



MINUTES

OF THE

ORDINARY MEETING OF THE COUNCIL

HELD ON

TUESDAY, 18 JUNE 2019

AT 6.30PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

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1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and officially declared the meeting open at 6:30pm. Mr J Clark, Governance and Compliance Advisor, 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

Cr T Barling (Deputy Mayor)
Cr N Robins
Cr C Robartson, Cr M Woodall
Cr N Pazolli, Cr S Kepert
Cr G Wieland, Cr J Barton
Cr D Macphail, Cr K Mair
Cr P Phelan, Cr K Wheatland

WARD

Bateman – Kardinya – Murdoch
Bateman – Kardinya - Murdoch
Bull Creek - Leeming
Applecross – Mount Pleasant
Bicton – Attadale – Alfred Cove
Central
Palmyra – Melville - Willagee

3. IN ATTENDANCE

Mr M Tieleman
Ms C Young
Mr S Cope
Mr M McCarthy
Mr A Ferris
Mr L Hitchcock

Mr G Ponton (*until 7:52pm*)
Mr P Prendergast (*until 7:52pm*)
Mr B Taylor (*6.31pm - 8:53pm*)
Ms D Whyte (*6.37pm - 8:53pm*)
Mr S Silva (*6.37pm - 8:53pm*)
Ms D Karunaratne (*6.37pm - 8:53pm*)
Ms L Fitzgerald (*6.37pm - 8:53pm*)
Mr J Hobbs (*until 7:52pm*)
Mr J Rae (*until 7:52pm*)
Mr J Clark
Ms C Newman
Ms T Wright

Chief Executive Officer
Director Community Development
Director Urban Planning
Director Technical Services
Director Corporate Services
Executive Manager Governance and Legal Services
Manager Strategic Urban Planning
Manager Statutory Planning
Manager Financial Services
A/Manager Financial Services
Senior Accountant
Senior Accountant
Finance Officer
Strategic Urban Planner
Strategic Land and Property Executive
Governance and Compliance Advisor
Governance Coordinator
Governance Officer

At the commencement of the meeting there were approximately 29 members of the public and one representative from the Press in the Public Gallery.

*At 6:30pm Cr Kepert entered the meeting
At 6.31pm Mr B Taylor entered the meeting*

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Nil.

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

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

Nil.

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

Nil.

*At 6:35pm Cr Wheatland left the meeting and returned at 6:37pm
At 6.37pm Ms D Whyte entered the meeting.
At 6:37pm Ms D Karunaratne entered the meeting.
At 6:37pm Ms L Fitzgerald entered the meeting
At 6:37pm Mr S Silva entered the meeting.*

6. QUESTION TIME

6.1 Questions Received with Notice

6.1.1 City of Melville Residents and Ratepayers Association Inc

1. On 6 May 2019 our Association made a submission to the City in response to the Canning Bridge Activity Centre Plan (CBACP) community consultation in which we stated, amongst other things, that we believe a cap of 50 people / hectare should be applied within the entire CBACP area (Submission): please confirm;

Question 1

1.1. *Why our Submission was not included in the 354 page package of submissions provided to Council as part of the Council minutes?*

Response

At 6:49pm the Chief Executive Officer provided the following corrected response from the City in relation to this question and the receipt of the submission from the City of Melville Residents and Ratepayers Association Inc.

The submission was received and was tasked to an officer two days after it was received. A copy of the submission was circulated to Elected Members at the meeting. In summary the submission includes comment that:

- There should not be height bonuses in the Canning Bridge precinct; and
- A cap of 50 people per hectare should be set for the CBACP area.

It is noted that the proposed Local Planning Policy is not able to respond to these items. These matters would be considered in any future review of the CBACP.

Question 2

1.2. *Did West Australian Apartment Advocacy, Ms Samantha Reece and/or PropertyESP, the activists behind the setting up www.mrraisnotmyvoice.com.au that seeks to denigrate our Association and advocate for the current CBACP and other development in the City, such as the failed Wave Park, make a submission in their own rights or on behalf of clients; if so where are they? Which of these activists are residents or ratepayers?*

Response

The City has not received a submission from that group.

Question 3

1.3. *Are any Elected Members or City staff associated with the individual and entities named in question 1.2?*

Response

The City is not aware if any staff or Elected Members are associated with the above person or entity.

6. *Public Question Time, City of Melville Residents & Ratepayers Association Inc. cont'd*

Question 4

- 1.4. *How many pro-forma and clearly repetitive submissions were received by the City, eg pages 206, 207, 208 and 210 in the packages of responses you have provided to Council.*

Response

Many of the submissions have similar wording or are of a pro-forma style. This includes submissions indicating that the draft Policy is too restrictive as well as those indicating the Policy is not restrictive enough. Copies of the submissions are attached to the agenda item allowing interested parties to determine the exact number of submissions which could be considered repetitive or pro-forma in nature.

Question 5

- 1.5. *What is the current density within the CBACP area (measured in dwellings per total hectares)?*

Response

Current density within the CBACP is estimated at approximately 22 dwellings per hectare.

Question 6

- 1.6. *What is the estimated density within the CBACP area if all developable land is developed to the full extent of the CBACP where future developments achieve 100%, 50%, 25% and 0% height bonuses. How does this compare to benchmark population densities in similar activity centre plans in Nedlands, East Perth, West Perth and South Perth and the like?*

Response

This question requires substantial research and has not been taken into consideration in the development and adoption of the CBACP.

Question 7

- 1.7. *What is the forecast density within the CBACP areas (dwellings per hectare) by 2020, 2025, 2030 and 2035 for the various height bonuses (100%, 50%, 25% and 0%)?*

Response

The forecasts for the area as a whole (Including South Perth) are for 25 dwelling per hectare in 2031 and 74 Dwellings per hectare in 2051. Quadrants 1 and 2 (in the City of Melville side of the CBACP) anticipated 2400 additional dwellings by 2031 which would equate to 70 dwellings per gross hectare by 2031. The requested breakdown of density forecast under different scenarios is not available. However, as a guide, the 2031 forecasts outlined above could be extrapolated to show incremental targets over 5 year periods by assuming an average growth of 127 units per year over 15 years.

6. *Public Question Time, City of Melville Residents & Ratepayers Association Inc. cont'd*

Question 8

- 1.8. *How does this growth rate compare to the State Government's targets for infill developments for the whole of the City of Melville?*

Response

The overall State Government target for the City of Melville is not intended to be broken down in this manner. However, it is noted that the target for the whole of the City of Melville is 10,830 additional dwellings by 2031. That could be loosely broken down to an average figure of 541 dwellings per year over 20 years, compared to 127 dwellings per year over 15 years as indicated in question 7.

Question 9

- 1.9. *What is the total area of the City's free-hold land holdings within the CBACP, what is the current estimated market value of those holdings (by specific lot) and has there been, or is it likely that there will be, impairment of those values?*

Response

The City currently owns commercial and civic properties with the CBACP covering an area of approximately 10,000sqm. The current property values will reflect comparative market sales evidence for similar properties sold in the precinct which can be sourced from Landgate or a licensed valuer or real estate agent.

Question 10

- 1.10. *Has Council considered converting its current free-hold land holdings within the CBACP area to public open spaces as an offset to the substantially increased density in the CBACP area?*

Response

The CBACP takes into account the open space needs of the growing centre. The City's land is not intended to be used for open space. Sufficient open space is provided within walkable catchments of the centre. Opportunities for additional public spaces are intended to be secured through the community benefit provision of the CBACP.

Question 11

2. *On 6 June 2019, we asked the City's CEO, Mr Marten Tieleman, two simple questions, in relation to our 16 April and 21 May questions to Council, being who within the City a) prepared the responses to our questions, and b) who approved them prior to the responses being read out by the presiding member, Mayor Russell Aubrey, at the relevant Council meetings. The City's Governance and Compliance Advisor, Mr Jeff Clark, provided a response on behalf of the CEO on 11 June that stated:*

6. *Public Question Time, City of Melville Residents & Ratepayers Association Inc. cont'd*

“The City has an approval process that involves the Governance Team and Chief Executive Officer”, which is not a clear and direct response to the simple questions. We interpret Mr Clark’s response as meaning that the City’s Executive Manager Legal Services and Governance, Mr Louis Hitchcock was accountable for the preparation of the responses to our questions, the CEO, Mr Marten Tieleman, was accountable for approving those responses prior to them being read out and that no Elected Member, including Mayor Aubrey, had any input or the opportunity to review and comment prior to them being read out at the Council meetings; please confirm our interpretation is correct; otherwise correct us if we are wrong.

Response

The City’s full response to the City of Melville Residents and Ratepayers Association Inc on 11 June 2019 is quoted below:

“In response to your email of 6 June 2019, the responses to your questions were coordinated by the Governance Team and detail sourced from other officers. The officers who provided information will not be identified. Where questions relate to particular individuals, they will be contacted to provide a response that is then incorporated in the final response.

The City has an approval process that involves the Governance Team and Chief Executive Officer.”

The City has answered the questions posed on 6 June and again today. No further response is required.

6.1.2 Mr D Maynier, Attadale

Question

CD19/8114 Tompkins Park Review

On what date was the Development Application for the Tompkins Park re-development lodged with DPLH?

Response

The City made application to the Department of Planning, Lands & Heritage on 17 November 2017. The application is formally referred to as ‘The Application for Approval to Commence Development – Lots No 9789,10774,39,9,10,31,150,17,16,15,14,13 Canning Highway, Alfred Cove’. The Department of Planning referred the matter to Main Roads, Western Australia and the Department of Biodiversity, Conservation and Attraction in December 2017 for consideration and comment.

The current status of the application is that it is deferred for determination until 29 November 2019.

6. *Public Question Time, Mr D Maynier*

RE: P19/3810 - LPP1.18 - Local Planning policy for bonus heights

Question 2

The City has received proposals for developing its block at 13 The Esplanade and 64 Kishorn Rd Mt Pleasant. This is in the CBACP M10 zone. The agent Colliers suggests on its website that development will be limited to a maximum of 10 storeys. Will development on this block be limited to 10 storeys as advised by Colliers, or will development be potentially eligible for bonus height in accordance with the LPP 1.18?

Response

The site is located in the CBACP M10 zone and was advertised by the agent Colliers with direct reference to the Structure plan and the Request for Proposal document.

Question 3

For removal of doubt, is it, or will it be, a condition of the sale or lease of this land that building height will be limited to a maximum of ten storeys?

Response

The proposal for the sale or lease of the land will be presented to the Council for consideration at the required statutory stage and until it is advertised and made public under section 3.59 of the *Local Government Act 1995*, the details of the proposal remain confidential.

6.2 Questions Received without Notice

Nil.

6.3 Questions Taken on Notice at Previous Meeting

Nil.

At 6:49pm Ms T Wright left the meeting and returned at 6:51pm

7. AWARDS AND PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY MEETING OF THE COUNCIL – 21 AND 28 MAY 2019**
Minutes of OMC 21&28 May 2019**COUNCIL RESOLUTION**

At 6:50pm Cr Wieland moved, seconded Cr Macphail –

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 21 May 2019 and Tuesday 28 May 2019, be confirmed as a true and accurate record.

At 6:50pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

8.2 NOTES OF AGENDA BRIEFING FORUM – 7 MAY 2019
Notes of Agenda Briefing Forum 7 May 2019**COUNCIL RESOLUTION**

At 6:50pm Cr Phelan moved, seconded Cr Robartson –

That the Notes of Agenda Briefing Forum held on Tuesday, 7 May 2019, be received.

At 6:51pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

8.3 NOTES OF AGENDA BRIEFING FORUM – 4 JUNE 2019
Notes of Agenda Briefing Forum 4 June 2019**COUNCIL RESOLUTION**

At 6:51pm Cr Wheatland moved, seconded Cr Robins –

That the Notes of Agenda Briefing Forum held on Tuesday, 4 June 2019, be received.

At 6:51pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

9. DECLARATIONS OF INTEREST

9.1 FINANCIAL INTERESTS

- Item – P19/3810 Adoption of Local Planning Policy - Canning Bridge Activity Centre – Bonus Building Height Provisions - Mayor Aubrey – Financial Interest
- Item – CD19/8113 Parking Management Riseley Centre - Cr Mair – Proximity Interest

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

- Item – P19/3810 Adoption of Local Planning Policy - Canning Bridge Activity Centre – Bonus Building Height Provisions – Cr Barton – Indirect Financial Interest Financial Interest
- Item – P19/3810 Adoption of Local Planning Policy - Canning Bridge Activity Centre – Bonus Building Height Provisions – Cr Mair – Interest under the Code of Conduct
- Item – CD19/8114 Tompkins Park Review - Mayor Aubrey – Interest under the Code of Conduct
- Item – C19/5688 Consideration and Adoption of the 2019-2020 Budget – Cr Macphail – Interest under the Code of Conduct
- Item – C19/5688 Consideration and Adoption of the 2019-2020 Budget – Mayor Aubrey – Interest under the Code of Conduct
- Item – C19/5690 Point Walter Golf Course Proposal - Cr Barton – Interest under the Code of Conduct

10. DEPUTATIONS

10.1 Item P19/3810 - Adoption of Local Planning Policy - Canning Bridge Activity Centre – Bonus Building Height Provisions.

The following are speakers in opposition to the Item.

10.1.1 Mr M Burns, Applecross

10.1.2 Mr P Cuttone, Mount Pleasant

10.1.3 Mr L Rowe, Applecross

10.1.4 Mr M Giles, Applecross

10.1.5 Ms B Moharich, representing Moharich & More, South Perth

At 6:56pm Mr M McLerie requested permission to provide a deputation on 16.1 Motion with Notice - Report on the Requirements of Live Audio/ Visual Streaming of Council Meetings.

At 6:56pm the Mayor approved the deputation.

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

At 6:57pm Cr Wheatland moved, seconded Cr Robartson –

That the application for new leaves of absence submitted by Cr Woodall, Cr Robins and Cr Wieland on 18 June 2019 be granted.

At 6:57pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

- M19/5690 – Point Walter Golf Course Proposal

That the meeting be closed to members of the public, if required, to allow for items deemed confidential in accordance with Section 5.23 (2) (c) and (e) of the *Local Government Act 1995* to be discussed behind closed doors.

13. PETITIONS

Nil.

14. REPORTS OF THE CHIEF EXECUTIVE OFFICERDisclosure of Interest

Member	Mayor Aubrey
Type of Interest	Financial Interest
Nature of Interest	Owns property in the Canning Bridge Activity Centre
Request	Leave
Decision	Leave
Member	Cr Barton
Type of Interest	Indirect Financial Interest
Nature of Interest	Close relative owns property in Forbes Road
Request	Stay, Discuss and Vote
Decision	Stay, Discuss and Vote
Member	Cr Mair
Type of Interest	Indirect Under the Code of Conduct
Nature of Interest	Relative owns property in the Canning Bridge Activity Centre
Request	Stay, Discuss and Vote
Decision	Stay, Discuss and Vote

At 6:58pm Mayor Aubrey having declared an Interest left the meeting.

At 6:58pm the Deputy Mayor, Cr Barling, assumed the role of Presiding Member.

COUNCIL RESOLUTION

At 7:00pm Cr Wheatland moved, seconded Cr Mair–

That the Council under clause 7.10 of the City of Melville Meeting Procedures Local Law 2017 grant permission for:

- **Mr Burns;**
- **Mr Cuttone;**
- **Mr Rowe;**
- **Mr Giles; and**
- **Ms Moharich**

to address the Council in opposition to Item P19/3810 Adoption of Local Planning Policy – Canning Bridge Activity Centre – Bonus Building Height Provisions and that each presenter be granted five minutes each to speak.

At 7:01pm the Deputy Presiding Member submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

At 7:01pm, Mr M Burns of Applecross, Mr P Cuttone of Mount Pleasant, Mr L Rowe of Applecross, Mr M Giles of Applecross and Ms B Moharich, representing Moharich & More, South Perth entered the Chambers for the purpose of making a deputation in relation to Item P19/3810 – Adoption of Local Planning Policy – Canning Bridge Activity Centre – Bonus Building Height Provisions.

- Mr M Giles provided the attached PowerPoint (*presentation*).
- Mr P Cuttone tabled the attached document “*Adoption Option of Local Planning Policy Canning Bridge Activity Centre Plan*”.

The deputation concluded at 7:31pm.

At 7:43pm Mr Burns, Mr P Cuttone, Mr L Rowe, Mr M Giles and Ms B Moharich, departed the Council Chambers.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY - CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

Ward	:	Applecross- Mt Pleasant
Category	:	Policy
Application Number	:	Not Applicable
Property	:	Not Applicable
Proposal	:	Report on Preparation of a Local Planning Policy
Applicant	:	Not Applicable
Owner	:	Not Applicable
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	P18/3779 – Review of Canning Bridge Activity Centre Plan – Update, Ordinary Meeting of Council 17 April 2018; M18/5640 – Special Meeting of Electors 20 August 2018, Motions Carried, Ordinary Meeting of Council 18 September 2018; P18/3793 CBACP –Council request for Preparation of Planning Policy 20 November 2018. P19/3805 Local Planning Policy Canning Bridge Activity centre – Bonus Building Height Provisions 19 March 2019
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"/>	Legislative	<i>Includes adopting local laws, town planning schemes & 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>

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- At its meeting on 19 March 2019 (Report P19/3805) the Council adopted draft Local Planning Policy 1.18 - Canning Bridge Activity Centre Plan - Bonus Building Height Provisions (LPP 1.18) for the purposes of public advertising.
- Public advertising and invitation to comment took place between 1 April 2019 and 7 May 2019, and a total of 194 submissions were received.
- It is noted the draft Local Planning Policy (LPP) was prepared in response to Council resolutions in order to provide additional clarity in relation to the application of the building height provisions of the Canning Bridge Activity Centre Plan (CBACP).
- The LPP is required to maintain consistency with the CBACP. Changes to the building height control framework contained within the CBACP would require an amendment to the CBACP. Review of the CBACP is scheduled to commence in 2019.
- The bulk of the submissions provided comment in relation to general concerns regarding impact of building heights in the Canning Bridge Precinct. Response to these concerns is beyond the capability of a LPP and would be addressed in the review of the CBACP that the Council has resolved to undertake.
- Many submissions, in particular, sought reduction to the “threshold heights” identified in the LPP. Reduction in the threshold heights and/or introduction of more stringent requirements to exceed threshold heights would be likely to introduce inconsistency with the CBACP and is therefore beyond the capability of the LPP. A LPP which was inconsistent with the CBACP would not be valid.
- Minor modifications are proposed to the LPP in response to the advertising period in relation to staging of developments and delivery of benefits, references to lot size requirements for developments above the threshold height and treatment of road widening areas on roads other than Canning Highway. As outlined above, other matters raised during the public advertising process are beyond the scope of the LPP and would be taken into account in the upcoming review of the CBACP.
- Approval of the modified LPP is recommended.

BACKGROUND

Report P18/3793 CBACP – Council Request for Preparation of a Planning Policy (20 November 2018) outlines the opportunities and constraints associated with the use of a Local Planning Policy to guide the exercise of discretion relating to awarding of bonus height in the Canning Bridge precinct. In summary, a local planning policy is required to be consistent with the provisions of the CBACP. A local planning policy may elaborate on or provide additional clarification with respect to controls within the CBACP. Additional controls such as the introduction of height limits would be beyond the scope of a local planning policy. Additional controls, like height limits, would require preparation and consideration of an amendment to the CBACP itself. A review of the CBACP to examine matters including building heights is scheduled in 2019.

