017 (REC) (ATTACHMENT)**

<b>Supplier Name</b>	<b>Remittance Number</b>	<b>Remittance Details</b>	<b>Amount</b>
AE Hoskins & Sons	Chq 067062	Progress claim 1 for refurbishment of Deep Water Point change rooms	\$87,513.44
Asphaltech Pty Ltd	E057407 & E057718	Road resurfacing at various sites	\$582,639.64
Australia Post	E057314, P27718 & P27720	Mail charges	\$36,409.94
Benara Nurseries	E057298 & E057627	Plants for 2017 winter planting season	\$38,632.44
Building & Construction Industry Training Fund	Chq 007155	Remittance of the building construction training levy collected by the City with building licence applications	\$37,244.30
Caltex	Direct Bank Transfer	Caltex fuel	\$77,659.67
City of Cockburn	E057226	Commercial waste tip fees for May	\$35,705.98
Department of Commerce	E057185	Remittance of Building Service Levy collected on building licence applications	\$35,033.85
Department of Fire & Emergency Services	E057395	ESL remittance for May	\$116,956.54
Devco Holdings Pty Ltd T/A Devco Builders	E057377 & E057696	Progress claim 1 for works at Willagee Library	\$55,498.62
Dickies Tree Service	E057229 & E057564	Tree lopping services	\$121,830.00
EMSO Maintenance T/A Crabclaw Holdings Pty Ltd	E057312 & E057640	Building maintenance	\$101,727.10
Flexi Staff	E057263 & E057593	Temporary employment	\$59,647.18
Freyssinet Australia Pty Ltd	E057477 & E057785	Progress claims for structural repairs of Heathcote Clock Tower	\$116,106.18
Hansen Pty Ltd	E057233 & E057568	Replacement of playground equipment at Bill Ellison Reserve	\$35,491.50
Hydroquip Pumps	E057272 & E057600	Installation of irrigation pumps at various sites	\$50,241.40
ICS Australia Pty Ltd	E057778	Progress claim for refurbishment of Heathcote Precinct	\$31,516.66
Infor Global Solution	E057348 & E057675	Subscription fee for Pathway	\$180,363.36
Landgate	E057630	GRV general revaluations for 2017-2019	\$517,601.10
Landmark Engineering & Design Pty Ltd T/A Exteria	E057249 & E057581	Park furniture to various sites	\$32,937.30

**C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR JUNE 2017 (REC) (ATTACHMENT)**

Supplier Name	Remittance Number	Remittance Details	Amount
M P Rogers & Associates Pty Ltd	E057311, E057542 & E057639	Design of foreshore revetment works at Deep Water Point	\$57,015.90
Macroplan Holdings Pty Ltd	E057786	Strategic analysis of LRT & BRT route options	\$31,449.00
Melville Toyota	E057634	Purchase of Toyota Corolla Hybrid	\$25,866.26
Miracle Recreation Equipment	E057281	Replacement of playground equipment at Hill Park & Ted Neesham Reserve	\$39,477.90
Natural Area Management & Services	E057506 & E057818	Weed control, grass treatment, revegetation control and planting at various Reserves	\$114,698.85
Nature Play Solutions Pty Ltd	E057412 & E057724	Progress claims for Piney Lakes Sensory Play Space, Frederick Baldwin Park & Wireless Hill Play Space	\$112,826.86
Public Transport Authority	E057336 & E057659	Installation of bus shelters	\$49,758.57
Rhysco Electrical Services	E057367 & E057686	Electrical services	\$59,643.66
Roadsafe Traffic Management	E057443 & E057752	Traffic management services	\$29,927.23
Southern Metropolitan Regional Council	E057331 & E057653	RRRC loan repayment, MRF, MSW & Green waste gate fees for May & MSW gate fees for June	\$1,076,257.32
Synergy	E057262 & E057592	Electricity charges	\$354,748.40
Titan Ford	E057293, E057541 & E057621	Purchase of 6 Ford Ranger Vehicles	\$203,223.04
TJS Cleaning Services Perth Pty Ltd	E057418	Cleaning of LeisureFits Booragoon and Melville and AH Bracks Library	\$54,788.08
Tree Amigos Tree Surgeons	E057362 & E057685	Tree lopping services	\$58,958.79
Tree Planting & Watering (ATF) Baroness Holdings Pty Ltd	E057405	Street tree watering	\$30,650.32
Turfmaster	E057256 & E057585	Mowing at various sites	\$27,766.20
Water Corporation	Chq's 067051 & 067147	Water charges	\$27,368.03
West Coast Profilers	E057419	Hire of profiler for various sites	\$34,670.20
Western Power	E057259 & E057588	Cash call 6 for Bicton North and install street lights at 8 First Avenue, Applecross	\$615,118.75
Youngs Plumbing Service Pty Ltd	E057344 & E057667	Building maintenance	\$25,861.07

**Payroll**

Supplier Name	Remittance Number	Remittance Details	Amount
Various Banking Institutions	Direct Transfers 14.06.2017 & 28.06.2017	Bank & Payment of salaries and wages to City employees net of tax and deduction for pays 25 & 26	\$2,083,250.35
Australian Taxation Office	Direct Transfers	Bank Pay as You-Go taxation and other deductions from employee payroll for	\$617,681.00

	14.06.2017 28.06.2017	&	pays 25 & 26	
Creditors	Direct Transfers 14.06.2017 28.06.2017	Bank &	Payment of superannuation, union membership, council rates, vehicle deductions, Centrelink, etc. for pays 25 & 26	\$511,580.76
<b>Total</b>				<b>\$3,212,512.11</b>

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**C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR JUNE 2017 (REC) (ATTACHMENT)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable as this report presents information for noting only.

**CONCLUSION**

Payments for the period totalled \$10,410,500.64 for the Municipal Fund and \$72,278.15 for the Trust Fund whilst new investment transactions totalled \$6,500,000.

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

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**C17/6001 – SCHEDULE OF ACCOUNTS PAID FOR JUNE 2017 (REC) (ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001)**

**That the Council notes the Schedule of Accounts paid for the period ending 30 June 2017 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 June 2017](#)**

At 8:22pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (11/0)**

**C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JUNE 2017 (AMREC)  
(ATTACHMENTS)**

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

**AUTHORITY / DISCRETION  
DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents:

- The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 30 June 2017 and recommends that they be noted by the Council. The final figures for 2016-2017 are yet to be finalised.
- The variances for the month of June 2017 and recommends that they be noted by the Council.
- The Budget amendments required for the month of June 2017 and recommends that they be adopted by Absolute Majority decision of the Council.

**C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JUNE 2017 (AMREC)  
(ATTACHMENTS)**
**BACKGROUND**

The Statements of Financial Activity for the period ending 30 June 2017 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