Report P18/3793 established that a LPP may seek to provide additional clarity on the intent of the CBACP with respect to built form and the relationship between the merit of community benefits/bonus items provided and the awarding of additional building height. On this basis a draft LPP was prepared. The Council at its meeting on 19 March 2019 considered the draft LPP and resolved to proceed with the Policy to enable advertising for public comment.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)*Summary of Draft LPP:*

The draft LPP presents provisions to guide the exercise of discretion with respect to the awarding of bonus height in the CBACP. It is noted that some of the initiatives propose the introduction of parameters in relation to the circumstances and amount of additional height which may be awarded. Whether or not these initiatives constrain or contradict the intention of the CBACP (and therefore whether or not they are allowable in a LPP) has been informed through legal advice. The key components of the draft LPP are outlined below:

Performance Criteria and Required Documentation:

Bonus Height may be awarded under the CBACP where an applicant has met all “Desired Outcomes” and suitably responded to Elements 21 and 22. The draft LPP proposes to introduce “performance criteria” to elaborate and expand upon what is expected by each of the sub elements of Element 21 and 22. A “statement of intent” is also introduced for each sub element to further clarify what is expected by the CBACP. The performance criteria and statement of intent for each of the sub elements, work together to provide additional ability to measure the merit of bonus items being proposed by an applicant. Importantly the performance criteria and required documentation focus on the need for the applicant to demonstrate that a particular bonus item is needed and that it will provide a genuine benefit to the community. Details will also be required in relation to ongoing management and maintenance of the proposed bonus item. With this understanding of how well a bonus item responds to the expectations of the CBACP, a more informed decision can be reached regarding the awarding of bonus height.

The performance criteria approach is supported through the identification of “required documentation” to be submitted by an applicant in order to receive an assessment for bonus height. The LPP identifies specific documentation and justifications required to be demonstrated by an applicant to qualify for consideration of bonus height. The approach places the onus on the applicant to demonstrate that the requirements to achieve bonus height have been met, and also adds further rigour to the assessment process.

Identification of Limit to Bonus Height “Threshold Height”:

The LPP proposes introducing a guideline to a limit on bonus height in the M10 and M15 zones. While the CBACP does not set an upper limit on the bonus height that may be approved, the CBACP establishes a desired scale and built form for the centre through its content. The desired scale and built form is defined via a hierarchy of building heights identified across the H4, H8, M10 and M15 Zones. Desired Outcome 3, also seeks to ensure the interface between these Zones is appropriately managed. While each proposal for bonus height will be considered on its merits, generally any proposal for a height which is more than 50% greater than the DO3 requirement in the M10 zone and 66⅔% greater than the DO3 requirement in the M15 Zone is considered potentially to be inconsistent with the building height hierarchy and desired built form envisaged by the CABAP. In this regard the, the maximum bonus heights contemplated by the Policy are:

- M10 Zone 15 storeys/48 metres; and
- M15 Zone 25 storeys/80 metres

As noted above, the CBACP does not set an upper limit on bonus height that may be approved in M10 and M15 and accordingly a Local Planning Policy is not able to introduce an absolute height limit. However, where a proposal seeks consideration of building heights greater than the maximum bonus heights contemplated by this Policy it will be expected that the proposal will demonstrate a substantially greater response to key provisions of the CBACP including Elements 21 and 22 as well as an exceeding of the CBACP stated Desired

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

Outcomes. The location and characteristics of the site will also be a factor in determining the compatibility of the proposed height with the intended scale and built form for the Centre.

Accordingly, the draft Policy identifies additional pre-requisites to be responded to where an application seeks consideration of bonus height above the identified limits. These additional requirements (for a development to exceed 15 storeys in M10 and 25 storeys in M15) identified in the draft Policy include the following:

6 Star Green Star

The proposed development seeking height bonuses above identified limits is required to meet or exceed a 6 Star Green Star design rating under the Green Building Council of Australia. This requirement is more stringent than the 5 Star rating currently required under Element 21 of the CBACP. The 6 star rating is the highest star rating in the Green Building Council rating system and corresponds to “World Leadership” in terms of the performance of a building with respect to sustainability, environmental impact and innovation. In comparison 4 stars represents “best practice” and 5 stars represents “Australian Excellence”. Achievement of a 6 star Green Star Design rating is considered an appropriate response where an applicant seeks additional bonus height beyond the maximum bonus height envisaged by the Policy. The additional Green Star rating will demonstrate the expected standards in terms of sustainability and mitigation of environmental impacts associated with a request for building height above the identified limits to bonus height.

Response to Element 22 Sub Elements

The CBACP requires applications seeking bonus height to respond to four sub elements listed under Element 22 (Community Benefits). The draft Policy proposes that where building height is proposed greater than the identified limits to bonus height (that is, above 15 storeys in M10 and above 25 storeys in M15) the proposed development would need to respond to and achieve the requirements of at least six of the sub elements listed under Element 22. The requirement is intended to secure a greater response in terms of number and diversity of community benefits achieved. As with all Element 21 and 22 items the merits of the bonus items would be subject to assessment under the performance criteria proposed to be included in the draft Policy.

Exceeding of Desired Outcomes

The CBACP includes a number of core provisions or standards known as Desired Outcomes. Many of these Desired Outcomes identify a basic minimum standard to be achieved. Other Desired Outcomes relate to requirements that can be achieved or exceeded. As a further tool to measure the merit of a particular proposal, the draft Policy requires an applicant seeking building height above the identified limits to bonus height (that is, above 15 storeys in M10 and above 25 storeys in M15) to demonstrate that the requirements of relevant Desired Outcomes have not just been achieved, but have been exceeded. The draft Policy identifies performance criteria to assist the assessment of the extent to which the applicable Desired Outcomes has been exceeded.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)*Compatibility with Height Hierarchy*

The CBACP, in particular Desired Outcome 3, identifies a desired scale and built form for the Centre. The principles include the establishment of a building height hierarchy and a need to appropriately manage the interface between various Zones in that hierarchy. Under the draft LPP buildings proposing height above the identified height thresholds will be required to demonstrate compatibility with the established building height hierarchy. In particular taller buildings will need to demonstrate that they are on sites which achieve a substantial separation distance from any boundary with a lower height Zone.

Minimum Lot Sizes

Larger development sites generally have greater opportunity to accommodate taller buildings and to incorporate design measures to mitigate potential impacts on amenity. Accordingly, the draft LPP seeks larger minimum site areas where a proposal involves height above the identified threshold:

M10 Zone - 3000m² (2000m² under standard bonus provisions)

M15 Zone - 4500m² (2600m² under standard bonus provisions)

A copy of Local Planning Policy LPP1.18 Canning Bridge Activity Centre Plan - Bonus Building Height Provisions, included recommended modifications (shown in track changes) is attached.

[3810 LPP1.18 Canning Bridge Activity Centre Plan - Bonus Building Height Provisions](#)**DETAIL**

Public advertising of draft LPP 1.18 commenced on 1 April 2019 with a closing date for submission of 7 May 2019. Advertising of the invitation to comment included;

- a mail out to all owners and occupiers in the CBACP precinct.
- Notices in the Melville Times
- Website and social media content.

A total of 194 submissions were received. Copies of the submissions (identifying details redacted) have been provided as an attachment to this item. A summary of the key content of submissions is provided below. Approximately 70 percent of submissions raise concerns that the height controls in the Canning Bridge precinct are not sufficiently restrictive. It is noted that the bulk of these issues relate to building height controls contained within the CBACP which are not able to be modified by the LPP. Of these submissions approximately five percent provide comment specifically on matters which are able to be responded to by the Policy. Approximately 25 percent of submissions express concerns that the LPP policy provisions are too restrictive in relation to building height. Approximately five percent of submissions support the proposed LPP.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

3810 Submissions Received (Personal Details Redacted)

As outlined in the “Background” section above, the draft LPP includes provisions to provide additional clarity and to guide the exercise of discretion with respect to the awarding of bonus height in the CBACP. The LPP achieves this through key mechanisms in particular:

- Performance Assessment: - clarification of the intent of the CBACP and the identification of performance criteria to assess the merit of proposed bonus items and guiding of proportional translation to the awarding of bonus height.
- Identification of Threshold Heights: - identification of maximum limits to bonus height envisaged under the CBACP and further identification of substantially more stringent measures should an applicant seek to exceed these threshold heights.

Summary of Key Issues Raised in Submissions:

Summary of Submission Content - Submissions Seeking Additional Restriction on Building Height	
Item	Comment
Building Heights Should be Capped At 10 and 15 storeys in M10 and M15 respectively (as this was what was understood to be the intent of the CBACP)	The CBACP provides for the awarding of bonus height and it is not open to a LPP to restrict this opportunity. Height controls along these lines would require an amendment to the CBACP. It is noted that a wider review of the CBACP is scheduled to commence in 2019 and will focus on desirable built form and awarding of bonus height.
Threshold Heights of 15 storeys and 25 storeys in M10 and M15 respectively are too generous should be reduced to a lesser amount such as 20% above the base heights	The threshold heights have been identified to reflect maximum heights envisaged under the bonus provision of the CBACP. As the CBACP does not have absolute height limits the LPP is also required to maintain the opportunity for taller buildings to be accommodated in exceptional circumstances and where additional requirements are demonstrated. A more restrictive/lower threshold height would present a conflict with what is already allowed and envisaged by the CABCP. A LPP is not able to override the planning framework contained within a higher order instrument such as the CBACP. Legal advice supports the interpretation that introduction of a more restrictive threshold height in the LPP would jeopardise the validity of the LPP in the decision making process. Introduction of more stringent height controls would require an amendment to the CBACP itself. A wider review of the CBACP is scheduled in 2019 and will focus on desirable built form and awarding of bonus height.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

<p>LPP does not address the issue of calculating the merit/value of bonus items provided and how this can be accurately/consistently translated into additional building height.</p>	<p>The LPP responds to the issue of proportionality between bonus items provided and the amount of bonus building height in two ways. Firstly the threshold height approach establishes that development seeking height above the identified threshold will be required to demonstrate a substantially greater response in terms of design and community benefit. Secondly, the LPP introduces <i>performance criteria</i> and <i>required documentation</i> which will assist in assessing the value/merit of bonus items (as well as promoting a higher standard of response to bonus items), which in turn will guide the proportionality relationship between the extent of any bonus height awarded. Key challenges are present in the assessment of bonus height in the CBACP given that bonus height is awarded based on “storeys”. Under this arrangement it is difficult to establish an “exchange rate” that can interpret the “value” of bonus items provided and how that may be translated into the awarding of bonus building height. Introducing measures to clarify this “exchange rate” are beyond the scope of a LPP and would require amendment to the CBACP. The review of the CBACP will explore options which consider metrics such as floor space, lot size and potentially land value in examining enhancements to the process for awarding bonuses.</p>
<p>The Threshold Height concept will effectively introduce a new base height for development that will be viewed by developers as the new norm.</p>	<p>The LPP identifies the threshold heights as the maximum height envisaged by the CBACP. Any development above the M10 and M15 base heights would continue to be required to meet the CBACP requirements of Elements 21 and 22. The introduction of performance criteria and required documents though the LPP also increases the assessment rigour for development seeking bonus height. Whilst developers may view the threshold heights as an aspirational target when working towards achieving bonus height, the LPP ensures that threshold heights would not function as a new base height.</p>

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

<p>LPP does not address issues of infrastructure capacity and impacts on traffic and parking</p>	<p>Introduction of Performance Criteria in the LPP provide additional focus on the need for an applicant to demonstrate that additional floor space will not have adverse impact in relation to traffic generation and infrastructure capacity (LPP responses under Elements 21.4.3 and 21.4.4 refer). It is noted that many submissions raised general concerns about infrastructure capacity, particularly concerns regarding traffic congestion. Understanding of traffic and infrastructure impacts and capacity under the development scenarios envisaged by the CBACP was central to the preparation of the Plan. The LPP provides additional clarity in relation to the need for an applicant to demonstrate that traffic and infrastructure impacts are appropriately addressed where additional building height is proposed. Further response on infrastructure, traffic and parking would be beyond the scope of the LPP. The review of the CBACP will further explore these matters, revisiting the relationship between potential built form outcomes and associated impacts on infrastructure, traffic and parking. A review will also revisit options to fund provision of required infrastructure.</p>
<p>All development up to base heights should be required to meet the design excellence and community benefit standards, not just developments seeking bonus height.</p>	<p>Through the Desired Outcomes the CBACP requires a high standard of design for all development within the precinct. The CBACP however is clear that additional requirements (as outlined under Elements 21 and 22) are only applicable where bonus height is sought. The LPP is required to retain consistency with the CBCAP. It would not be open for the LPP to require the types of design measures identified in Elements 21 and 22 to apply to all development.</p>

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

<p>Inclusion of Road Widening land in site area and community benefit considerations</p>	<p>Submissions received included comment that road widening land should not be included in site area calculations. The CBACP specifically provides for this in relation to Canning Highway so it is not open for the LPP to vary that interpretation. Further comment has been received in relation to whether road widening on land adjacent to roads other than Canning Highway should be considered in terms of site area and/or community benefits. The draft LPP seeks to clarify that it would be open to a decision maker to allow road widening provisions of the CBACP to apply to road widening on roads other than Canning Highway. The draft wording in the LPP is however too specific and presents an inconsistency with the wording in the CBACP. A modification to the LPP is recommended to clarify that consideration of inclusion of road widening in site area and/or community benefit provisions is open to the decision maker through the general exercise of discretion on a due regard document (the CBACP). Greater clarity will be included in the review of the CBACP.</p>
<p>Elements 21 and 22 of the CBACP are not stringent enough and should be made more demanding via the Policy</p>	<p>The LPP is required to maintain consistency with the content of the CBACP. The LPP provides additional clarity as to what is expected in terms of compliance with the bonus height provisions and establishes a threshold height over which significantly more onerous pre-requisites apply. It is not open for the LPP to vary content of the CBACP such as Elements 21 and 22. These matters would be examined as part of the proposed review of the CBACP.</p>

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

<p>What is the justification for the threshold heights of 15 storeys in M10 and 25 storeys in M15?</p>	<p>The CBACP establishes a height hierarchy through its various zones – H4, H8, M10 and M15. Within M10 and M15 the CBACP has no overall height limit. Having regard to this hierarchy and the identification of the base heights in M10 and M15, together with the content of the Desired Outcome DO3 in the CBACP, it is established that a height up to 15 storeys (additional 50%) in the M10 zone would maintain consistency with the intent of the CBACP. The M15 zone holds additional capacity for building height. Having regard to the established height hierarchy, intended outcomes of the CBACP and current development approvals, a threshold height of 25 storeys (additional 66.67%) is identified in the LPP.</p>
<p>Criteria relating to assessment of exemplary design are too subjective</p>	<p>Assessment of whether or not a proposal achieves exemplary design does include an element of subjectivity. The CBACP together with the LPP however secure a range of objective measures to ensure consistent evaluation. Assessment of exemplary design is informed through the evaluation by an independent Design Advisory Group which comprises appropriate qualified design professionals. The LPP proposes additional rigour to the assessment process requiring the Design Advisory Group to adhere to the Design Principles as outlined in the Design Review Guide associated with State Planning Policy 7 – Design of the Built Environment.</p>
<p>The LPP doesn't go far enough. A wider review of the CBACP is required.</p>	<p>The Council has resolved to review the CBACP focusing on built form, height controls and stakeholder engagement. The review is scheduled to commence in 2019.</p>

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

Summary of Submission Content - Submissions Seeking Less Restriction on Building Height	
Item	Comment
Achievement of Green Star 6 rating is too onerous particular for residential development and will effectively cap development at the threshold heights.	It is recognised that 6 Star Green Star is particularly difficult standard to achieve. There are currently no 6 Star rated residential apartment buildings in Western Australia and very few nationally. Notwithstanding these challenges it is considered reasonable for the LPP to seek such a high standard of development in exchange for development above the identified threshold height. Opportunity to review the full suite of bonus height pre-requisites would present during the wider review of the CBACP.
Threshold height concept will stifle innovation, result in shorter wider buildings and constrain optimal development in the CBACP	Initial feedback from some developers in response to the challenges to exceed identified threshold building heights is that they will scale back their building height aspirations to the threshold height, and seek to maintain building yield/feasibility through built form that is potentially on a wider footprint. The threshold heights have been identified as the maximum order of building height envisaged by the CBACP. Accordingly, achievement of development proposals seeking to approaching or reach the threshold height is seen to be in keeping with the CBACP. Buildings seeking height bonuses up the threshold height would also be subject to the exemplary design standards required by Element 21 and exemplary design and innovation would continue to be incentivised through the assessment proposal. Issues of building bulk, setbacks, solar access and view corridors etc will also still be regulated through the assessment .of exemplary design. The review of the CBACP will further explore these matters, and will have the ability to consider other bonus height and built form assessment models that are currently beyond the scope of the LPP.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

<p>Reference to Threshold Heights in metres provides insufficient floor to ceiling height to accommodate good design.</p>	<p>As a reference point heights in metres were identified alongside the height in storeys for each of the threshold heights. The heights referred to (average floor to ceiling height of 3.2 metres) reflects the average floor to ceiling heights in Element 3 of the CBACP. Submission received indicate that the reference to heights in metres associated with the M10 threshold of 15 storeys and the M15 threshold of 25 storeys may present some conflict with good design particularly in relation to providing for higher ceilings on ground floors, accommodating swimming pools in the building configuration and providing for additional building plant in ceiling spaces - often needed for sustainability infrastructure. Notwithstanding these concerns it is recommended that the identified heights in metres (relating to 15 and 25 storeys) maintain consistency with the floor to ceiling heights reflected in the CBACP. In these circumstances a modification to the LPP is not considered warranted. Given the 'due regard' nature of the CBACP (and the LPP) it would remain open for an applicant to demonstrate to a decision maker that a proposed building that met the identified threshold height in storeys, but exceeded the identified height in metres should be approved.</p>
<p>Required documentation identified to be submitted with development applications is excessive/onerous.</p>	<p>The LPP introduces detailed performance criteria to measure whether or not a development meets required outcomes. The LPP also identifies required documentation to ensure that an applicant has submitted an appropriate level of justification to demonstrate that the identified outcomes have been met. For some performance criteria this document includes the need to submit specialist data or expert opinion (such as demonstration of satisfactory wind impacts on proposed public spaces). Submission of the level of information identified in the required documentation is considered reasonable for development of this scale and significance, particularly as the provisions apply where applicants are seeking bonus height above the 10 or 15 storey base heights.</p>

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

<p>Minimum lot sizes for development above threshold are too onerous and will result in bulkier buildings with larger floor plates</p>	<p>The LPP seeks minimum lot sizes of 3,000m² in M10 and 4,500m² in M15 as part of the package of pre-requisites for development above the threshold heights. The intent is to ensure that taller buildings are located on larger lots that have better ability to mitigate amenity impacts and accommodate design initiatives. Concerns regarding bulkier buildings are considered to be offset by the design opportunities and in any event would be regulated through the exemplary design assessment. It is noted that a modification is required to wording of the minimum height requirements to identify them as a desired, rather than mandatory standard.</p>
<p>Need to response to 6 sub elements of Element 22 for development above threshold heights is too onerous.</p>	<p>The threshold heights have been identified as the maximum order of building height envisaged by the CBACP. Development in excess of the identified threshold would need to be exceptional in terms of design quality and level of community benefit provided. The proposal to require achievement of six community benefit items under Element 22 (as opposed to four under the threshold height) is considered a reasonable pre-requisite in keeping with the magnitude of bonus height being sought.</p>

Summary of Submission Content - Submissions in Support of Policy	
Item	Comment
Policy provides additional clarity in relation to approval of bonus height	Noted
Policy supports continued growth and vibrancy in the centre whilst incentivising high quality buildings, good design and an interesting skyline.	Noted
Policy supports additional population and activation into the precinct. Facilitates new businesses, restaurants and allow more people to enjoy the area.	Noted

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)**Proposed Modifications to the LPP**

As a result of the public advertising period and ongoing review of the draft LPP content a series of modifications are proposed:

Staged Developments:

A modification to the LPP is proposed to provide additional clarification that for developments that are proposed to be staged or have potential to be staged, that the extent and merit of exemplary design and community benefit provided at each stage is proportional to the amount of bonus sought in that stage.