**DETAIL**

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

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

**Variances**

<b>CITY OF MELVILLE</b>							
<b>EXTRACT OF RATE SETTING STATEMENT FOR VARIANCE IN EXCESS OF \$50,000</b>							
<b>for the Period 1 July 2016 to 30 June 2017</b>							
	<b>June</b>	<b>YTD</b>	<b>YTD</b>			<b>Annual</b>	<b>Annual</b>
	<b>Actual</b>	<b>Rev. Budget</b>	<b>Actual</b>	<b>Variance</b>	<b>Variance</b>	<b>Budget</b>	<b>Rev. Budget</b>
	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>\$</b>	<b>%</b>	<b>\$</b>	<b>\$</b>
<b>Revenue</b>							
General Purpose Funding	2,007,093	14,084,868	15,245,084	1,160,217	8%	12,931,170	14,084,868
Community Amenities	175,831	3,259,858	3,437,575	177,717	5%	3,136,387	3,259,858
Transport	143,368	5,236,215	4,677,923	(558,292)	-11%	4,641,787	5,236,215
Economic Services	85,393	2,672,575	3,225,047	552,472	21%	2,773,415	2,672,575
Other Property and Services	250,858	634,451	925,750	291,299	46%	402,653	3,307,026
	<b>3,770,596</b>	<b>37,771,775</b>	<b>39,376,995</b>	<b>1,605,220</b>	<b>4%</b>	<b>35,739,377</b>	<b>37,771,775</b>
<b>Expenses</b>							
Governance	(368,976)	(4,289,715)	(3,318,237)	971,478	-23%	(4,078,269)	(4,289,715)
General Purpose Funding	(567,404)	(6,919,538)	(7,195,273)	(275,735)	4%	(6,919,538)	(6,919,538)
Law, Order, Public Safety	(369,609)	(4,122,269)	(3,881,625)	240,644	-6%	(4,051,723)	(4,122,269)
Health	(99,190)	(1,109,792)	(1,040,170)	69,622	-6%	(1,115,196)	(1,109,792)
Education & Welfare	(220,003)	(2,654,982)	(2,518,590)	136,392	-5%	(2,650,229)	(2,654,982)
Community Amenities	(2,261,498)	(25,188,301)	(22,926,119)	2,262,182	-9%	(24,619,692)	(25,188,301)
Recreation and Culture	(2,987,764)	(29,111,139)	(28,831,556)	279,584	-1%	(28,742,880)	(29,111,139)
Transport	(1,678,729)	(15,032,952)	(17,133,190)	(2,100,238)	14%	(15,078,943)	(15,032,952)
Economic Services	(240,839)	(2,195,276)	(2,546,461)	(351,184)	16%	(2,174,143)	(2,195,276)
Other Property and Services	(290,434)	(11,533,781)	(8,821,233)	2,712,548	-24%	(11,740,320)	(11,533,781)
	<b>(9,095,413)</b>	<b>(102,219,266)</b>	<b>(98,279,634)</b>	<b>3,939,633</b>	<b>-4%</b>	<b>(101,232,456)</b>	<b>(102,219,266)</b>
<b>Net Result Excluding Rates</b>	<b>(5,324,817)</b>	<b>(64,447,491)</b>	<b>(58,902,638)</b>			<b>(65,493,079)</b>	<b>(64,447,491)</b>
<b>Capital Revenue &amp; Expenditure</b>							
Purchase of Furniture & Equipment	(149,020)	(2,472,308)	(1,200,105)	1,272,203	-51%	(1,454,494)	(2,472,308)
Purchase of Plant & Equipment	(176,994)	(4,320,617)	(2,842,898)	1,477,719	-34%	(2,441,631)	(4,320,617)
Purchase of Land & Buildings	(711,865)	(12,181,115)	(7,409,559)	4,771,556	-39%	(3,786,000)	(12,181,115)
Purchase of Infrastructure Assets	(2,144,758)	(21,506,923)	(14,985,907)	6,521,016	-30%	(15,935,141)	(21,506,923)

**C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JUNE 2017 (AMREC)  
(ATTACHMENTS)**

A more detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program ([6002C Sub Program June 2017](#)) is provided in attachment [6002H June 2017](#).

**Revenue**

\$82.58 million in Rates was raised to 30 June 2017, compared to \$81.924 million for the same reporting period last year. This is compared with a revised year to date budget of \$82.56 million, resulting in a positive variance of \$22,851.

**Money Expended in an Emergency and Unbudgeted Expenditure**

Not applicable for June 2017.

**Budget Amendments**

Details of Budget Amendments requested for the month of June 2017 are shown in attachment [6002J June 2017](#). Highlighted are two budget amendment journals greater than \$50,000 that was processed in June 2017.

- \$70,000 – Creation of budget for Kidsport Grant.
- \$250,000– Creation of budget for Murdoch University Synthetic Turf grant funding from Department of Sport and Recreation.

**Rates Collections and Debtors**

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$1,201,628 were collected over the course of the month. Rates collection progress for the month of June is 1.3% below the target of 98%. This represents a dollar value of \$1,385,460. As at 30 June 96.7% of 2016-2017 rates, including prior year arrears had been collected compared with 97.3% collected for the same time last year. Rates collection for 2016-2017 excluding prior year rates arrears is 98.9%.

Total sundry debtor balances decreased by \$79,198 over the course of the month from \$477,563 to \$398,365. The 90+ day's debtor balance increased by \$12,780 from \$16,484 to \$29,264.

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

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

\$4,051.60 was written off under delegated authority in the month of June 2017 as the City had exhausted all avenues to recover commercial bin charges from the debtor.

**C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JUNE 2017 (AMREC)  
(ATTACHMENTS)**

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

<b>DESCRIPTION</b>	<b>LINK</b>
Statement of Financial Activity By Nature and Type – June 2017	<a href="#">6002A Nature Type June 2017</a>
Rate Setting Statement by Program – June 2017	<a href="#">6002B Program June 2017</a>
Rate Setting Statement by Sub-Program – June 2017	<a href="#">6002C Sub Program June 2017</a>
Representation of Net Working Capital – June 2017	<a href="#">6002E June 2017</a>
Reconciliation of Net Working Capital – June 2017	<a href="#">6002F June 2017</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – June 2017	<a href="#">6002H June 2017</a>
Details of Budget Amendments requested – June 2017	<a href="#">6002J June 2017</a>
Summary of Rates Debtors – June 2017	<a href="#">6002L June 2017</a>
Graph Showing Rates Collections – June 2017	<a href="#">6002M June 2017</a>
Summary of General Debtors aged 90 Days Old or Greater – June 2017	<a href="#">6002N June 2017</a>