Threshold Height Introductory Wording:

The LPP introductory wording to the threshold height concept inadvertently suggests that buildings on the threshold height of 15 storeys in M10 and 25 storeys in M15 would in fact exceed the intended threshold. Wording is recommended to be changed to clarify that it is buildings above 15 and 25 storeys, in M10 and M15 respectively that would be required to meet the additional requirements.

Reference to Building Threshold Height in Metres:

It has been demonstrated that the reference to 15 storeys/48 metres and 25 storeys/80 metres in describing the threshold heights presents difficulties in achieving desirable floor to ceiling heights. The average 3.2 metre per floor figures used as a reference point in regulating the expected height associated with the identified number of storeys have potential to constrain building design. Additional space per floor enables design enhancements such as achieving additional flexibility for ground level land uses, inclusion of swimming pools at amenities levels and accommodation of sustainable building plant options in ceiling spaces. An average figure of 3.5 metres per floor removes this constraint. Accordingly an adjustment to the references to the building heights for 15 and 25 storeys of 53 metres and 88 metres is recommended.

Lot Size Capability:

The LPP identifies the following minimum site areas for development that exceeds the threshold heights:

M10 Zone - 3000m²

M15 Zone - 4500m²

The LPP wording indicates that developments *must* meet these site areas as part of the pre-requisites to enable development above the threshold heights. On review of legal advice it is recognised that in the context of the prevailing CBACP, that it is not open for the LPP to mandate these site area requirements through the use of the word *must*. Instead, noting the role of the LPP as a guide to the exercise of discretion it is recommended that the word “must” be replaced with the word “should” in relation to the achievement of the identified site areas.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)*Clarity in Relation to Site Area and Road Widening:*

Parts of the LPP relating to Elements 21.2, 21.3 and 22.1.10 seek to provide clarification that it would be open for the decision maker to consider the land required for road widening purposes to be included for site area or community benefit purposes on roads other than Canning Highway subject to the land being ceded free of charge. The wording used in the draft LPP, however, is not consistent with the wording in the CBACP given that it seeks to specifically state that road widenings on roads other than Canning Highway can be considered relative to Elements 21.2, 21.3 and 22.1.10. Upon review of legal advice it is apparent that a modification of the LPP is appropriate to still provide clarity that Elements 21.2, 21.3 and 22.1.10 may apply to road widenings on roads other than Canning Highway. However, this would be achieved by highlighting that it is open to the decision maker to exercise discretion in deciding whether road widening adjacent to land on roads other than Canning Highway is considered as site area and/or is viewed as a community benefit.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

Under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* the City of Melville must advertise the proposed policy in the local newspaper for a minimum of 21 days. These requirements were met. Additional communication was undertaken via the City's website and mail-out to landowners, and occupants in the CBACP area.

II. OTHER AGENCIES / CONSULTANTS

City Officers have liaised with Officers at the Department of Planning Land and Heritage and City of South Perth regarding the content of the LPP. Formal input from these stakeholders is not required. Engagement has been to inform these stakeholders of the approach being proposed.

STATUTORY AND LEGAL IMPLICATIONS

The process for adoption of a Local Planning Policy is being progressed in accordance with the Deemed Provisions of *Planning and Development (Local Planning Schemes) Regulations 2015*. These procedural requirements have been followed. Should the LPP be adopted, it shall take effect upon the publishing of an advice notice in a local newspaper.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

As described throughout this report the proposed LPP is a lesser order planning instrument to the CBACP and is required to be consistent with the Activity Centre Plan. The LPP aims to provide additional clarity on the intent of the CBACP but is not able to constrain or modify the intent of the CBACP. Modification to the intent of the CBACP would require an amendment to the CBACP. A review of the CBACP itself is scheduled to commence in 2019. In this regard the LPP is an interim step to provide additional clarity in relation to the CBACP building height approval processes in a timely manner, given that an amendment to the CBACP is a more lengthy process. Proposed further modification to the LPP is likely to require legal review to establish if consistency with the CBACP is maintained.

FINANCIAL IMPLICATIONS

Not Applicable

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The CBACP aligns with the City’s strategic goals and responds in particular to Priority 3 of the Corporate Plan:

“Urban development creates changes in amenity (positive and negative) which are not well understood”.

Under Priority 3 from the Corporate Business Plan key strategies are:

1. Facilitate higher density development in strategic locations, consistent with the local planning framework and structure plans, design guidelines for interface areas and ensure measured change in established areas and consideration of parking and traffic issues
2. Enhance amenity and vibrancy and enhancing community safety through streetscapes, public art, pedestrian and cycle paths, place making and creating well-designed, attractive public spaces.

The City’s Local Planning Strategy seeks to provide for greater intensity of development within activity centres and along key transport corridors and to leave suburban residential areas relatively unchanged.

Risk Statement	Level of Risk	Risk Mitigation Strategy
Perceived lack of clarity experienced by various stakeholders (Elected Members, community, landowners, developers) as to how provisions of CBACP should be interpreted	Moderate consequences which are possible, resulting in a Medium level of risk	The proposed LPP provides an interim measure to provide additional clarity in relation to the operation of the CBACP. The Council has also resolved to proceed with a review of the CBACP to examine a wider range of matters that are beyond the scope of the LPP.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

Risk Statement	Level of Risk	Risk Mitigation Strategy
Preparation of Policy and/or amendment to CBACP provisions creates uncertainty and results in a loss of confidence for development industry with consequential reduced interest in development	Moderate consequences which are possible, resulting in a Medium level of risk	The proposed LPP provides an interim measure to provide additional clarity in relation to the operation of the CBACP. The Council has also resolved to proceed with a review of the CBACP to examine a wider range of matters that are beyond the scope of the LPP. The review process is intended to include extensive stakeholder engagement to respond to issues and ensure understanding of proposed measures.

POLICY IMPLICATIONS

This item presents a draft LPP for consideration for adoption by the Council in response to an earlier resolution. There are no implications in relation to other Council policies.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council is requested to consider adopting a proposed LPP. The Council may seek to modify the content of the proposed LPP. Any modified content would need to ensure that the Policy maintains consistency with the CBACP. Modifications such as reducing the “threshold heights” and/or making the pre-requisites to achieve bonus height above the threshold too onerous are likely to be incompatible with the content of the CBACP and would likely render the LPP invalid. Modified content may require further legal input to review this issue of whether the modified LPP retains consistency with the CBACP. Significant modification to the LPP may also require a further public advertising period.

The Council may choose to not proceed with the draft LPP. It is noted that the LPP has been prepared as an interim option to add clarity to the existing CBACP bonus height process ahead of a review of the CBACP itself. The LPP is not able to respond to many of the concerns raised during the advertising period for the LPP. In these circumstances the Council may choose not to progress the LPP but instead seek to respond to issues through the review of the CBACP.

A further alternative is to adopt the proposed LPP, to provide immediate additional control on building height, but with a direction for certain matters in the LPP to be subject to further investigation/consideration. The results of the further investigations would then be re-presented to the Council, potentially with options to consider further modification to the LPP.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)**CONCLUSION**

LPP 1.18 provides additional clarity on the intended built form outcomes anticipated by the CBACP and the relationship between the merit of community benefits/bonus items and the awarding of additional building height. Preparation of the LPP included exploration of a number of initiatives to provide a high level of guidance to the exercise of discretion in relation to awarding of building height. The LPP content is constrained in that it is required to maintain consistency with the higher order planning instrument being the CBACP. Legal advice has informed the content of the LPP to ensure it is workable having regard to the direction and content of the CBACP.

As emphasised throughout this report LPP 1.18 is an interim response to provide additional clarity and rigour with respect to the assessment and awarding of bonus building height. Many of the concerns regarding the building height controls in the Canning Bridge precinct are not able to be responded to in the LPP as they relate to existing provisions in the CBACP. A wider review of the CBACP is scheduled for 2019 and will have the capacity to examine and potentially respond to these concerns.

It is recommended that Local Planning Policy 1.18 Canning Bridge Activity Centre Plan - Bonus Building Height Provisions be approved by the Council with the identified modifications. The LPP would have effect upon publishing of a notice in a local newspaper.

OFFICER RECOMMENDATION (3810)**APPROVAL**

At 7:44pm Cr Macphail moved, seconded Cr Wieland –

That the Council:

1. Pursuant to Schedule 2 Part 2 Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to proceed with and approve the proposed Local Planning Policy LPP 1.18 Canning Bridge Activity Centre Plan - Bonus Building Height Provisions with the identified modifications relating to:
 - a) Additional controls to ensure proportionality between community benefit/design excellence and bonus building height for each stage of a development
 - b) Clarification of threshold height description to establish that the additional requirements apply for building greater than 15 storeys in M10 and greater than 25 storeys in M15
 - c) Change of the word “must” to “should”, with respect to the achievement of site area requirements for development above the identified threshold heights
 - d) Changes to the provisions relating to road widening on roads other than Canning Highway to clarify that such consideration may occur utilising a general exercise of discretion.
2. Pursuant to Schedule 2 Part 2 Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to publish a newspaper notice of the approval of the Local Planning Policy LPP 1.18 Canning Bridge Activity Centre Plan - Bonus Building Height Provisions.

P19/3810 – ADOPTION OF LOCAL PLANNING POLICY CANNING BRIDGE ACTIVITY CENTRE – BONUS BUILDING HEIGHT PROVISIONS (REC) (ATTACHMENT)

Procedural Motion

At 7:44pm Cr Pazolli moved, seconded Cr Kepert -

That the Item P19/ 3810 – Adoption of Local Planning Policy – Canning Bridge Activity Centre- Bonus Height Provisions be deferred to the August 2019 Ordinary Meeting of Council.

At 7:51pm the Presiding Member submitted the motion, which was declared

CARRIED (7/5)

Vote Result Summary	
Yes	7
No	5

Vote Result Detailed	
Cr Barton	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Wheatland	Yes
Cr Woodall	Yes
Cr Barling	No
Cr Macphail	No
Cr Robartson	No
Cr Robins	No
Cr Wieland	No

At the time of deferral and pursuant to Clause 13.5 of the *City of Melville Meeting Procedures Local Law 2017* it is noted that no Elected Members had spoken for or against the officer recommendation.

At 7:46pm Mr L Hitchcock left the meeting, and returned at 7:48pm.

At 7:52pm the Deputy Major adjourned the meeting and vacated the Chair.

At 7:52pm Mr G Ponton left the meeting and did not return

At 7:52pm Mr J Rae left the meeting and did not return

At 7:52pm Mr P Prendergast left the meeting and did not return

At 7:52pm Mr J Hobbs left the meeting and did not return.

At 7:59 the Mayor assumed the Chair and resumed the meeting.

Disclosure of Interest

Member	Cr Mair
Type of Interest	Proximity Interest
Nature of Interest	Company owns property in Riseley Street Precinct
Request	Leave
Decision	Leave

CD19/8113 - PARKING MANAGEMENT RISELEY CENTRE (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	: P16-3688 Adoption of Parking Management Plans for the Canning Bridge and Riseley Centres. March 2016
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Brodie Dawkins Manager Neighbourhood Amenity

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"/>	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 & 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>

CD19/8113 - PARKING MANAGEMENT RISELEY CENTRE (REC)

KEY ISSUES / SUMMARY

- At the Ordinary Meeting of Council in March 2016 the Council adopted the Parking Management Plans for the Canning Bridge and Riseley Centres.
- The Parking Management Plans recommend 35 'Quick Wins', Short, Medium and Long Term Actions to improve parking management in the two centres.
- One medium term action (within two years of adoption) was the introduction of paid parking in all of Kearns Crescent, Ardross and the off-street parking at 41b Simpson Street, Ardross and 1 Willcock Street, Ardross.
- In the 2018-2019 Budget capital funds of \$90,000 were approved to implement this action (Parking Machines).
- Section 2.1 (1) of the City of Melville Parking Local Laws states 'The local government may constitute any land or structure as a parking station by resolution'.
- The Council is required to determine the fees and charges for the street parking and parking stations in accordance with Section 6.16 to 6.19 of the *Local Government Act 1995*.

BACKGROUND

At the Ordinary meeting of Council in March 2016 the Council adopted the Parking Management Plans for the Canning Bridge and Riseley Centres. The Parking Management Plans had various actions to implement over a five year period. One action in the Riseley Activity Centre was to introduce paid parking (on street) in all of Kearns Crescent, Ardross along with paid parking (off street) at 41b Simpson Street, Ardross and 1 Willcock Street Ardross.

1 Willcock Street Ardross



CD19/8113 - PARKING MANAGEMENT RISELEY CENTRE (REC)

41b Simpson Street Address



Kearns Crescent Address



There are 1,026 parking spaces in the Riseley Centre, with 310 (30%) being managed by the City and 716 (70%) managed privately by landowners or businesses. Most of the parking areas are therefore the responsibility of landowners/businesses, not the City.

CD19/8113 - PARKING MANAGEMENT RISELEY CENTRE (REC)

Within the Riseley Centre private property parking management currently includes wheel clamping, four hour parking, paid parking, staff parking only, and no restrictions or parking for particular businesses.

Currently the way the City manages parking in Kearns Crescent, Ardross is through two hour time limited parking. This means vehicles have to move within two hours or may be infringed. Enforcement of this is by 'chalking' tyres and coming back two hours later to see if the vehicle(s) are still there. This is an inefficient process and limits the time people can park there.

The off-street parking at 41b Simpson Street, Ardross and 1 Willcock Street, Ardross have no restrictions at all and therefore the parking is not being managed.

The Parking Management Plan recommends the introduction of paid parking in all of Kearns Crescent, Ardross and the off-street parking locations of 41b Simpson Street, Ardross and 1 Willcock Street, Ardross, with the first hour being free at all these locations.

The introduction of paid parking with the first hour being free is a more efficient way of managing parking, the customer no longer is restricted to two hour time restrictions and will allow people to park for longer periods, though pricing will mean there will be turnover. Longer term parking will be encouraged in off-street carparks through the use of lower pricing for all day rates.

DETAIL

Below is an extract relating to the Riseley centre from the Council adopted Parking Management Plans.

No.	Action	Rationale
Neighbourhood Amenity – Short Term Actions within Next 2 Years		
17	<p>a. Introduce paid parking with first hour free in high demand parking areas</p> <ul style="list-style-type: none"> i. Kearns Crescent (all) ii. 90 degree parking bays on Fletcher Street north of Canning Hwy (parallel bays at north end of Fletcher St to remain free with 4hr limit) iii. 41 Simpson Street iv. 1 Willcock Street v. Riseley Street (if/when bays are installed) <p>b. Remove time limits from the above paid parking areas</p>	<ul style="list-style-type: none"> • Paid parking becomes necessary where other management techniques are not sufficient to manage parking demand, often in 'prime' parking areas. • The locations identified are 'prime' parking bays, with good access to adjacent businesses. Paid parking will ensure that: <ul style="list-style-type: none"> ○ Short term parking is prioritised with the first hour free. This promotes a higher turnover of bays. ○ Long term parking, particularly staff parking, is dis-incentivised. ○ Enforcement is made easier • Remove time restrictions (e.g. 2 hour limit) wherever paid parking is currently in place as it will provide more flexibility for parkers

Currently 41b Simpson Street Ardross and 1 Willcock Street Ardross are not designated as 'Parking Stations'. Section 2.1 (1) of the City of Melville Parking Local Laws states 'The Local Government may constitute any land or structure as a parking station by resolution'. This report is seeking Council support to designate these locations as parking stations.

CD19/8113 - PARKING MANAGEMENT RISELEY CENTRE (REC)

There are currently no fees charged for parking on Kearns Crescent Ardross, 41b Simpson Street Ardross or 1 Willcock Street Ardross and this report seeks Council support to approve the proposed fees in accordance with Section 6.16 to 6.19 of the *Local Government Act 1995*.

The proposed fees are;

- 1 Willcock Street and 41b Simpson Street - First hour free, each hour after that \$1.70 per hour and a all day fee of \$8.50 (8:00am – 6:00pm).
- Kearns Crescent, Ardross – First hour free, each hour after that being \$2.20 per hour between 8:00am – 6:00pm

All the parking machines will be solar powered with no connection to mains power. Pay-by-Phone (EasyPark) will also enable a paperless transaction through the use of a mobile phone app. Over 1,600 transactions a month are currently made using this payment method.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

The level of communication in accordance with the Stakeholder Engagement Policy CP-002 for this item is to “inform” the community as engagement had occurred prior to the adoption by the Council of the Parking Management Plans for Canning Bridge and Riseley centres. This item is implementing the Council’s approved plan.

STATUTORY AND LEGAL IMPLICATIONS

Section 2.1 (1) of the City of Melville Parking Local Laws states ‘The local government may constitute any land or structure as a parking station by resolution’.

The Council is required to determine the fees and charges for the street parking and parking stations in accordance with Section 6.16 to 6.19 of the *Local Government Act 1995*.

Advertising is required in accordance with the provisions of the section 6.19 of the *Local Government Act 1995*.

FINANCIAL IMPLICATIONS

The amount of \$90,000 has been approved in the 2018-2019 Budget to implement paid parking in the Riseley Centre.

CD19/8113 - PARKING MANAGEMENT RISELEY CENTRE (REC)

The annual operational costs are \$5,280 for the additional communications and support for the new machines.

It is difficult to accurately project the estimated income, though through examining other paid parking areas in the Canning Bridge precinct Officers estimate anticipated income for Kearns Crescent, Ardross to be \$18,000. The two off-street carparks estimated income generation is \$20,000.

The reasons why it is difficult to accurately estimate income is due to there being other areas within the centre where parking is free or time restricted or limited to staff and customers of certain businesses. The City will have a better understanding (data) once paid parking is implemented for a six month period.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
As a result of the introduction of paid parking in the areas managed by the City this may cause increased parking on local streets further away.	Moderate consequences which are possible, resulting in a medium level of risk	With the removal of the two hours time restrictions customer/staff can park as long as they wish with on-street and off-street parking being first hour free and all-day parking rates available to users of the area.

POLICY IMPLICATIONS

There is no Council Policy that relates to this item.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

This item is implementing the approved Parking Management Plans for the Canning Bridge and Riseley Centres. The capital 2018-2019 budget was approved by the Council to purchase and install the parking machines. This Report seeks Council's approval to designate two parcels of land as parking stations and to approve the proposed fees and charges, which include Council's previous support of the first hour being free.

CONCLUSION

As mentioned earlier in this report, only 30% (310) of available parking spaces are managed by the City, the remaining 716 bays (70%) within the Riseley Centre being private property parking managed in various forms including wheel clamping, four hour time restricted parking, paid parking, staff parking only, and no restrictions or parking for particular businesses.

CD19/8113 - PARKING MANAGEMENT RISELEY CENTRE (REC)

The City seeks to improve parking management and encourage businesses and landowners to also address the parking issue. The Parking Management Plans adopted at the Ordinary Meeting of Council in March 2016 contained 35 'Quick Win', Short, Medium and Long Term Actions to improve parking management in the two centres.

The introduction of paid parking (with the first hour being free) within the Riseley precinct is one of the medium term actions the Council endorsed. However 716 car parking bays (70% of all available bays) are managed privately by landowners or businesses. It is considered that paid parking is more effective than the alternatives in achieving higher turnovers of car parking bays in prime locations.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8113) APPROVAL**That the Council:**

- 1. By Absolute Majority Decision approves parking fees of first hour free with subsequent hours \$1.70 per hour and \$8.50 all day between the hours of 8:00am – 6:00pm for 41b Simpson Street Ardross and 1 Willcock Street Ardross.**
- 2. Approves parking fees of first hour free with subsequent hours being charged at the rate of \$2.20 per hour between the hours of 8:00am – 6:00pm for on-street parking on Kearns Crescent Ardross.**
- 3. Designates 41b Simpson Street Ardross and 1 Willcock Street Ardross to be established as Parking Stations Number 28 and 29 respectively and that the provisions of the Parking Local Law 2016, of the City of Melville apply to these car parks.**

At 8.55pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

Disclosure of Interest

Member	Mayor Aubrey
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Patron of Palmyra RUFC and Melville Cricket Club
Request	Stay, Discuss and Vote
Decision	Stay, Discuss and Vote

CD19/8114 – TOMPKINS PARK REVIEW (REC)

Ward	: Bicton - Attadale – Alfred Cove
Category	: Strategic
Subject Index	: Tompkins Park
Customer Index	: City of Melville
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Item 16.2 Review of Redevelopment of Tompkins Park Facility from Ordinary Meeting of Council 2019
Works Programme	: Not Applicable
Funding	: \$100,000 requested
Responsible Officer	: Christine Young Director Community Development

AUTHORITY / DISCRETION

DEFINITION

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

CD19/8114 - TOMPKINS PARK REVIEW (REC)**KEY ISSUES / SUMMARY**

- This Report seeks Council's support for funds to implement the Council Resolution to review the redevelopment options relating to the Tompkins Park facility.
- Funds are required to cover estimated costs for design work, quantity surveying input and matters related to the review of the facility,
- Further consideration of the Resolution also involves the current Development Application (DA) and the agreement by Elected Members to defer the application, based on Officer's advice, subject to confirmation from the Department of Planning Heritage and Lands (DPLH) and the Western Australian Planning Commission (WAPC).

BACKGROUND

At the Ordinary Meeting of the Council on Tuesday 21 May 2019 the Council resolved as follows:

COUNCIL RESOLUTION

At 8:07pm Cr Pazolli moved, seconded Cr Kepert –

That Council requests the Chief Executive Officer to:

1. **Put on hold the further implementation of the redevelopment of the Tompkins Park facility pending a review by Council of redevelopment options and community requirements for the Tompkins Park facility.**
2. **Facilitate and arrange workshops and/or EMIS meetings for Council to consider the community requirements and redevelopment options including appropriate community consultation for the Tompkins Park facility as an input into the following review of the Tompkins Park facility.**
3. **Undertake a review of options for the redevelopment of the Tompkins Park facility taking into consideration and addressing:**
 - **the change in circumstances resulting from the Surf Wave Park Ground Lease should it not proceed;**
 - **the refusal of the Melville Bowls Club to shift to a new Tompkins Park Bowls facility;**
 - **the reduction in the numbers of Mt Pleasant Bowls Club members likely to join in a new Tompkins Park Bowls facility;**
 - **the financial status of the Mt Pleasant Bowls Club;**
 - **the financial status of the Tompkins Park Community and Recreational Association;**

CD19/8114 - TOMPKINS PARK REVIEW (REC)

- **the financial sustainability of a re-organised Tompkins Park Community and Recreational Association with and without a Function Centre and/or café business;**
 - **the requirements for additional public open space and Dunkley Ave storm flood mitigation;**
 - **any other relevant considerations.**
- 4. Provide a report to Council on the results of the review of the Tompkins Park facility for Council approval before any further work proceeds.**

At 9:26pm the Mayor submitted the motion, which was declared.

CARRIED (7/6)

DETAIL

For the City to implement the Resolution regarding the review outlined above, funds are required for redesign of the Tompkins Park facility to inform development options. Specifically these funds are required for architectural fees, quantity surveyors, and associated consultant costs.

\$938,000 has been spent to date on the Tompkins Park Redevelopment project. These costs have been for architectural design, quantity surveyors, other external consultants and internal project management. Further costs have been incurred associated with officers time involved in various meetings and consultation with key stakeholders since 2016.

There is still funding available in the Project budget, however given the recent Resolution for a review of the project officers will require up to \$100,000 to be spent to properly investigate and cost the options including redesign costs.

It is planned that Elected Members will be involved in the determination of Principles that will guide the decision making relating to the review of the Tompkins Park facility design through a facilitated workshop using an external facilitator.

Once determined, the Principles will guide a second workshop for Elected Members in understanding key elements to include or not include in the review of the original concept design. Once this is determined the detailed design that the City already has completed will be used to develop options and redesign.

All Sporting Clubs involved in the review, including the Melville Bowling Club, will be part of the associated engagement process. To date representatives from the Tompkins Park Community and Recreational Association, the Melville Cricket Club, the Palmyra Rugby Union Club, Perth Saints Football Club, and the Mt Pleasant Bowling Club have been involved in the design of requirements for the redevelopment of the facility.

This information will then form part of the requested Council Report regarding the review of the redevelopment of Tompkins Park.

CD19/8114 - TOMPKINS PARK REVIEW (REC)

Other considerations with this Resolution include the matter of the development application lodged with the Department of Planning Lands and Heritage (DPLH). The land is reserved as a regional reservation under the MRS for Parks and Recreation. The City as proponent for the Tompkins Park development, lodged the development application to the DPLH under delegated authority of the Chief Executive Officer. The DPLH subsequently referred the details of the DA back to the City in the City's capacity as Local Planning Authority. The City was required to provide its comments to the DPLH by 31st May 2019. The DPLH as decision maker on the DA have also referred the details of the DA to Main Roads WA, and the Department of Conservation, Biodiversity and Attractions (DBCA).

In accordance with the Resolution of Council however, and further to the discussions that took place at the Elected Members Information Session held on 28 May 2019, the process to formally place on hold the DA that is currently with the DPLH has been initiated. It is proposed that the matter be deferred for a period of six months in the first instance to enable the work associated in meeting the requirements expressed in the Council Resolution to be undertaken and a report back to Council provided. In that context there will be no further work undertaken to progress the Tompkins Park re-development as was proposed by the current (now deferred) DA. This includes the referral request under the Metropolitan Region Scheme that was provided to the City by the DPLH on 1st May 2019 in respect of that DA. Attention is drawn to Part 2 of the recommendation of this report which formally records the deferral of the DA.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

Appropriate stakeholder engagement would occur with the Review of Tompkins Park redevelopment.

II. OTHER AGENCIES / CONSULTANTS

Consultation has occurred with the Department of Planning Lands and Heritage and the Department of Conservation, Biodiversity and Attractions in relation to the DA process.

STATUTORY AND LEGAL IMPLICATIONS

There are no Statutory and Legal implications related to this Item

CD19/8114 - TOMPKINS PARK REVIEW (REC)

FINANCIAL IMPLICATIONS

An amount of up to \$100,000 would be required to fund the implementation of the requested Review. It is proposed to use the existing project budget to cover these costs.

Due to the impact of uncertainty relating to this project, delays to the project, and impacts anticipated through the transition and construction periods at the Tompkins Park facility funds have been listed on the 2019-2020 Council Budget to support the Tompkins Park Recreation and Sporting Association and Clubs.

These include a request from Mt Pleasant Bowls Club of an amount of up to \$60,000 to support their operations until such time that they would transition to the redeveloped facility. Now that the inclusion of a bowls facility in the redevelopment is to be reviewed this creates further uncertainty for this Club. The amount of \$60,000 is for the 2019-2020 period. Dependent on the outcome of the review this will either cause further financial challenges for this Club, or future requests until their transition to another facility.

An amount of up to \$100,000 has also been included to support the operations of the Tompkins Park Recreation and Sporting Association, and related Clubs, during the transition and/or construction period. The review also creates continued uncertainty for the Association and member Clubs and dependent on the outcome of the review may cause further financial challenges for the Association.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
The deferral of the current Development Application and the reconsideration of options in accordance with the Resolution of Council will incur additional project costs and will result in delays to the delivery of the project.	Moderate consequences which are likely, resulting in a High level of risk	Formal deferral of Development Application will act to mitigate further costs and delays with this process.

POLICY IMPLICATIONS

1. There is no Council Policy that relates to this item.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

An alternate option would be not to support the use of funds for the implementation of the Council Resolution to review the Tompkins Park redevelopment. This would seriously impact the implementation of the Resolution.

CD19/8114 - TOMPKINS PARK REVIEW (REC)**CONCLUSION**

To facilitate the implementation of the Resolution passed at the May Ordinary Meeting of the Council regarding the review of the Tompkins Park redevelopment, funds are required for redesigns to inform development options. Specifically funds are required for architectural fees, quantity surveyors, and associated consultant costs.

It is noted that the current Development Application regarding the redevelopment of Tompkins Park lodged with the Department of Planning Lands and Heritage is to be deferred pending the review of options and ultimate report back to Council.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8114) APPROVAL

At 8:10pm Cr Phelan moved, seconded Cr Macphail –

That the Council;

- 1. Supports funding of up to \$100,000 for the review of the Tompkins Park redevelopment which includes appropriate design, costings, and stakeholder engagement, to be allocated against Tompkins Park Redevelopment Account BCR02223.**
- 2. Notes the deferral of the Development Application.**
- 3. Notes that funding support has been requested in the 2019-2020 Budget for both Mount Pleasant Bowling Club and the Tompkins Park Community and Recreational Association.**
- 4. Notes and supports the review process as outlined in this report.**

At 8:16pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

**M19/5691 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)**

Ward	:	All
Category	:	Strategic
Subject Index	:	Delegated Authority
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	:	M18/5618 Review of City of Melville Delegated Authority Manual – Ordinary Meeting of Council 19 June 2018
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Jeff Clark Governance & Compliance Advisor

AUTHORITY / DISCRETION

DEFINITION

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

**M19/5691 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)****KEY ISSUES / SUMMARY**

This report seeks the Council's consideration in reviewing and adopting certain delegations of authority that permit officers to perform functions within a prescribed parameter.

BACKGROUND

The *Local Government Act 1995* (The Act) provides for the delegation of certain powers and duties to certain Committees (Sections 5.16 & 5.17) and the Chief Executive Officer (Sections 5.42 & 5.43). The Chief Executive Officer may, unless prohibited by the Council's instrument of delegation, further on-delegate powers and duties to employees (Section 5.44).

The Act also provides for a delegations register to be maintained and reviewed each financial year (Section 5.46). Council Officers have reviewed the delegations and this report requests the Council to consider and endorse the reviewed delegations as submitted by officers.

DETAIL

It is necessary to review all current delegations to ensure, in the first instance, that they are consistent with the legislation and secondly, that they are, still necessary. Although the provisions of the *Local Government Act 1995* do not affect delegations made under other legislation, it is also considered an appropriate time to review those delegations.

"Delegated Authority" refers only to those powers or duties required by legislation and are often referred to as statutory delegations. Generally, these delegated authorities will be made to the Chief Executive Officer who may then on-delegate to such person or persons as he feels appropriate.

[5691 Delegated Authority Manual](#) the City of Melville Delegated Authority Manual is attached. This attachment provides specific detail as to the extent of each delegation.

All Delegations have been reviewed by officers and suggestions have been included in Delegations for changes to descriptions and sub-delegations to or from positions. The review process was undertaken by all Directors and their suggestions have been noted on each Delegation.

It was apparent to officers that due to the extensive work on the Delegation Authority Manual over the past years, the main amendments recommended are fine tuning of the existing delegations. A listing of all Council Delegations is provided as an attachment with notes identifying any specific change to a delegation. [5691 Listing of Council Delegations](#)

**M19/5691 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)****Amendments to Delegations.**

There are instances where delegations have been amended to note the change of officer position titles; minor amendments have also been made to various Delegations to reflect changes to the enabling legislation as follows.

Delegation DA-007 Leasing/Licensing of Property - Include a provision for “hire agreements” within the delegation.

Delegation DA-020 Planning and Related Matters –Changes include: Inclusion of reference to Residential Design Codes Volume 1, Element Objectives and Acceptable Outcomes and references. Inclusion of ability to respond to minor administrative changes as required.

Delegation DA-033 Power to Invest – Title change Senior Management Accountant to Senior Accountant (Management).

Delegation DA-035 - Payment of Accounts from Municipal and Trust Funds - Title change Senior Management Accountant to Senior Accountant (Management).

Delegation DA-053 - Authorisation to Remove and Impound Goods - added Senior Ranger.

Delegation DA-054 - Sale and Disposal of Impounded and Confiscated Goods - added Senior Ranger.

Delegation DA-056 - Notices Dog Nuisance – added Senior Ranger.

Delegation DA-064 - Limited Short Term Commercial Activities on Reserves – Delegation not required as can be dealt with as an operational issue.

Delegation DA-084 - Local Laws relating to Residential Parking Permits – Added Senior Ranger.

Delegation DA-98 – Authorised Persons – Process Owner changed to Chief Executive Officer.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

No external public consultation has been carried out as these delegations are considered to be an internal matter requiring only the Council’s consideration

**M19/5691 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)****II. OTHER AGENCIES / CONSULTANTS**

The City of Melville Delegated Authority Manual has been modelled on the Department of Local Government's guidelines introduced in the February 2007. These guidelines were prepared in collaboration between Department of Local Government, Sport and Cultural Industries staff, McLeod's Barristers and Solicitors, and officers from various local governments including the City of Melville.

STATUTORY AND LEGAL IMPLICATIONS

The following are the key issues under the Act affecting delegated authority:

- Delegations (to Committees and the Chief Executive Officer) must be made by an absolute majority decision [s.5.16 (1) and s.5.42 (1)].
- Delegations (whether to Committees or the Chief Executive Officer) must be in writing, and may be general or as otherwise provided in the instrument of delegation [s.5.16(2), s.5.42(2) and s.5.44(2)].
- All Delegations will have effect for the period of time specified in the delegation, or if not specified, indefinitely. Any decision to amend or revoke a delegation must be by absolute majority [s.5.16 (3)].
- Any of the Council powers or duties under The Act can be delegated to a Committee comprising Council members only, EXCEPT any power or duty requiring absolute or special majority decisions; or any other power or duty as prescribed [s.5.17 (1)(a)].
- Delegations CANNOT be made to Committees comprised of "other persons" only [s.5.9 (2)(f)] (i.e. with no council members or employees). Following from this, delegations cannot be made to a committee comprised of employees only [such a committee cannot exist by virtue of s.5.9 (2)].

A Local Government may delegate to the Chief Executive Officer, by absolute majority, any of its powers or duties under the Act [s.5.42(1)], EXCEPT those identified in s.5.43 as listed below:

- (a) *any power or duty that requires an absolute or special majority decision or seventy five percent (75%) majority of the Local Government;*
- (b) *accepting a tender which exceeds an amount determined by the Local Government;*
- (c) *appointing of an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government;*
- (e) *any powers under s.5.98 (fees for Council Members), s.5.99 (annual fee for Council Members in lieu of fees for attending meetings), or s.5.100 (payments for certain Committee Members);*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in s9.5*

M19/5691 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)

- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the Local Government*
- (h) any power or duty requiring the approval of the Minister or the Governor;*
- (i) such other powers or duties as may be prescribed.*
 - *Any powers or duties which can be delegated to the Chief Executive Officer in accordance with s.5.42 and s.5.43, can be delegated to a Committee comprising Council members and employees [s.5.17(1)(b)]. Further, the Chief Executive Officer may delegate to any employee any of these powers or duties (other than the power of delegation) [s.5.44(1)]*
 - *Any powers or duties that are necessary or convenient for the proper management of the City of Melville's property or related to an event in which the City of Melville is involved, can be delegated to the following types of Committee:*
 - (i) comprised of council members, employees and other persons*
 - (ii) comprised of council members and other persons*
 - (iii) comprised of employees and other persons [s.5.17(1)(c)]*
 - *Registers must be kept of all Delegations made to Committees, the Chief Executive Officer and employees, and such Delegations are to be reviewed at least once every financial year. [s.5.18, s.5.46(1) & (2)]*
 - *The Chief Executive Officer and any other employee who has been delegated a power or duty under The Act is required to keep a written record of:*
 - (i) how and when the power was exercised or the duty discharged*
 - (ii) the persons or classes of persons directly affected (other than Council or Committee members, or employees) by the use of the delegation [s.5.46(3) and Reg. 19].*

FINANCIAL IMPLICATIONS

Should the Council choose not to delegate authority to its officers, additional financial cost will be incurred in the extra administrative resources that would need to be applied in order to prepare reports seeking authorisation for individual actions from the Council.

**M19/5691 - REVIEW OF CITY OF MELVILLE DELEGATED AUTHORITY MANUAL
(AMREC) (ATTACHMENTS)**

STRATEGIC, ENVIRONMENT AND RISK MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
An issue arises that requires urgent attention of officers to ensure public safety.	Moderate consequences which are almost certain, resulting in a High level of risk.	Implementation of delegation of power to authorise officers to enter site to make a situation safe.
That officers exercise a delegation that results in a decision being made that is contrary to the wishes of the Council	Moderate consequences which are unlikely resulting in a Medium level of risk.	Clear Council policy is established to guide delegated officers/committees in the exercise of the delegation.

POLICY IMPLICATIONS

A number of Council policies adopted by the Council have enabling delegation to the Chief Executive Officer who in turn may on-delegate to other appointed officers.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

All delegations are subject to the discretion of the Council and can be removed at any time. The Council may choose to remove delegations which in turn will then require formal consideration of relevant matters or items at the next available meeting of the Council.

Should delegations to officers not be granted, customers would experience increased delay in obtaining approvals and authorisations.

CONCLUSION

It is important to note that major decisions or actions made under delegation are as a matter of procedure referred on to Elected Members for their information. In addition whilst many decisions may be procedural, circumstances may make a decision contentious and therefore may be referred onto the Council for formal decision despite the enabling delegation

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5691)
ABSOLUTE MAJORITY**

At 8:17pm Cr Phelan moved, seconded Cr Robins–

That the Council by Absolute Majority decision adopts the amended City of Melville Delegated Authority Manual as attached [5691 Delegated Authority Manual](#)

At 8:17pm the Mayor submitted the motion, which was declared
CARRIED BY ABSOLUTE MAJORITY (13/0)

M19/5000 – 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 Advisor

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 & 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	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 24 April 2019 up to and including 28 May 2019 for the Council's noting.