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

**C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JUNE 2017 (AMREC)****34. Financial activity statement report — s. 6.4**

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

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
- (b) budget estimates to the end of the month to which the statement relates;
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

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

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

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

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

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

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

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

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

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

**FINANCIAL IMPLICATIONS**

Variances are dealt with in attachment [6002H June 2017](#) (Notes on Statement of Variances in excess of \$50,000 by Sub-Program).

**C17/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JUNE 2017 (AMREC)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**CONCLUSION**

The attached financial reports reflect a positive financial position of the City of Melville as at 30 June 2017. The reported figures are subject to review with the completion of the 2016-2017 financial year currently underway.

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

At 8:22pm Cr Schuster moved, seconded Cr Aubrey –

**That the Council:**

- Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 30 June 2017 as detailed in the following attachments:**

<b>DESCRIPTION</b>	<b>LINK</b>
Statement of Financial Activity By Nature and Type – June 2017	<a href="#">6002A Nature Type June 2017</a>
Rate Setting Statement by Program – June 2017	<a href="#">6002B Program June 2017</a>
Rate Setting Statement by Sub-Program – June 2017	<a href="#">6002C Sub Program June 2017</a>
Representation of Net Working Capital – June 2017	<a href="#">6002E June 2017</a>
Reconciliation of Net Working Capital – June 2017	<a href="#">6002F June 2017</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – June 2017	<a href="#">6002H June 2017</a>
Details of Budget Amendments requested – June 2017	<a href="#">6002J June 2017</a>
Summary of Rates Debtors – June 2017	<a href="#">6002L June 2017</a>
Graph Showing Rates Collections – June 2017	<a href="#">6002M June 2017</a>
Summary of General Debtors aged 90 Days Old or Greater – June 2017	<a href="#">6002N June 2017</a>

**2. By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for June 2017 [6002J June 2017](#).**

At 8:22pm the Mayor submitted the motion, which was declared

**CARRIED BY ABSOLUTE MAJORITY (11/0)**

**15. EN BLOC ITEMS**

At 8:22pm Robartson moved, seconded Woodall. –

**That the recommendations for items T17/3762, CD17/8099, M17/5571, M17/5000, C17/6000 and C17/6001 be carried En Bloc.**

At 8.22pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (11/0)**

*At 8:33pm Cr Pazolli left the meeting and returned at 8:35pm*

**16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**16.1 Supporting Australia Day**

At 8:23pm Cr Woodall moved, seconded Cr Robartson –

**That the Council does not support the motion passed by the National General Assembly of Local Government that:**

***“the National General Assembly of Local Government encourage Australian councils to consider efforts they could take to lobby the Federal Government to change the date of recognition of Australia Day”.***

At 8:42pm the Mayor submitted the motion, which was declared

**CARRIED (9/2)**

<b>Vote Result Summary</b>	
Yes	9
No	2

<b>Vote Result Detailed</b>	
Cr Barton	Yes
Cr Foxtton	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Aubrey	No
Cr Barling	No

**16.1 Supporting Australia Day - continued**

At 8:23pm Cr Woodall moved, seconded Cr Robartson –

**That the Council Directs the Chief Executive Officer to write to the Prime Minister of Australia requesting that Australia Day, being January 26, remain unchanged.**

At 8:43pm the Mayor submitted the motion, which was declared

**CARRIED (6/5)**

<b>Vote Result Summary</b>	
Yes	6
No	5

<b>Vote Result Detailed</b>	
Cr Barton	Yes
Cr Foxtton	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Aubrey	No
Cr Barling	No
Cr Macphail	No
Cr Pazolli	No
Cr Schuster	No

Reasons for Motion

Cr Woodall provided the following reasons in support of the Motion -

1. The motion was passed by the National General Assembly of Local Government by a narrow majority of 64 votes to 62. This is not only a narrow result, but represents very poor turnout by delegates in light of the 560 councils entitled to attend. It therefore did not enjoy broad support amongst Australian local governments.
2. Australia Day is a federal responsibility and not a local government one. Australia Day is our country's national day and any decisions regarding changing the date should be left to the Commonwealth Government. It is not appropriate for local government to publicly interfere in an area of Federal responsibility. I would not be moving this very motion, for example, if the Assembly had limited itself to motions relating to local government matters.
3. The current date of Australia Day is supported by a large majority of Australians. Polling company YouGov ran an online survey from 15 to 19 January 2016 which found that 78% of Australians believe that January 26 is worth celebrating. A poll by Review Partners in early February 2017 found that only 16% of Australians thought the date of Australia Day should be changed.