M19/5000 – 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

Register Reference	Parties	Description	ECM Reference
CS2101	City of Melville & The Bowmen of Melville Archery Club	Management Licence - The Bowmen of Melville due to commence on 1 July 2019 and expire 30 June 2024	4997363
CS2102	City of Melville & Amalgamated Melville Homing Club	Management licence - Amalgamated Melville Homing Club. A portion of John Connell Reserve, for five years commencing on 1 July 2019 and expiring 30 June 2024.	4997360
CS2114	City of Melville and St John Ambulance	Agreement – 35 Marcus Avenue Booragoon, for five years commencing on 1 September 2019 and expiring on 31 August 2024	5067214
CS2117	City of Melville and McLeods Barristers and Solicitors	Withdrawal of Caveat - Transfer of Community Benefit Lot for Cirque	DA-2015-659
CS2120	City of Melville and Stannard Investments Pty Ltd	Notification 70A for Lot 9 (607) Canning Highway, Alfred Cove	DA-2019-333
CS2122	City of Melville and Urbnsurf	Deed of Release – Ground Lease for Wave Park Surf Sports Recreation and Leisure Facility	5162982

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

M19/5000 – COMMON SEAL REGISTER (REC)**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 contract advised above.

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 Elected Members' 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 24 April 2019 up to and including 28 May 2019.

At 8:55pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)**KEY ISSUES / SUMMARY**

- The 2019-2020 Budget document (including the Schedule of Fees and Charges for 2019-2020) is presented for consideration and adoption by the Council.
- When compared to the 2018-2019 adopted budget, the 2019-2020 draft budget results in an increase in total operating (including general rates) revenue of \$3,877,845, a decrease in operating expenditure exclusive of non-cash amounts of \$260,608 and an increase in net capital expenditure of \$4,138,453.
- The general rates yield in 2019-2020 is proposed to increase by \$1,760,708 or (2%) when compared to the 2018-2019 adopted budget which is made up of an increase in the rate in the \$ of Gross Rental Value (GRV) of 1.1% plus growth in the valuation base due to property development of 0.9%.
- Specific underground power service charges will also be raised from ratepayers within the defined project area to fund the Alfred Cove East underground power project being undertaken by Western Power.

BACKGROUND

The City of Melville is required to prepare an Annual Budget in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*. The purpose of an Annual Budget, in simplistic terms, is to outline the various revenue and expenditure streams and the required rating levels to achieve a balanced and sustainable financial position.

The 2019-2020 Draft Budget (Budget) has been prepared based on direction provided by the Long Term Financial Plan, a recent revision of the Long Term Financial Model and Council resolutions taken during the past year.

DETAIL

The City of Melville commenced its formal Budget preparation in February 2019. Inputs into the budget formulation process included:

- Budget responsible officers and the Operational and Executive Management Teams;
- Feedback and direction received from the Council arising out of Elected Member Information Sessions and Corporate and Long Term Financial Planning processes, or any specific requests arising from resolutions of the Council during the 2018-2019 financial year.

The Budget presented to the Council has been balanced to ensure that operating (excluding non-cash expenditure such as depreciation) and capital expenditure and funds set aside in specific purpose reserve accounts (Reserves) is matched by operating and capital income and funds used from Reserves, with the resulting amount being the "Amount Required to be Raised from Rates".

C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)

The balanced position has been achieved whilst maintaining service and asset maintenance levels, and increasing the amount spent on improving the City's assets.

Key aspects of the Budget are as follows:-

- The 2019-2020 Annual Budget does not include opening funds.
- The General Rates income is higher by \$1.8m when compared to the 2018-2019 adopted budget. This is due to a 1.1% increase applied to the rate in the dollar and 0.9% as a result of growth in the valuation base due to property development. The composition of the rate yield remains consistent to previous years with approximately 80% relating to Residential properties and 20% relating to Commercial and Industrial properties.
- The rates income associated with the growth in the valuation base, amounting to approximately \$732k, has been set aside in the Future Works Reserve with the intention of improving the City's financial capacity to fund future new and upgrade costs of Buildings and Infrastructure Assets.
- Operating revenue excluding rates, increased by \$2.1m or 7% from \$30.1m in 2018-2019 to \$32.1m in 2019-2020. Key items within operating revenue are grant funding identified for the Food Organics and Garden Organics (FOGO) implementation and the impact from changes to the accounting treatment for volunteer services the estimated value of which is now required to be recognised as revenue.
- Operating expenditure, excluding non-cash amounts has decreased by \$260k. Key items within operating expenditure are costs identified for the FOGO implementation, cash calls in relation to the Alfred Cove East and Melville North underground power projects, and special projects including Urban Planning, local government elections and asset valuation.
- Net capital expenditure from investing activities has increased by \$37.8m. Significant amounts relate to funding for the New Library and Cultural Centre and costs associated with capital investments in Land and Buildings and Infrastructure Assets. The amount of 2019-2020 rate revenue allocated to or set aside for capital works remains consistent with previous years. The amount required for capital works renewals is determined by detailed asset management plans.
- Net capital income from financing activities has increased by \$33.7m. The key factor for this increase is the higher utilisation of the Land and Property reserve funds. Due to the complexity and size of the projects associated with the reserve funds used, the cash flow impact is expected to take effect over several financial periods commencing 2019-2020. Actual transfers from Reserve Funds will be undertaken when the cash outflow on the projects occurs.

C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)

The Budget Book [5688A June 2019](#) outlines key information including:

- The Budget Certification
- A Budget Overview;
- The Budget set out in the “Statutory” format as per legislation and regulations including:-
 - Rate Setting Statement by Program and Sub-program
 - Statements of Comprehensive Income by Nature & Type and by Program
 - Statement of Cash Flows
 - Statement of Financial Position
 - Statement of Changes in Equity
- Extensive notes to and forming part of the Budget including details of cash backed specific purpose reserve accounts, detailed rating information and information on other charges such as the Property Surveillance and Security Service levy, Underground Power etc.
- The Schedule of Fees and Charges for 2019-2020

Attachment [5688B June 2019](#) provides a Ratepayer Profile for the City. There are no major changes to the Ratepayer Profile compared to last year.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

A notice of intention to impose differential rates was advertised in the Melville Times on Tuesday, 21 May 2019 and the public comment period (minimum of 21 days) ends on Wednesday 12 June 2019. Should any public comments be received they will be reported to the Council at the meeting.

Whilst no other specific public consultation has taken place in regards to the 2019-2020 Budget, community consultation has occurred for a number of the major projects identified within the budget document.

II. OTHER AGENCIES / CONSULTANTS

- Department of Fire and Emergency Services with respect to the Emergency Services Levy;
- Landgate (The Valuer General) in relation to the Gross Rental Valuations used as a basis for calculation of Municipal General Rates;
- Public Utilities Office (formerly known as Office of Energy) and Western Power with respect to Underground Power Projects.
- Southern Metropolitan Regional Council (SMRC) in relation to the recycling, composting, green waste and residual waste disposal operations run by them on behalf of the City and three other local authorities.

C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)**STATUTORY AND LEGAL IMPLICATIONS***Local Government Act 1995*

1.3. Content and intent

Section 1.3 (3) In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity.

3.1. General function

(1) The general function of a local government is to provide for the good government of persons in its district.

Divisions 5 and 6 of the *Local Government Act 1995* refer to the setting of budgets and the raising of rates and charges and fees and charges.

The 2019-2020 Budget as presented meets these statutory obligations.

FINANCIAL IMPLICATIONS

Specific financial implications are as detailed in the attached 2019-2020 budget document.

The Budget has been achieved without resorting to external loan borrowings to fund any operating or capital programs.

Implications for City of Melville ratepayers will include:-

1. Various increases in the levels of user fees and charges as detailed in the 2019-2020 Fees and Charges Schedule;
2. An increase of 1.1% in the residential general improved rate in the dollar from 6.436998 cents (2018-2019) in the dollar of gross rental value to 6.507805 cents in the dollar in 2019-2020. An increase of 1.1% in the minimum rate from \$1,269.47 to \$1,283.43;
3. An increase of 1.1% in the residential unimproved rate in the dollar from 7.250847 cents (2018-2019) in the dollar of gross rental value to 7.330606 cents in the dollar in 2019-2020 reflecting a 12.64% differential to the residential rate in the dollar. An increase of 1.1% in the minimum rate from \$809.72 to \$818.63.

C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)**Financial Implications (cont.)**

4. As a result of the increases to the residential rates in the dollar and growth in the rateable properties valuation base on which rates are calculated, the rate yield from residential properties has increased by \$1.4m or 2%, of which \$624k is due to growth in the valuation base. The additional revenue resulting from the growth in the valuation base has been set aside in the Future Works Reserve with the intention of improving the City's financial capacity to fund future new and upgrade costs of Buildings and Infrastructure Assets. Residential rates represents 79.5% of total rates raised;
5. An increase of 1.1% in the commercial/industrial rate in the dollar from 7.277950 cents (2018-2019) in the dollar of gross rental value to 7.358007 cents in the dollar in 2019-2020, reflecting a 13.06% differential to the residential rate in the dollar. An increase of 1.1% in the minimum rate increasing from \$984.78 to \$995.61.
6. As a result of the increases to the Commercial/Industrial rates in the dollar, the rate yield from Commercial/Industrial properties has increased by \$306k or 1.7%, of which \$108k is due to growth in the rates base. The additional revenue resulting from the growth in the valuation base has been set aside in the Future Works Reserve with the intention of improving the City's financial capacity to fund future new and upgrade costs of Buildings and Infrastructure Assets. Commercial/Industrial rates represents 20.5% of total rates raised;
7. At the time of balancing the budget, significant reductions in waste disposal costs have been considered. Should significant price increases in relation to waste disposal occur subsequent to adoption of the budget, then an adjustment to the City's budget would be required at the time of the 2019-2020 Mid Year Budget Review. The waste services budgets also incorporate substantial costs associated with the initial implementation of FOGO.
8. Particular emphasis has been placed on reviewing the fee structure used to apportion the cost of the underground power programs among residents in the respective project areas. Feedback from residents in 2018-2019 indicated that a review of the impact of these charges on those properties in high density areas was necessary. The charges detailed below reflect the City's response to this feedback.

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****Financial Implications (cont.)**

9. Underground Power Network Service Charges to recover the estimated cost of cash calls in the 2019-2020 financial year for the Alfred Cove East Underground Power project area;
 - a. Up to 4 dwellings \$2,964.00 (per dwelling)
 - b. 5-15 dwellings \$2,095.00 (per dwelling)
 - c. 16+ dwellings \$1,442.30 (per dwelling)

10. Underground Power Network Connection Charges to recover the estimated cost of cash calls in the 2019-2020 financial year for the Alfred Cove East Underground Power project area;

Full Network Connection
 - a. Up to 4 dwellings \$1,185.00 (per dwelling)
 - b. 5-15 dwellings \$ 890.00 (per dwelling)
 - c. 16+ dwellings \$ 665.00 (per dwelling)
Modified Network Connection
 - a. Up to 4 dwellings \$ 890.00 (per dwelling)
 - b. 5-15 dwellings \$ 665.00 (per dwelling)
 - c. 16+ dwellings \$ 500.00 (per dwelling)

Concessions amounting to approximately \$ 104,256 are to be applied to 72 properties that are impacted by the retention of high voltage overhead power lines in certain areas of the Alfred Cove Underground Power Project.

11. The Property Surveillance and Security Service Charge has increased from \$56.40 to \$57.00;
12. The Swimming Pool Inspection Fee will remain at \$49.00 per annum;
13. The administration charge for payment by instalments has increased from \$17.25 to \$17.50 being a 1.4% increase;
14. Maintaining a late payment penalty interest charge of 8%;
15. Maintaining an instalment interest charge of 4%;
16. Maintaining the Credit/Debit Card Surcharge Fee which is used to offset bank fees associated with payments made using the credit card network, by ratepayers at 0.60%.

C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)

Financial Implications (cont.)

17. Payment methods available to ratepayers include;
 - a. Direct debit – ratepayers need to contact the City of Melville to set up a direct debit payment. Direct debit can be set up as weekly, fortnightly, monthly, yearly, standard instalments or ad-hoc payment dates
 - b. Payment at any Australia Post Office
 - c. Post Bill Pay, BPay and BPayview
 - d. In person at City of Melville Civic Centre
 - e. Online at melvillecity.com.au using Visa, MasterCard or American Express
 - f. By phone 1300 880 716 using Visa, MasterCard or American Express

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Insufficient budget funding achieved to carry out works and services and maintain the City's assets.	Major consequences which are almost certain, resulting in a High level of risk.	Ensure sound Financial policy positions are adopted by Council and that the consequences of insufficiently funding the City's operations are well understood.
Funding is directed towards areas of expenditure that are not a priority of the Community and Council or required to address a Technical or Statutory requirement.	Minor consequences which might occur at some stage, resulting in a Medium level of risk.	Ensure budget development process is sound and subject to independent review by all Managers, Finance and the Council to ensure funding requests are directed at meeting the Community Plan and Corporate Plan objectives.

POLICY IMPLICATIONS

The budget has been developed on the principles outlined in the Council's policies

- CP-008 Financial Sustainability – Forward Financial Planning and Funding Allocation Policy,
- CP-024 Borrowings and Asset Financing Policy
- CP-031 Asset Management Policy and
- CP-091 Elected Members Allowances and Expenses.

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council may choose to adopt a rate increase of greater or less than the recommended amounts. However, in doing so it would need to identify which Operating Programs it wishes to see amended or what Capital Works it wishes to be added to or does not wish to proceed with. In regards to the renewal component of the Capital Works Program, reductions in the quantum of the program are likely to result in a deferment of expenditure to future years at an increased cost and a further exacerbation of the City's asset management deferred liability. In order to be sustainable in the longer term the City should maintain and improve the level of asset refurbishment and renewal funding that will enable it to refurbish and renew its assets when the need arises.

The projects presented to the Council for funding are considered to be priority projects. There are however many more that are also worthy of funding that could be suggested for inclusion should others be removed.

Prudent financial management practices take into account the needs of current and future generations and support the need to build reasonable levels of cash backed specific purpose reserves to enable it to do so. The City is faced with many cost increases that exceed the increase in its revenue. These cost increases are absorbed by implementing cost saving measures in a manner that does not reduce service levels. These types of savings are often referred to as efficiency dividends.

Reductions in the level of rate increase, whilst possible using short term measures such as deferment of asset maintenance or renewal, are not recommended as this simply creates a greater financial burden for future generations. Such action would also be a departure from Council Policy CP-008 and the good governance provisions of the *Local Government Act 1995* referred to earlier in this report.

An increase or decrease of 1% of rates equates to approximately \$889,000.

CONCLUSION

In accordance with the principles expressed in the Long Term Financial Plan and relevant Council Policies, the 2019-2020 Budget has been drafted with a long term view of the needs of the City and its residents in mind.

The level of the rate in the \$ increase of 1.1% matches the level of annual increase in the Perth CPI from March 2018 to March 2019 and is considered reasonable at this time.

The additional revenue achieved through growth in the valuation base on which rates are calculated has not been used to fund additional operating expenditure but has been set aside to address the long term financial needs of the City.

The Budget Papers for 2019-2020 form part of the Attachments to the Agenda, which was distributed to the Members of the Council 31 May 2019. [Attachment 5688A June 2019](#)

In accordance with Section 6.2 of the Act the 2019-2020 budget is recommended to the Council for adoption by Absolute Majority Decision.

C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)**1. BUDGET ADOPTION AND ASSOCIATED RESOLUTIONS****COMMENT**

Before proceeding to the recommendations with respect to the 2019-2020 Budget, it is appropriate to identify requirements of the *Local Government Act 1995* in regard to the Budget process.

The following matters require a decision by Absolute Majority:

- Adoption of the Annual Budget
- Granting of discount or other incentives for early payment
- Granting of any concessions on rates
- Setting the penalty interest rates on outstanding debts
- Imposing any fees or charges for goods or services other than a service for which a service charge is imposed
- Imposing the General Rate and Differential Rates on rateable land in the district
- Imposing a service charge e.g. Property Surveillance and Security Services and Underground Power network and connection charges.

The *Local Government Act 1995* enables service charges to be imposed equally across assessments including non-rateable properties for the purpose of property surveillance, security service and underground electricity.

The Act also outlines procedures by which a local government can impose differential rates. Section 6.36 of the Act requires that all local governments, which impose differential rates or a differential minimum, must give prior notice of its intention and invite submissions from electors and ratepayers. Consideration of all submissions is then to be undertaken. The Act requires that information regarding differential rates be included with the Rate Notice detailing all rates imposed, together with a summary of the Objects and Reasons for those rates.

A Notice of Intention to Impose Differential Rates was advertised in the Melville Times newspaper on Tuesday, 21 May 2019. The 21 day submission period closes on Wednesday, 12 June 2019 with no submissions having been received by the date of distribution of this report. Any submission subsequent to that date will be notified to the Council at or prior to the Council meeting to be held on 18 June 2019.

Unless amended by the Council, the proposed rates in the dollar and minimum rates for Residential Improved properties for 2019-2020 will be 6.507805 cents in the \$ of Gross Rental Valuation (GRV) (2018-2019 6.436998 cents) with a minimum rate of \$1,283.43 (2018-2019 \$1,269.47).

The proposed rates in the dollar and minimum rates for all Residential Unimproved Land will be 7.330606 cents in the \$ of GRV (2018-2019 7.250847 cents) with a minimum rate of \$818.63 (2018-2019 \$809.72).

The proposed differential rate for all Commercial/Industrial properties in 2019-2020 is 7.358007 cents in the \$ of GRV (2018-2019 7.277950 cents) with a minimum rate of \$995.61. (2018-2019 \$984.78). Note this applies to all improved and unimproved Commercial/Industrial Land.

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.1 Ratepayer Profile**

The Ratepayer Profile which shows rating outcomes for different property types forms part of the Attachments to the Agenda, which was distributed to the Members of the Council on Friday, 31 May 2019. Attachment [5688B June 2019](#)

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688) NOTING

At 8:17pm Cr Macphail moved, seconded Cr Robartson –

That the 2019-2020 Ratepayer Profile as detailed in Attachment [5688B June 2019](#) be noted.

At 8:51pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

1.2 Adoption of 2019-2020 Budget and Setting of 2019-2020 Rates and Charges**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION(5688)
ABSOLUTE MAJORITY APPROVAL**

At 8:18pm Cr Wieland moved, seconded Cr Barling –

- 1) That by Absolute Majority Decision of the Council the 2019-2020 Municipal Fund Budget as detailed in Attachment [5688A June 2019](#) be adopted.
- 2) That by Absolute Majority Decision of the Council the following general rates applicable to the 2019-2020 financial year i.e. for the period 1 July 2019 to 30 June 2020, be adopted:
 - a. All Improved Residential Land
6.507805 cents in the dollar of gross rental value applicable to each property, residence, unit, strata, location or other residential property subject to a minimum rate of \$1,283.43 per assessment;
 - b. All Unimproved Residential Land
7.330606 cents in the dollar of gross rental values applicable to each property, location or other piece of land subject to a minimum rate of \$818.63 per lot;

noting that Residential Land includes general residential, duplex, multi-unit, residential strata properties and properties owned by the Department of Housing.

- c. All Commercial/Industrial Land including Strata Storage Units
7.358007 cents in the dollar of gross rental values applicable to each assessment, lot, location, strata, or other piece of land subject to a minimum rate of \$995.61 per assessment;

noting that Commercial/Industrial land includes general industrial, commercial including retail, professional and office uses, service station, hotel / tavern, TAB and hospitals.

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.2 Adoption of 2019-2020 Budget and Setting of 2019-2020 Rates and Charges
(Continued)**

- 3) That by Absolute Majority Decision of the Council
- a. Properties included in the Alfred Cove East Underground Power Project Area shall be charged a Network Service Charge per dwelling as described below.
- | | |
|----------------------|---------------------------|
| i. Up to 4 dwellings | \$2,964.00 (per dwelling) |
| ii. 5-15 dwellings | \$2,095.00 (per dwelling) |
| iii. 16+ dwellings | \$1,442.30 (per dwelling) |
- 4) That by Absolute Majority Decision of the Council
- a. Properties included in the Alfred Cove East Underground Power Project Area shall be charged a Network Connection Charge per dwelling as described below.
- Full Network Connection**
- | | |
|----------------------|---------------------------|
| i. Up to 4 dwellings | \$1,185.00 (per dwelling) |
| ii. 5-15 dwellings | \$ 890.00 (per dwelling) |
| iii. 16+ dwellings | \$ 665.00 (per dwelling) |
- Modified Network Connection**
- | | |
|----------------------|--------------------------|
| i. Up to 4 dwellings | \$ 890.00 (per dwelling) |
| ii. 5-15 dwellings | \$ 665.00 (per dwelling) |
| iii. 16+ dwellings | \$ 500.00 (per dwelling) |
- 5) That by Absolute Majority Decision of the Council the following general rates concessions for the 2019-2020 financial year, be adopted:
- a. Strata storage units. Appropriately zoned and used strata titled storage units of 18m² or smaller, granted a concession of \$497.80 each, it being noted that the value of this concession is approximately \$28,375.
- b. Melville Glades Golf Club. 100% concession from general rates, it being noted that the value of this concession amounts to approximately \$10,575.
- 6) That by Absolute Majority Decision of the Council, a service charge concession of \$1,448.00 per property (33% concession) for the 2019-2020 financial year, (it being noted that the total value of this concession is approximately \$104,256), be adopted, to apply to 72 properties where the above ground high voltage transmission lines will be retained along Kitchener Road, Alfred Cove and not removed on the completion of the Alfred Cove East underground power project, due to regional power supply operational requirements.

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.2 Adoption of 2019-2020 Budget and Setting of 2019-2020 Rates and Charges
(Continued)**

- 7) That by Absolute Majority Decision of the Council the following refuse waste charges be adopted, for the 2019-2020 financial year where these services are charged via the City of Melville rates system/notice:

A) Additional Residential Rateable

- a. \$341.00 per annum for each additional City of Melville approved domestic waste bin when emptied at the same time as the standard weekly domestic waste collection;
- b. \$131.70 per annum for each additional City of Melville approved recycling bin service when emptied at the same time as the standard domestic recycling collection;
- c. \$200.00 per annum for each additional FOGO 240L bin or General Rubbish 140L bin on implementation of the Food Organics and Garden Organics 3 bin programme.

Note: - additional waste or recycling bin services includes the collection and disposal of the additional City of Melville approved bins from the kerbside during the normal domestic collection round.

B) Residential Non Rateable Properties Waste and Recycling

- a. \$470.80 per annum for each Non-Rateable (Residential) for one standard removal and disposal of waste in a City of Melville approved waste bin;

Note: - Standard removal includes the collection and disposal of City of Melville approved bins from the kerbside or other City of Melville approved collection locations during the normal domestic collection round.

C) Commercial and Non-Rateable (Non-Residential) Properties Waste Service

- a. \$617.90 per annum for one standard removal and disposal of waste in a City of Melville approved waste bin;

Note:- a standard commercial and non-rateable service includes the once a week removal and disposal of refuse in a City of Melville approved waste bin from the kerbside or other City of Melville approved collection locations;

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.2 Adoption of 2019-2020 Budget and Setting of 2019-2020 Rates and Charges
(Continued)****D) Bulk Refuse Collection and Disposal**

- a. \$28.60 per service – one bin of 660 litre capacity (GST inclusive).
- b. \$40.40 per service – one bin of 1,100 litre capacity (GST inclusive).

Note:- a service is rendered each time a bin is emptied.

E) Commercial and Non Rateable Recycling Services

- a. \$605.80 per annum for a once a week collection recycling bin service provided to commercial and non-rateable properties for one City of Melville approved recycling bin emptied on a weekly basis.
- b. \$26.00 per service – one bin of 660 litre capacity (GST inclusive).
- c. \$34.20 per service – one bin of 1,100 litre capacity (GST inclusive).

Note:- a service is rendered each time a bin is emptied.

8) Swimming Pool Inspection Fee

That by Absolute Majority Decision of the Council a Swimming Pool Inspection Fee of \$49.00 for the 2019-2020 year be adopted.

Note:- The Swimming Pool Inspection Fee is charged in each year of the four yearly inspection cycle. Should the total revenue raised exceed the actual total costs of conducting all pool inspections in any one year the surplus is transferred to a restricted reserve account and used to offset the costs of inspections in the following year's budget.

9) Property Surveillance and Security Service Charge

That by Absolute Majority Decision of the Council a Property Surveillance and Security Charge of \$57.00 for the 2019-2020 year be adopted.

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)**

Amendment

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

That the Council requests the CEO adjust the 2019-2020 Budget to remove the \$60,000 funding support for the Mt Pleasant Bowls Club.

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

LOST (2/11)

Vote Result Summary	
Yes	2
No	11

Vote Result Detailed	
Cr Barton	Yes
Cr Pazolli	Yes
Cr Barling	No
Cr Kepert	No
Cr Macphail	No
Cr Mair	No
Cr Phelan	No
Cr Robartson	No
Cr Robins	No
Cr Wheatland	No
Cr Wieland	No
Cr Woodall	No
Mayor	No

At 8:32pm The Mayor, in accordance with s10.7 (Preservation of Order – members of the public) of *City of Melville Meetings Procedures Local Law 2017*, requested that a member of the public gallery leave the meeting. The member of the public left.

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688)
ABSOLUTE MAJORITY APPROVAL**

At 8:18pm Cr Wieland moved, seconded Cr Barling –

- 1) That by Absolute Majority Decision of the Council the 2019-2020 Municipal Fund Budget as detailed in Attachment [5688A June 2019](#) be adopted.
- 2) That by Absolute Majority Decision of the Council the following general rates applicable to the 2019-2020 financial year i.e. for the period 1 July 2019 to 30 June 2020, be adopted:

- a. All Improved Residential Land

6.507805 cents in the dollar of gross rental value applicable to each property, residence, unit, strata, location or other residential property subject to a minimum rate of \$1,283.43 per assessment;

- b. All Unimproved Residential Land

7.330606 cents in the dollar of gross rental values applicable to each property, location or other piece of land subject to a minimum rate of \$818.63 per lot;

noting that Residential Land includes general residential, duplex, multi-unit, residential strata properties and properties owned by the Department of Housing.

- c. All Commercial/Industrial Land including Strata Storage Units 7.358007 cents in the dollar of gross rental values applicable to each assessment, lot, location, strata, or other piece of land subject to a minimum rate of \$995.61 per assessment;

noting that Commercial/Industrial land includes general industrial, commercial including retail, professional and office uses, service station, hotel / tavern, TAB and hospitals.

- 3) That by Absolute Majority Decision of the Council

- a. Properties included in the Alfred Cove East Underground Power Project Area shall be charged a Network Service Charge per dwelling as described below.

iv. Up to 4 dwellings	\$2,964.00 (per dwelling)
v. 5-15 dwellings	\$2,095.00 (per dwelling)
vi. 16+ dwellings	\$1,442.30 (per dwelling)

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.2 Adoption of 2019-2020 Budget and Setting of 2019-2020 Rates and Charges
(Continued)****4) That by Absolute Majority Decision of the Council**

- a. Properties included in the Alfred Cove East Underground Power Project Area shall be charged a Network Connection Charge per dwelling as described below.**

Full Network Connection

iv. Up to 4 dwellings	\$1,185.00 (per dwelling)
v. 5-15 dwellings	\$ 890.00 (per dwelling)
vi. 16+ dwellings	\$ 665.00 (per dwelling)

Modified Network Connection

iv. Up to 4 dwellings	\$ 890.00 (per dwelling)
v. 5-15 dwellings	\$ 665.00 (per dwelling)
vi. 16+ dwellings	\$ 500.00 (per dwelling)

- 5) That by Absolute Majority Decision of the Council the following general rates concessions for the 2019-2020 financial year, be adopted:**
- a. Strata storage units. Appropriately zoned and used strata titled storage units of 18m² or smaller, granted a concession of \$497.80 each, it being noted that the value of this concession is approximately \$28,375.**
- b. Melville Glades Golf Club. 100% concession from general rates, it being noted that the value of this concession amounts to approximately \$10,575.**
- 6) That by Absolute Majority Decision of the Council, a service charge concession of \$1,448.00 per property (33% concession) for the 2019-2020 financial year, (it being noted that the total value of this concession is approximately \$104,256), be adopted, to apply to 72 properties where the above ground high voltage transmission lines will be retained along Kitchener Road, Alfred Cove and not removed on the completion of the Alfred Cove East underground power project, due to regional power supply operational requirements.**
- 7) That by Absolute Majority Decision of the Council the following refuse waste charges be adopted, for the 2019-2020 financial year where these services are charged via the City of Melville rates system/notice:**

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.2 Adoption of 2019-2020 Budget and Setting of 2019-2020 Rates and Charges
(Continued)****A) Additional Residential Rateable**

- a. \$341.00 per annum for each additional City of Melville approved domestic waste bin when emptied at the same time as the standard weekly domestic waste collection;
- b. \$131.70 per annum for each additional City of Melville approved recycling bin service when emptied at the same time as the standard domestic recycling collection;
- c. \$200.00 per annum for each additional FOGO 240L bin or General Rubbish 140L bin on implementation of the Food Organics and Garden Organics 3 bin programme.

Note: - additional waste or recycling bin services includes the collection and disposal of the additional City of Melville approved bins from the kerbside during the normal domestic collection round.

B) Residential Non Rateable Properties Waste and Recycling

- a. \$470.80 per annum for each Non-Rateable (Residential) for one standard removal and disposal of waste in a City of Melville approved waste bin;

Note: - Standard removal includes the collection and disposal of City of Melville approved bins from the kerbside or other City of Melville approved collection locations during the normal domestic collection round.

C) Commercial and Non-Rateable (Non-Residential) Properties Waste Service

- a. \$617.90 per annum for one standard removal and disposal of waste in a City of Melville approved waste bin;

Note:- a standard commercial and non-rateable service includes the once a week removal and disposal of refuse in a City of Melville approved waste bin from the kerbside or other City of Melville approved collection locations;

D) Bulk Refuse Collection and Disposal

- a. \$28.60 per service – one bin of 660 litre capacity (GST inclusive).
- b. \$40.40 per service – one bin of 1,100 litre capacity (GST inclusive).

Note:- a service is rendered each time a bin is emptied.

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.2 Adoption of 2019-2020 Budget and Setting of 2019-2020 Rates and Charges
(Continued)****E) Commercial and Non Rateable Recycling Services**

- a. \$605.80 per annum for a once a week collection recycling bin service provided to commercial and non-rateable properties for one City of Melville approved recycling bin emptied on a weekly basis.
- b. \$26.00 per service – one bin of 660 litre capacity (GST inclusive).
- c. \$34.20 per service – one bin of 1,100 litre capacity (GST inclusive).

Note:- a service is rendered each time a bin is emptied.

8) Swimming Pool Inspection Fee

That by Absolute Majority Decision of the Council a Swimming Pool Inspection Fee of \$49.00 for the 2019-2020 year be adopted.

Note:- The Swimming Pool Inspection Fee is charged in each year of the four yearly inspection cycle. Should the total revenue raised exceed the actual total costs of conducting all pool inspections in any one year the surplus is transferred to a restricted reserve account and used to offset the costs of inspections in the following year's budget.

9) Property Surveillance and Security Service Charge

That by Absolute Majority Decision of the Council a Property Surveillance and Security Charge of \$57.00 for the 2019-2020 year be adopted.

At 8:47pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.3 Early Payment Incentives****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688)
ABSOLUTE MAJORITY APPROVAL**

At 8:47pm Cr Robins moved, seconded Cr Woodall –

1. That by Absolute Majority Decision of the Council the following early payment incentives be granted provided all 2019-2020 rates and charges (including refuse service charge, property surveillance and security charge, swimming pool inspection fee, emergency services levy and specified area rates) are paid in full on or before close of business (i.e. 5.00pm) on the early payment due date shown on the rate notice.

- **Three (3) \$1,000 Bonus Saver Accounts from Westpac Bank**
- **Four (4) Healthy Life Plus Memberships from LeisureFit, valued at \$5,912**

Prizes donated by various sponsors be offered to those ratepayers who register or are registered for paperless billing options by the due date for payment of the first instalment. Prizes will be sourced from appropriate sponsors and will be announced when finalised.

At 8:47pm the Mayor submitted the motion, which was declared

CARRIED BY ABSOLUTE MAJORITY (13/0)

1.4 Loan Capital Fund Budget

This budget includes self-supporting loans raised on behalf of other organisations that are responsible for meeting the loan repayment costs. The City is effectively the guarantor of these loans.

As per the Council resolution CD18/8109, the Council provides in principle support for the Windelya Sports Association to take out a self supporting loan. The amount of the self supporting loan will not exceed \$ 380,000.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688)
ABSOLUTE MAJORITY APPROVAL**

At 8:47pm Cr Robartson moved, seconded Cr Wieland–

That by Absolute Majority Decision of the Council the 2019-2020 Loan Fund Budget as detailed in Attachment [5688A June 2019](#) be adopted.

At 8:47pm the Mayor submitted the motion, which was declared

CARRIED BY ABSOLUTE MAJORITY (13/0)

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.5 Reserve Account Budgets**

Reserve accounts form part of the Municipal Fund and equity of the City. Specific purpose cash backed reserve accounts have been created for various reasons as detailed below.

In some cases e.g. the Community Surveillance and Security Service Reserve they are specifically required by legislation to record any surpluses that may arise from Service Charges or Specified Area Rates.

Other reserves such as the Leave Entitlement Reserve are created to ensure that funds are available to meet future known liabilities. Some such as the Risk Management Reserve are created to provide for contingent future liabilities the extent of which cannot yet be accurately assessed.

Reserves such as the Civic Centre Precinct Improvements Reserve, Information Technology Reserve, Community Facilities Reserve, Fleet Services Vehicles, Plant and Equipment Replacement Reserve, Infrastructure Asset Management Reserve and the Parking Facilities Reserve are set aside to save for the future replacement of assets that are currently being consumed. It should be noted that Local Authorities in Western Australia are required to exclude depreciation expenses when setting rates however, they are required to include capital expenditure and funds set aside or used reserves and other forms of non-operating revenues.

Other forms of funding such as General Rates and Loan Borrowings are available to fund the replacement of assets. However due to:-

- a) the high value of assets owned by the City, the replacement of which, if achieved solely through reliance on loan borrowings, would quickly result in unacceptable debt service debt to equity and debt to revenue ratios being encountered;
- b) the desire to ensure that rate levels do not unduly fluctuate each year depending on whether or not a major expenditure is incurred or asset purchase/replacement is made; and
- c) the need to ensure that ratepayers meet their equitable share of the cost of consumption of assets (as recognised by the application of condition based depreciation calculations) each financial year rather than deferring the liability to future years ratepayers, reserves are used.

Reserve accounts therefore represent the “savings accounts” of local governments and represent funds that have been set aside for future known and unknown events in order to help reduce the variability of General Rates.

Funds held in reserve accounts are invested and the interest earned is reinvested in those reserves, so as to, as far as is possible, maintain the real value of those savings.

A new reserve titled Community Centre Fitout Reserve has been created for the purpose of funding the acquisition and replacement of specialised equipment for Community Centres.

The stated purpose of each reserve is outlined in the recommendation below. There are no proposed changes to existing Reserve titles or purposes in the 2019-2020 Budget.

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688)
ABSOLUTE MAJORITY APPROVAL**

At 8:47pm Cr Robartson moved, seconded Cr Robins–

That by Absolute Majority Decision of the Council the 2019-2020 Reserve Accounts (Fund) Budget as detailed in Attachment [5688A June 2019](#) be adopted for the following reserve accounts and purposes:

- 1) Alfred Cove East Underground Power & Streetscape Enhancement Reserve
To be used for underground power projects and streetscape enhancements in the Alfred Cove East Underground Power project area.**
- 2) Ardross East Underground Power & Streetscape Enhancement Reserve
To be used for underground power projects and streetscape enhancements in the Ardross East Underground Power project area.**
- 3) Attadale North Underground Power & Streetscape Enhancement Reserve
To be used for underground power projects and streetscape enhancements in the Attadale North Underground Power project area.**
- 4) Civic Centre Precinct Improvements Reserve
To be used for improvements to the buildings and associated landscaping and car parking located within the Civic Centre Precinct (Melville City Centre).**
- 5) Commercial Refuse Reserve
To be used for the acquisition and replacement of commercial refuse bins, vehicles, plant and equipment used for commercial waste operations and the development of commercial waste collection opportunities.**
- 6) Community Facilities Reserve
To be used for the provision of new, renewed or upgraded community facilities/buildings.**
- 7) Community Centre Fitout Reserve
To be used to fund the acquisition and replacement of the fitouts, furniture and specialised equipment requirements for the Community Centres.**
- 8) Community Surveillance and Security Service Reserve
To temporarily retain any surpluses that may arise from the Property Surveillance and Security Service Charge to be used to offset future years Property Surveillance and Security Service Charges or for the purchase of plant and equipment used for community surveillance and security services.**
- 9) Fleet Services Vehicles, Plant and Equipment Replacement Reserve
To be used to fund the purchase of replacement vehicles, plant and equipment.**
- 10) Future Works Reserve
To be used to fund the "New and Upgrade" component of the costs of Infrastructure Capital Works and Buildings as opposed to renewal of existing assets as per Asset Management Plans.**

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.5 Reserve Account Budgets (Continued)****11) Information Technology Reserve**

To be used to fund the acquisition and replacement of computer software and information technology hardware.

12) Infrastructure Asset Management Reserve

To be used to fund infrastructure asset management projects including the construction, maintenance and renewal of the City of Melville's road, path, kerbing, street furniture, park structures, playground, irrigation/reticulation and drainage infrastructure assets.

13) Land and Property Reserve

To be used to:

- a) fund the acquisition or construction of commercial revenue earning land and or buildings, or
- b) fund the acquisition of land and buildings in structure plan areas to help encourage of the redevelopment of those structure plan areas by assembling developable land parcels and fund demonstration developments in line with structure plan principles; or
- c) internally fund the purchase or construction of City of Melville community facilities or infrastructure assets, on the basis that those funds will be returned to the Land and Property Reserve over a predetermined period of time with interest, with the interest rate being set at what would have been charged by the Western Australian Treasury Corporation for the term of the borrowing using the Semi Annual Annuity interest rate.