**16.1 Supporting Australia Day - continued**

4. The vast majority of Australians celebrate January 26 as a day to take pride in Australia's culture, achievements, values and identity. It is a time to welcome new citizens, remember those who have been of service to Australia, and celebrate the many different communities and cultures who make up modern Australia.
  
5. January 26 is no longer about the past but instead looks to the future. It celebrates the vibrant, multicultural and prosperous nation we are today. It celebrates the important values that unite us and underpin our system of government, such as the rule of law, Parliamentary democracy, freedom of religion, and the freedom and dignity of the individual. Elitist attempts to change the date of Australia Day lack popular support, are divisive and corrode the fragile unity of our nation.

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

At 8:44pm Cr Pazolli moved, seconded Cr Barton –

**That Cr Pazolli be permitted to present to Council a Motion Without Notice relating to Public Question Time Policy / Local Law.**

At 8:45pm the Mayor submitted the motion, which was declared

**CARRIED (8/3)**

Vote Result Summary	
Yes	8
No	3

Vote Result Detailed	
Cr Barling	Yes
Cr Barton	Yes
Cr Foxton	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Aubrey	No
Cr Macphail	No
Cr Phelan	No

**17.1 Review of Public Question Time Policy / Local Law**

At 8:45pm Cr Pazolli moved, seconded Cr Barton –

**That the Council requests the Chief Executive Officer to undertake a review of the public question time process in Ordinary Meetings of Council and draft a Council Policy and / or amendments to a Local Law that will ensure that the public question time process *remains* consistent with the requirements of the *Local Government Act 1995* and ensures that Ordinary Meetings of Council public questions at Ordinary Meetings of Council and Council’s answers to those questions are either read out at the Ordinary Meetings of Council and / or recorded in the Minutes of the Ordinary Meetings of Council.**

**Amendment 1**

At 9:04pm Cr Schuster moved, seconded Cr Barling–

**That the Council amend the proposed motion from Cr Pazolli as follows:**

- **in the second line of the proposed motion the following words be inserted after “in Ordinary Meetings of Council,” “Agenda Briefing Forums and other meetings of Council where question time may be allowed,” and**
- **at the end of the motion, replace full stop with a comma and add “or other meetings as relevant.”**

At 9:12pm the Mayor submitted the amendment, which was declared

**CARRIED (8/3)**

**17.1 Review of Public Question Time Policy / Local Law - continued**

<b>Vote Result Summary</b>	
Yes	8
No	3

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Schuster	Yes
Cr Woodall	Yes
Cr Phelan	No
Cr Robartson	No
Mayor Aubrey	No

**Amendment 2**

At 9:13pm Cr Schuster moved, seconded Cr Barling–

**That the amended motion be further amended by numbering it 1 and including the following:**

**2. “The Council specifically requests the Chief Executive Officer, if at all possible, to submit the draft policy to the Ordinary Meeting of Council in September 2017 for determination, understanding this meeting will occur in the Local Government Caretaker Period.”**

At 9:20 pm the Mayor submitted the amendment, which was declared

**LOST (5/6)**

<b>Vote Result Summary</b>	
Yes	5
No	6

<b>Vote Result Detailed</b>	
Cr Barton	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Schuster	Yes
Mayor Aubrey	Yes
Cr Aubrey	No
Cr Barling	No
Cr Foxtan	No
Cr Phelan	No
Cr Robartson	No
Cr Woodall	No

*At 9:21pm Cr C Schuster left the meeting and returned at 9:23pm.*

**17.1 Review of Public Question Time Policy / Local Law - continued**

**Amendment 3**

At 9:20pm Cr Woodall moved, seconded Cr Phelan –

**1. That the Council amend the motion further by adding the following words after the words local law in the fourth line:**

**“for Council’s consideration at an Elected Members Information Session”**

At 9:31pm the Mayor submitted the amendment, which was declared

**CARRIED UNANIMOUSLY (11/0)**

At 9:20pm Cr Woodall moved, seconded Cr Phelan –

**2. That the amended motion be further amended by Adding the following words after the words ‘Minutes of the Ordinary Meeting s of Council in the last line:**