14) Leave Entitlements Reserve

To be used to fund the non-current liability amount of annual, sick and long service leave entitlements accrued in previous financial years beyond the amount provided for in the Provision for Leave current liability account.

15) Libraries, Art Centres and Museums Equipment, Furniture and Specialised Fit Out Reserve

To be used to fund the acquisition and replacement of the fit outs, furniture and specialised equipment for art centres, museums and libraries.

16) Melville North Underground Power & Streetscape Enhancement Reserve

To be used for underground power projects and streetscape enhancements in the Melville North Underground Power project area.

17) Organisational Environmental Sustainability Initiatives Reserve

To be used to fund environmental initiatives which are intended to reduce the energy usage and or carbon footprint of the corporation of the City of Melville or for debt servicing costs associated with any loan borrowings taken out for such purposes.

18) Parking Facilities Reserve

To be used to fund the provision, refurbishment or improvement of parking facilities and equipment.

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.5 Reserve Account Budgets (Continued)****19) Private Swimming Pool Inspection Fee Reserve**

To temporarily retain any surpluses that may arise from the Swimming Pool Inspection fees to be used to offset any deficits that may occur in future year's operations of the Private Swimming Pools Inspection Program.

20) Public Open Space and Urban Forest Reserve

To be used to fund the purchase, development and re-development of public open spaces, including streetscapes, bushlands, parks and reserves and to fund initiatives to enhance and improve the urban forest or for debt servicing costs associated with any loan borrowings taken out for such purposes.

21) Rates Equalisation Reserve

To temporarily retain any surplus carried forward funds as shown in the audited Annual Financial Report Rate Setting Statement in excess of the estimated surplus funds brought forward amount identified in the following years Annual Budget Rate Setting Statement to subsequently be used to reduce the need to raise rates in future years or to meet any budget shortfalls identified during budget reviews.

22) Recreation Centres Specialised Plant, Equipment and Structures Reserve

To be used to fund the acquisition, repair, upgrade and replacement of Recreation Centres specialised plant, equipment and structures.

23) Refuse Bins Reserve

To be used for the purchase, replacement and distribution of domestic and public refuse and recycling bins or receptacles.

24) Refuse Facilities Reserve

To be used for payments relating to the establishment and operation of waste management facilities and collection systems, funding associated costs, and the costs associated with monitoring and remediating/ rehabilitating including landscaping, former refuse tip sites operated by the City of Melville and for any additional waste collection and disposal costs of waste associated with storm or disaster events.

25) Risk Management and Insurance Equalisation Reserve

To be used to fund prior years insurance premium contingencies, the self-insured element of insurance claims, risk reduction initiatives or projects, any losses arising from investment activities, and funding responses to emergencies or disasters impacting on the City of Melville not funded by the State Government.

26) Special Projects Reserve

To be used to fund costs associated with City of Melville Council Elections, infrastructure asset condition surveys, asset valuations and gross rental value revaluations and strategic planning projects.

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.5 Reserve Account Budgets (Continued)****27) Unexpended Capital Works and Specific Purpose Grants Reserve**

To be used to carry forward available funding for uncompleted projects and specific purpose grants that will be completed and expended in ensuing financial years.

At 8:48pm the Mayor submitted the motion, which was declared

CARRIED BY ABSOLUTE MAJORITY (13/0)

1.6 Trust Fund Budget

This budget includes funds held on trust separate and distinct from Municipal Funds where required by legislation or deeds of trust.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688)

ABSOLUTE MAJORITY APPROVAL

At 8:48pm Cr Phelan moved, seconded Cr Barling –

That by Absolute Majority Decision of the Council the 2019-2020 Trust Fund Budget as detailed in Attachment [5688A June 2019](#), be adopted.

At 8:48pm the Mayor submitted the motion, which was declared

CARRIED BY ABSOLUTE MAJORITY (13/0)

1.7 2018-2019 Surplus Funds

The 2019-2020 Budget has been formulated on the basis that no surplus funds will be carried forward from the 2018-2019 financial year.

The actual surplus/deficit will be finally determined following receipt of the 2018-2019 audited financial statements anticipated to be in October 2019. Should, following receipt of

the 2018-2019 audited financial statements, any budget surplus be identified, this will be reported to the Council at a future review of the 2019-2020 budget and it will be recommended that the funds be transferred into the Rates Equalisation Reserve. Should the 2018-2019 audited financial statements reveal a budget deficit amount, this will also be addressed by a review of the 2019-2020 budget and direction sought from the Council as to which projects or programs it wishes to be curtailed or the funds transferred from the Rates Equalisation Reserve.

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.7 2018-2019 Surplus Funds (Continued)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688)
ABSOLUTE MAJORITY APPROVAL**

At 8:48pm Cr Woodall moved, seconded Cr Barling –

That the Council notes that an estimated Municipal Fund 30 June 2019 closing funds amount of nil has been used as an opening position in the 2019-2020 budget and that the final net closing funds amount will be determined following receipt of the 2018-2019 audited financial statements and approves the transfer of any net closing funds for the completed 2018-2019 financial year being transferred to the Rates Equalisation Reserve account.

At 8:48pm the Mayor submitted the motion, which was declared

CARRIED BY ABSOLUTE MAJORITY (13/0)

1.8 Imposition of Fees and Charges

Section 6.16 of the *Local Government Act 1995* allows a Local Government to impose by absolute majority decision a fee or charge for any goods or services it provides or proposes to provide other than a service for which a service charge has been imposed.

The fees are to be imposed when adopting the annual budget but may, subject to giving local public notice, be imposed or amended from time to time during the financial year. This year it has been decided to adopt the Fees & Charges at the same time as adopting the Budget.

Significant changes to the fees and charges schedule for 2019-2020 include:

- Significant new fees introduced for:
 - Sports Reserves – Key replacement and Unauthorised access fees.
 - Leisurefit Melville - Gymbakids exclusive party bookings, Leisurefit Athletic - Junior Triathlon Academy Program, Leisurefit Melville Private Pilates sessions.
- Significant increases to room hire fees for Caretakers Cottage at Wireless Hill and Artist Studio 1 at Heathcote Cultural Centre.
- Removal of several meeting room hire fees at Leisurefit Melville due to centre refurbishments.
- Reductions to room hire fees for Swan House Community Room and Exhibition Rate at Heathcote Cultural Centre.

**C19/5688 - CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.8 Imposition of Fees and Charges (Continued)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688)
ABSOLUTE MAJORITY APPROVAL**

At 8:48pm Cr Barling moved, seconded Cr Wieland–

That by Absolute Majority Decision of the Council, in accordance with Section 6.16 of the *Local Government Act 1995*, the 2019-2020 Schedule of Fees and Charges Included in the attached budget papers [5688A June 2019](#) be adopted and the new fees be applicable from 1 July 2019.

At 8:48pm the Mayor submitted the motion, which was declared
CARRIED BY ABSOLUTE MAJORITY (13/0)

1.9 Payment and Instalment Due Dates**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688)
ABSOLUTE MAJORITY APPROVAL**

At 8:49pm Cr Barton moved, seconded Cr Robins –

That by Absolute Majority Decision of the Council in accordance with Section 6.45 of the *Local Government Act 1995* and applicable Regulations, due dates for payment of rates and the instalment due dates be as follows:-

Full payment and 1st instalment due date	28 August 2019
2nd Instalment due date	30 October 2019
3rd Instalment due date	3 January 2020
4th and final instalment due date	6 March 2020

At 8:49pm the Mayor submitted the motion, which was declared.
CARRIED BY ABSOLUTE MAJORITY (13/0)

1.10 Administration and Interest Charge for Rates and Services Charges

Sections 6.45 and 6.51 of the *Local Government Act 1995* detail the methods by which the Council can impose an administration charge and interest charge in respect to payment of Rates and Service Charges. Section 6.45 allows a person to pay their rates and service charges by four equal instalments and provides that the Council can impose an administration charge as well as an interest component.

This year it is proposed to increase the instalment administration charge to \$17.50 (2018-2019 \$17.25) where a person pays their rates by the four instalment option. This fee partially offsets the additional costs incurred by the City in generating and delivering instalment reminder notices.

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.10 Administration and Interest Charge for Rates and Services Charges (Continued)**

Section 6.45 of the *Local Government Act 1995* provides the opportunity for a Local Government to impose an additional charge over and above the administrative charge, where payments of rates or service charges are made by instalments. Effectively this is an interest charge which has been set at a maximum amount of 5.5% to enable a Local Government to recover some of the lost investment revenue that would have been earned had the payment of rates or service charges been made in one lump sum by the first due date.

The instalment (interest) charge is recommended to be 4% so as to ensure an undue burden is not placed on ratepayers choosing to pay by instalments.

Section 6.51 of the *Local Government Act 1995* provides the Council with the legislative power to raise a penalty interest where rates and service charges remain unpaid by the due date and the ratepayer has not entered into an instalment program. During the 2018-2019 financial year the City of Melville imposed an interest rate of 8%, being less than the maximum interest rate of 11% permitted by the regulations. In light of continuing low interest rates, it is recommended that a penalty interest rate of 8% again be adopted for 2019-2020.

In respect to interest charged on underground power and streetscape enhancement amounts that remain unpaid, it is proposed that the imposition of interest again be charged at a rate of 4.0% (4.0% in 2018-2019) per annum for 2019-2020.

The credit card surcharge fee of 0.60% (0.60% in 2018-2019) is proposed to offset the additional cost of bank fees associated with credit card payments by ratepayers. No concessions for seniors or pensioners have been considered in respect to this charge due to the substantial cost of implementing and managing a system whereby such a concession could be easily administered. This charge is included in the Schedule of Fees and Charges adopted above.

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688)
ABSOLUTE MAJORITY APPROVAL**

At 8:49pm Cr Robartson moved, seconded Cr Wheatland –

- 1) That by Absolute Majority Decision of the Council where, a property owner has elected to, and is adhering to, paying rates and service charges through an instalment program, an instalment administration charge of \$17.50 and an instalment interest charge of 4% per annum, as provided for in section 6.45 of the *Local Government Act 1995*, be imposed.
- 2) That by Absolute Majority Decision of the Council, an interest charge of 8% be imposed on all rates and service charges including the refuse charge, swimming pool inspection fee, and property surveillance and security service charge, but excluding any outstanding amounts relating to underground power and streetscape service charges or specified rates, that are not paid by the due date.

This charge applies to non payment at the completion of the first instalment or payment in full period and if the payment by instalment option is chosen, any subsequent instalment payments that are not made by the due dates.

- 3) That by Absolute Majority Decision of the Council, an interest charge of 4% be imposed on all outstanding underground power and streetscape service charges or specified area rate debts that remain unpaid and this concessional interest charge be applicable for a period of five years from 1 July in the year in which the specified area rate or service charge was first levied, after which time the standard interest charge (8% proposed for 2019-2020) is to be applied.

At 8:49pm the Mayor submitted the motion, which was declared.

CARRIED BY ABSOLUTE MAJORITY (13/0)

1.11 Interest Charge on Money Owing to Local Government

Each year a local government may resolve by absolute majority decision to require a person to pay interest at a particular rate, as set out in the annual budget, on any amount of money other than rates and service charges which is owed to the local government and has been owed for a period of not less than thirty five days.

This interest charge was imposed for the first time in the 2001-2002 financial year and provides an added incentive for people to meet their obligations to the City of Melville. The

Council must determine by Absolute Majority decision during the annual budget process to impose this interest charge and must determine a rate and the period of time after which the interest is applied.

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.11 Interest Charge on Money Owing to Local Government (Continued)**

During the 2014-2015 financial year the City of Melville imposed an interest rate of 8% being, the maximum interest rate permitted by the regulations. In keeping with the practice of previous years it would seem reasonable that this should be applied to commercial transactions only and a lesser rate be applied in respect to community groups and organisations. To enable this differentiation to occur a Delegated Authority is granted to the Chief Executive Officer to determine which category a particular debt falls with the consequence that the relevant interest charge is then applied.

It should be noted that the Local Government is not able to impose any interest until thirty five days after the due date of payment has elapsed. On that basis if fourteen days is allowed for payment the earliest that the interest can be applied is on the forty ninth day. In respect to commercial activities it is, therefore, proposed to introduce the maximum amount permitted under the Local Government Act Regulations as an interest charge and for that to be applied thirty five days after the date which is stated on the account for payment. In respect of the various community clubs and organisations, it is suggested that 50% of the maximum interest charge permitted under the *Local Government Act 1995* should be applied (i.e. 4%) where the amount owing to the City has been outstanding for a period of sixty days after payment was due. This would generally mean that these clubs and organisations would have about seventy five days to make the payment before any interest charges are incurred.

With respect to both of the arrangements any account under \$50.00 will not have interest applied to it due to the significant administration costs involved in the process.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688)
ABSOLUTE MAJORITY APPROVAL**

At 8:49pm Cr Wieland moved, seconded Cr Robartson –

- 1) That by Absolute Majority Decision of the Council, in accordance with Section 6.13 of the *Local Government Act 1995*, the maximum interest charge permitted under the *Local Government (Financial Management) Regulations 1996* be imposed on all outstanding accounts in respect to commercial activities with such interest commencing thirty five days after the date which is stated on the account for payment.
- 2) That by Absolute Majority Decision of the Council, in accordance with Section 6.13 of the *Local Government Act 1995*, 50% of the maximum interest charge permitted under the *Local Government (Financial Management) Regulations 1996* be imposed on all outstanding accounts in respect to community clubs and organisations with such interest commencing sixty days after the date which is stated on the account for payment.
- 3) That by Absolute Majority Decision of the Council, the interest charges outlined in recommendations 1 and 2 will not apply where the account outstanding is \$50.00 or less.
- 4) That by Absolute Majority Decision of the Council, the Chief Executive Officer be granted delegated authority to determine whether an outstanding debt is classified as a commercial activity or as community clubs and organisations.

At 8:49pm the Mayor submitted the motion, which was declared.

CARRIED BY ABSOLUTE MAJORITY (13/0)

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.12 Elected Members Allowances and Sitting Fees**

Section 5.98 of the Act states as follows: *Fees etc. for council members (1A). In this section — determined means determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B.*

Subsection (5) states: *The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —*
(a) the annual local government allowance determined for mayors or presidents; or
(b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.

Section 5.99 of the Act states as follows:

5.99. Annual fee for council members in lieu of fees for attending meetings A local government may decide that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —*
(a) the annual fee determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B; or
(b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.

** Absolute majority required.*

When setting the budget it is an opportune time to determine the fees and allowances for elected members. Due to the scale, volume and complexity of the matters dealt with by the Elected Members of the City it is recommended that the fees and allowances be set at the top of the range determined by the Salaries and Allowances Tribunal. Sufficient funds have been provided in the 2019-2020 Draft Budget for this to occur.

OFFICER RECOMMENDATION (5688)

ABSOLUTE MAJORITY APPROVAL

At 8:50pm Cr Robartson moved, seconded Cr Kepert –

That by Absolute Majority Decision of the Council all Elected Members allowances and sitting fees be paid at the maximum rate as determined by the Salaries and Allowances Tribunal.

At 8:50pm the Mayor submitted the motion, which was declared.

CARRIED BY ABSOLUTE MAJORITY (13/0)

**C19/5688 CONSIDERATION AND ADOPTION OF THE 2019-2020 BUDGET (AMREC)
(ATTACHMENT)****1.13 Eligibility for Rate Prize**

In previous years, the Council has determined that Elected Members and Staff are ineligible to be chosen as a winner of any of the early rate payment incentive prizes. It is proposed to continue with that practice for 2019-2020.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5688) APPROVAL

At 8:50pm Cr Wieland moved, seconded Cr Barling –

That the Council resolves that all Elected Members and staff of the City of Melville be ineligible to be chosen as a winner of the early rate payment incentive prizes either as a sole or part owner of any property.

At 8:50pm the Mayor submitted the motion, which was declared.

CARRIED (13/0)**1.14 Adoption of Percentage for Reporting of Material Variances**

Each financial year, a local government is to adopt a percentage or value, calculated in accordance with Australian Accounting Standards (AASB), to be used in statements of financial activity for reporting material variances. The AASB 1031 Materiality refers to the publication *Framework for the Preparation and Presentation of Financial Statements* in which it is stated that information is material if its omission or misstatement could influence the economic decisions of users of the financial statements

The level adopted for the year 2018-2019 was 10.0% or \$50,000 whichever is the greater. It is proposed that the level adopted for the reporting of material variances for 2019-2020 should remain the same as in 2018-2019.

OFFICER RECOMMENDATION (5688) APPROVAL

At 8:51pm Cr Barling moved, seconded Cr Phelan –

That in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the level to be used in statements of financial activity in the year 2019-2020 for reporting material variances, be 10% or \$50,000, whichever is the greater.

At 8:51pm the Mayor submitted the motion, which was declared.

CARRIED (13/0)

On behalf of the Elected Members, the Mayor thanked the Finance Team for the detailed work and efforts in preparing and presenting the 2019-2020 Budget.

C19/5689 - RFT18/1919 SUPPLY OF IN-SITU CONCRETE WORKS FOR FOOTPATHS AND ASSOCIATED WORKS (REC) (CONFIDENTIAL ATTACHMENTS)

Ward : All
 Category : Operational
 Subject Index : Tenders
 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 : CO09/15 Supply of In-Situ Concrete Works to the City of Melville Ordinary Meeting of Council 17 November 2015
 Works Programme : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Kimberly Brosztl - Manager Engineering

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"/>	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 & 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>

C19/5689 - RFT18/1919 SUPPLY OF IN-SITU CONCRETE WORKS FOR FOOTPATHS AND ASSOCIATED WORKS (REC) (CONFIDENTIAL ATTACHMENTS)**KEY ISSUES / SUMMARY**

- To recommend the acceptance of a tender submitted for the Supply of In-Situ Concrete Works for Footpaths and Associated Works for a two year term with three one year option periods.

BACKGROUND

The City is seeking a suitably qualified and experienced Contractor to carry out the Supply and Lay of In-situ Concrete Pavements and includes but is not limited to the following associated activities.

- Removal and disposal of existing concrete
- Islands In-fill
- Minor kerbing works
- Crossovers and apron

This Contract is for a two year term with three additional 12 month option periods that will be exercised at the sole discretion of the City. The City will appoint one Contractor for the provision of the Services under the Contract. The City anticipates building up to 10,000m² of footpath a year subject to funding. The City does not guarantee the amount of work that will be provided as part of this Contract.

Unless directed otherwise by the City's Representative, works associated with this Contract excludes any in-situ concrete works incorporated within the City's Road Resurfacing/Rehabilitation Program, concrete works completed by residents, concrete work that are a component of a larger project or concrete works carried out by the City's employees. The Contract does not cover items not listed in the Pricing Schedule unless a quote is requested and a suitable quote is approved by the City's Representative, at its sole discretion, prior to the works taking place.

DETAIL**Tender Evaluation Process**

Qualitative scores were achieved by joint agreement of the panel members at the evaluation meeting after each panel member had scored the submission individually. Stage 1 was a weighted comparison against the following qualitative criteria – Demonstrated Experience, Key Personnel, Environmental Responsibility and Methodology. Stage 2 was a review of price to assess value for money.

The Evaluation Report and associated attachments were distributed to Elected Members on Friday 31 May 2019 under confidential cover.

The Contract and Tender Advisory Unit Minutes and associated attachments were distributed to Elected Members on Friday 31 May 2019 under confidential cover.