**“, provided that the questions are not defamatory, offensive, frivolous, in the form of a statement or have previously been asked of the Council,”**

At 9:32pm the Mayor submitted the amendment, which was declared

**CARRIED (7/4)**

<b>Vote Result Summary</b>	
Yes	7
No	4

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Foxtton	Yes
Cr Macphail	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Barling	No
Cr Barton	No
Cr Pazolli	No
Cr Schuster	No

**17.1 Review of Public Question Time Policy / Local Law - continued****Council Resolution**

**That the Council requests the Chief Executive Officer to undertake a review of the public question time process in Ordinary Meetings of Council, Agenda Briefing Forums and other meetings of Council where question time may be allowed, and draft a Council Policy and / or amendments to a Local Law for consideration at an Elected Members Information Session that will ensure that the public question time process remains consistent with the requirements of the *Local Government Act 1995* and ensures that public questions at Ordinary Meetings of Council and Council's answers to those questions are either read out at the Ordinary Meetings of Council and / or recorded in the Minutes of the Ordinary Meetings of Council, or other meetings as relevant provided that the questions are not defamatory, offensive, frivolous, in the form of a statement or have previously been asked of the Council,"**

At 9:33pm the Mayor submitted the substantive motion as amended, which was declared

**CARRIED UNANIMOUSLY (11/0)**

Reasons for Motion

Cr Pazolli provided the following reasons in support of the Motion –

1. Question Time for Public, Section 5.24 of the *Local Government Act 1995* specifies that "Time is to be allocated for questions to be raised by members of the public and responded to at.....(a) every ordinary meeting of a council" and "Procedures and the minimum time to be allocated for the asking and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations."
2. The *Local Government (Administration) Regulations 1996* specifies that public question time must be a minimum of 15 minutes and that "Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) are to be determined .... (a) by the person presiding at the meeting; or (b) in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of those members.....".
3. Consequently we have seen a number of seemingly ad hoc decisions by the Ordinary Meeting of Council presiding member which the members of the public have perceived as being biased, discriminant, lacking fairness and transparency. For example, the Mayor has ruled that questions from members of the public who are not present at the meeting will not be read out at the meeting, yet at the June 2017 OMC the Mayor read out a number of questions from members of the public who stated that they would not be present at the meeting.

**17.1 Review of Public Question Time Policy / Local Law - continued**

4. To ensure that public question time provides proper opportunity for members of the public to ask questions about their concerns, this motion requests the CEO to commence a process of review, that should involve discussions with Councillors (at EMIS perhaps), on a policy or local law amendments that determines how public question time should operate. This would not prevent the Presiding Member from continuing to make rulings, but would provide a policy guide to what should be expected during question time by the public.

Reasons for Amendment

Cr Woodall provided the following reasons in support of the amendment –

1. Any proposed changes to the question time process should initially be presented to an Elected Members Information Session to allow dialogue and discussion between Elected Members and officers.
2. Questions should be read out at Ordinary Meetings of Council in accordance with the *Local Government Act 1995* and associated regulations, provided that they satisfy certain minimum standards.
3. These minimum standards uphold an appropriate level of decorum and ensure the questions are being asked for a proper purpose and are not repetitious of frivolous in nature.

**17.2 REINSTATEMENT OF ANNUAL FUNDING FOR SCHOOL CHAPLAINCY****That the Council:**

1. **Request the Chief Executive Officer to reinstate the annual funding to the school chaplaincy service through Youthcare in the amount of \$10,000 per annum for the 2017-2018 and 2018-2019 financial years;**
2. **In the 2017-2018 year the funds are to come initially from the Community Partnership Fund, with the mid-year budget review in 2017-2018 to determine if another budget allocation is required, and in 2018-2019 to be funded as approved in the Council budget for that year; and,**
3. **This funding is dependent upon Youthcare and the City of Melville entering another Memorandum of Understanding in a form suitable to Youthcare and the Chief Executive Officer of the City of Melville.**

The above Motion without Notice was withdrawn at the 15 August 2017 Meeting of the Council for it be presented as a Motion with Notice to the 19 September Ordinary Meeting of the Council.

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

Nil.

**19. CLOSURE**

There being no further business to discuss, the Mayor declared the meeting closed at 9:34pm.