The Evaluation Panel compared the qualitative and price assessments for each Respondent. Respondents were required to achieve a qualitative score of 70% to be assessed on price.

C19/5689 - RFT18/1919 SUPPLY OF IN-SITU CONCRETE WORKS FOR FOOTPATHS AND ASSOCIATED WORKS (REC) (CONFIDENTIAL ATTACHMENTS)

Only two Respondents progressed to price assessment. Although the recommended Respondent was the second ranked submission based on qualitative criteria, the recommended Respondent completely satisfied the City's needs and offered by far the lowest priced submission.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

No external engagement with the community was required for this tender.

II. OTHER AGENCIES / CONSULTANTS

No agencies or consultants were consulted for this tender.

STATUTORY AND LEGAL IMPLICATIONS

Section 3.57 of the *Local Government Act 1995* states "A Local Government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services".

FINANCIAL IMPLICATIONS

The concrete works are funded from a number of capital and operating accounts with a total budget of approximately \$1.5m per annum.

The Contractor's costs for the implementation of in-situ concrete works are within Budget and the Schedule of Rates represents a saving compared to the previous contract.

Refer to Confidential Attachment – Pricing Scenario for more details.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**Strategic Management Implications**

This report is consistent with the City's Plan for the future and in particular the Community Plan Priorities, where the City's goal is to enhance the Community's wellbeing through building a City for the people. The City is an advocate at State and Commonwealth levels for high quality of transit network through the City, in particular to:

"Facilitate sustainable transport Options – to meet the changing population growth in the City of Melville that requires different forms of transport networks including bus, cycle and pedestrian routes to connect the community".

The most significant and negative impact on Council strategies or on the Strategic Plan of the Council will be not awarding this contract to the recommended Contractor. This could contribute to the City's failure to deliver the outcomes of the Footpath Program and associated civil works involving in-situ concrete with the level of risk being high.

C19/5689 - RFT18/1919 SUPPLY OF IN-SITU CONCRETE WORKS FOR FOOTPATHS AND ASSOCIATED WORKS (REC) (CONFIDENTIAL ATTACHMENTS)

Risk Management Implications

Some risks have been identified that could be mitigated by awarding the contract to the preferred tenderer.

Risk Statement	Level of Risk	Risk Mitigation Strategy
Unable to secure services when required to meet project deadlines resulting in delay to the work program.	Likely interruption of Services, which have a Moderate consequence, resulting in a High level of risk.	Council to support recommendation to award contract to preferred tenderer.
Poorly maintained footpath results in injury to pedestrians and/or damage to property.	Possible likelihood with a moderate consequence resulting in Medium level of risk.	Council to support recommendation to award contract to preferred tenderer.

Environmental Implications

The preferred tenderer is committed to re-use and recycle concrete where possible significantly reducing the negative environmental impact of the works.

POLICY IMPLICATIONS

Procurement of Goods or Services CP-023.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The highest qualitative ranked submission could have been selected but the City would incur a significantly higher schedule of rates for a comparatively low difference in qualitative scores.

CONCLUSION

The Evaluation Panel is satisfied that the recommended tenderer has demonstrated that they have the necessary relevant experience, the necessary key personnel, are environmentally responsible and follows a methodology in line with the City's expectations. The recommended tenderer offers the best value for money.

**C19/5689 - RFT181919 SUPPLY OF IN-SITU CONCRETE WORKS FOR FOOTPATHS
AND ASSOCIATED WORKS (REC) (CONFIDENTIAL ATTACHMENTS)****CONTRACT AND TENDER ADVISORY UNIT RECOMMENDATION (RFT181919) AND
COUNCIL RESOLUTION (5689) APPROVAL**

That the Council:

- 1) Accepts the recommendation as contained in the Confidential Attachment – RFT181919 Contracts and Tenders Advisory Unit Minutes dated 14 May 2019.**
- 2) Directs that, upon resolving the recommendation, the successful Tenderer's name and lump sum amount be inserted below this point 2, and the item then moved into the open section of the meeting.**

Dowsing Group Pty Ltd for a Total Contract Value over two years of \$2,538,884.

At 8:55pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

At 8:53pm Mr B Taylor left the meeting and did not return

At 8:53pm Ms D Whyte left the meeting and did not return

At 8:53pm Mr S Silva left the meeting and did not return

At 8:53pm Ms D Karunaratne left the meeting and did not return

At 8:53pm Ms L Fitzgerald left the meeting and did not return

C19/6000 - INVESTMENT STATEMENTS FOR APRIL 2019 (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	: Debbie Whyte – A/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 & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 30 April 2019 for the Council's information and noting.

C19/6000 - INVESTMENT STATEMENTS FOR APRIL 2019 (REC)

BACKGROUND

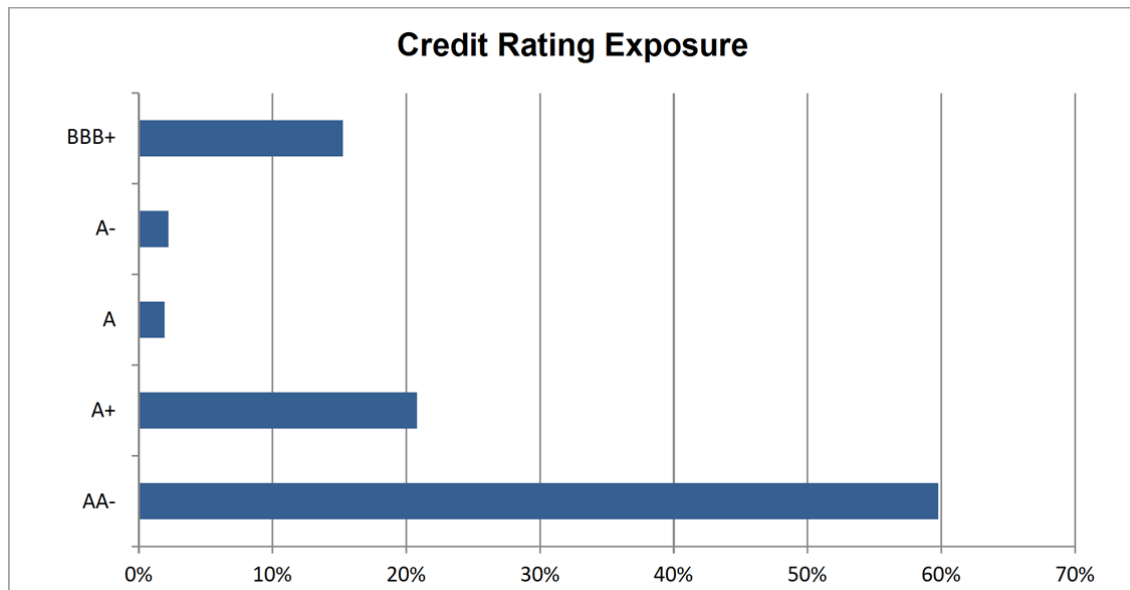
The City has cash holdings as a result of timing differences between the collection of revenue and its expenditure. Whilst these funds are held by the City they are invested in appropriately rated and liquid investments.

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

The following statement details the investments held by the City as at 30 April 2019.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 APRIL 2019	
SUMMARY BY FUND	
	\$
Municipal	\$33,156,713
Reserve	\$146,094,928
Trust	\$964,243
Citizen Relief	\$218,371
TOTAL	\$180,434,255
SUMMARY BY INVESTMENT TYPE	
	\$
11AM	\$2,641,560
31Days at Call	\$6,000,000
60Days at Call	\$2,000,000
90Days at Call	\$9,600,000
Term Deposit	\$160,017,524
Units (Local Govt Hse)	\$175,171
TOTAL	\$180,434,255
SUMMARY BY CREDIT RATING	
	\$
AA-	\$107,759,083
A+	\$37,500,000
A	\$3,500,001
A-	\$4,000,000
BBB+	\$27,500,000
Units (Local Govt Hse)	\$175,171
TOTAL	\$180,434,255

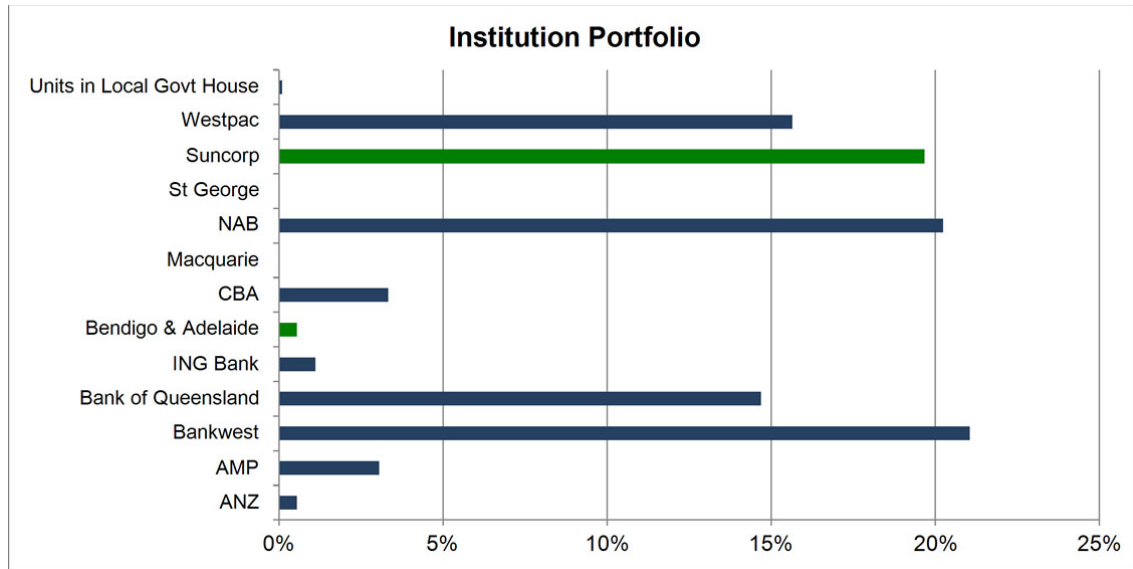
C19/6000 - INVESTMENT STATEMENTS FOR APRIL 2019 (REC)


As at: 30 April 2019

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-	\$ 1,000,000	0.55%	0.55%	30%	No	
AMP BANK (TERM)	TERM	A	\$ 5,500,001	3.05%	3.05%	25%	No	
BANKWEST (TERM)	TERM	AA-	\$ 38,000,000	21.06%	21.06%	30%	No	
BANK OF QUEENSLAND (TERM)	TERM	BBB+	\$ 26,500,000	14.69%	14.69%	15%	No	
BENDIGO AND ADELAIDE BANK (TERM)	TERM	BBB+	\$ 1,000,000	0.55%	0.55%	15%	Yes	1,000,000
COMMONWEALTH BANK (TERM)	TERM	AA-	\$ 6,000,000	3.33%	3.33%	30%	No	
ING BANK (TERM)	TERM	A-	\$ 2,000,000	1.11%				
ING BANK (FRTD)	FRTD	A-	\$ -	0.00%	1.11%	25%	No	
MACQUARIE BANK (TERM)	TERM	A	\$ -	0.00%	0.00%	25%	No	
NAB (TERM)	TERM	AA-	\$ 36,517,523	20.24%	20.24%	30%	No	
ST GEORGE BANK (TERM)	TERM	AA-	\$ -	0.00%	0.00%	30%	No	
SUNCORP METWAY LTD (TERM)	TERM	A+	\$ 35,500,000	19.67%	19.67%	25%	Yes	\$ 35,500,000
WESTPAC (MAXI BONUS 1)	11AM	AA-	\$ 0	0.00%				
WESTPAC (MAXI BONUS 2)	11AM	AA-	\$ -	0.00%				
WESTPAC (MAXI DIRECT)	11AM	AA-	\$ 2,641,560	1.46%				
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	\$ 6,000,000	3.33%				
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	\$ 2,000,000	1.11%				
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	\$ 9,600,000	5.32%				
WESTPAC (TERM)	TERM	AA-	\$ 8,000,000	4.43%	15.65%	30%	No	
UNITS IN LOCAL GOVT HOUSE	NA	NA	\$ 175,171	0.10%	0.10%		N/A	
TOTAL			\$ 180,434,255	100%	100%			\$ 36,500,000
Total Non Fossil Fuel Lending ADI								20%

As at: 30 April 2019

C19/6000 - INVESTMENT STATEMENTS FOR APRIL 2019 (REC)



As at: 30 April 2019

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

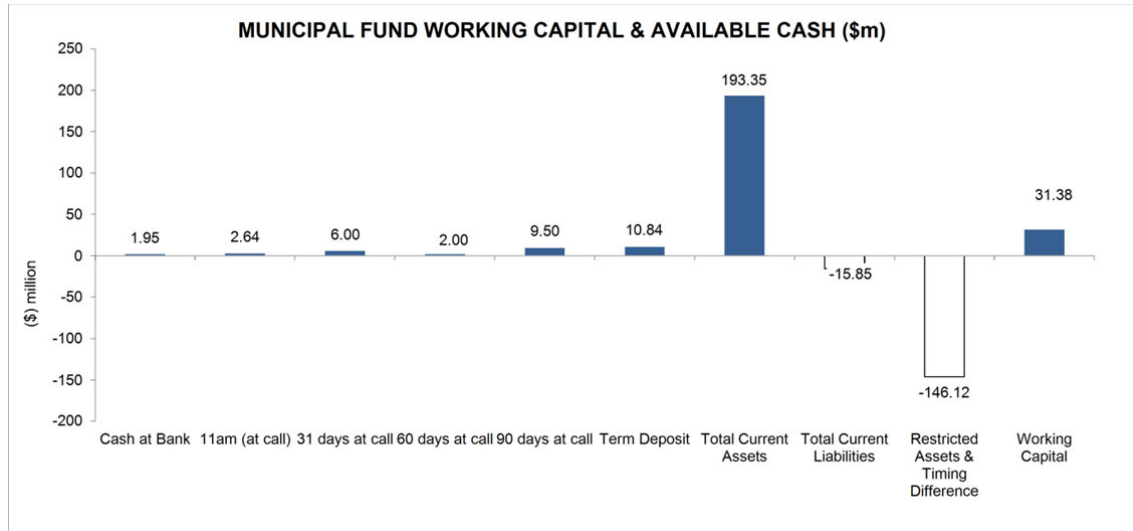
“Green investments” are authorised investment products made in authorised institutions that respect the environment by not investing in fossil fuel industries.

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 April 2019 was \$36,500,000 or 20% of total investment holdings being in non-fossil fuels institutions. This compared to \$36,500,000 (20%) in March 2019. The amount of investment holdings in non-fossil fuels institutions remains the same from March but decrease in the total percentage of the holding. The total investment holding for April was \$180,434,255, which is down from the \$185,184,255 invested in March.

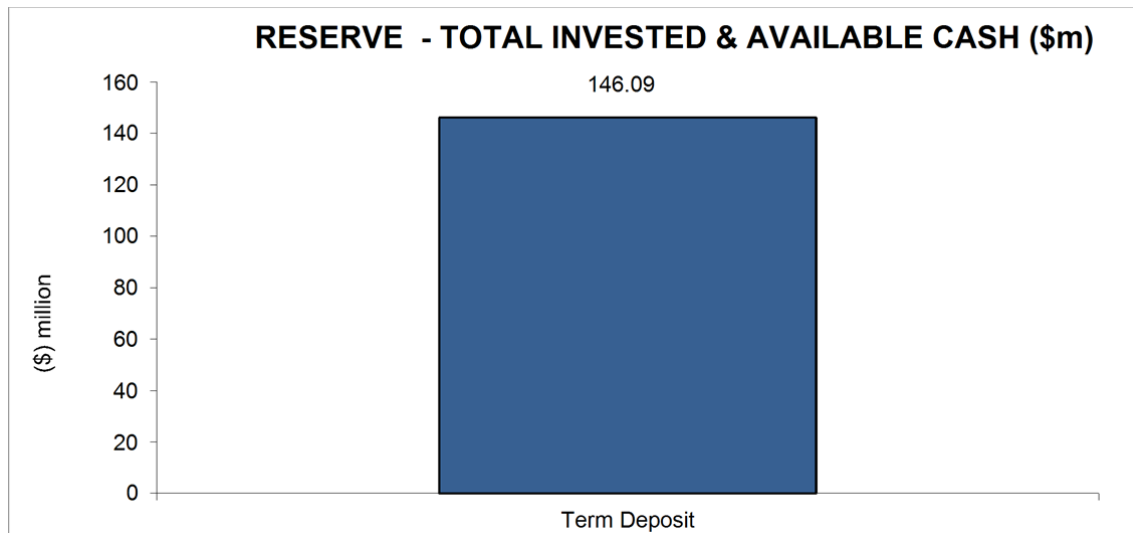
C19/6000 - INVESTMENT STATEMENTS FOR APRIL 2019 (REC)

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 April 2019.



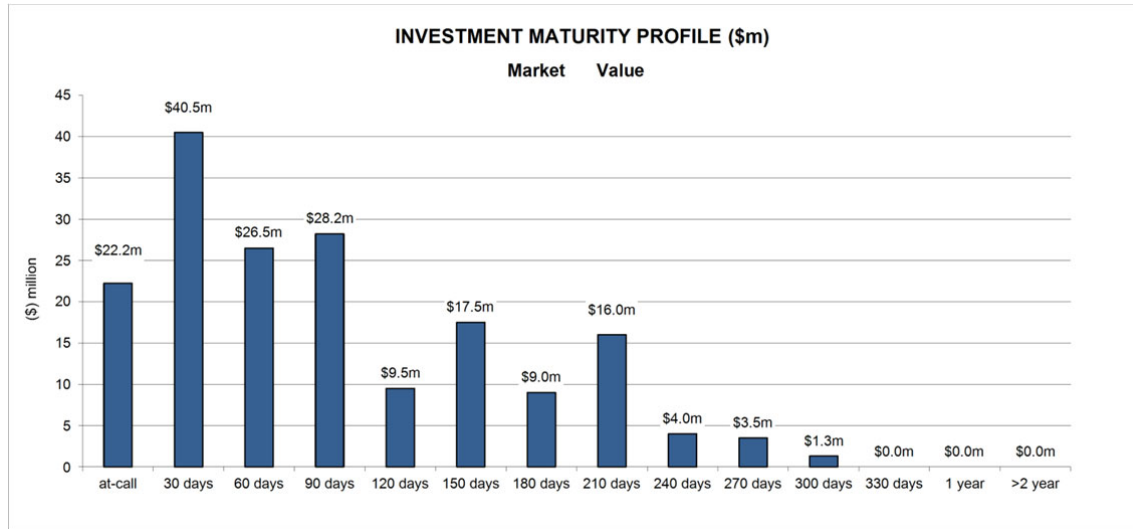
As at: 30 April 2019



As at: 30 April 2019

C19/6000 - INVESTMENT STATEMENTS FOR APRIL 2019 (REC)

The graph below summarises the maturity profile of the City's investments at market value as at 30 April 2019.



As at: 30 April 2019

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

This report is available to the public on the City's web-site.

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 oversight by the Australian Prudential Regulation Authority (APRA).

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, depending on the shape of the yield curve, enable the City to achieve better investment returns.

C19/6000 - INVESTMENT STATEMENTS FOR APRIL 2019 (REC)

FINANCIAL IMPLICATIONS

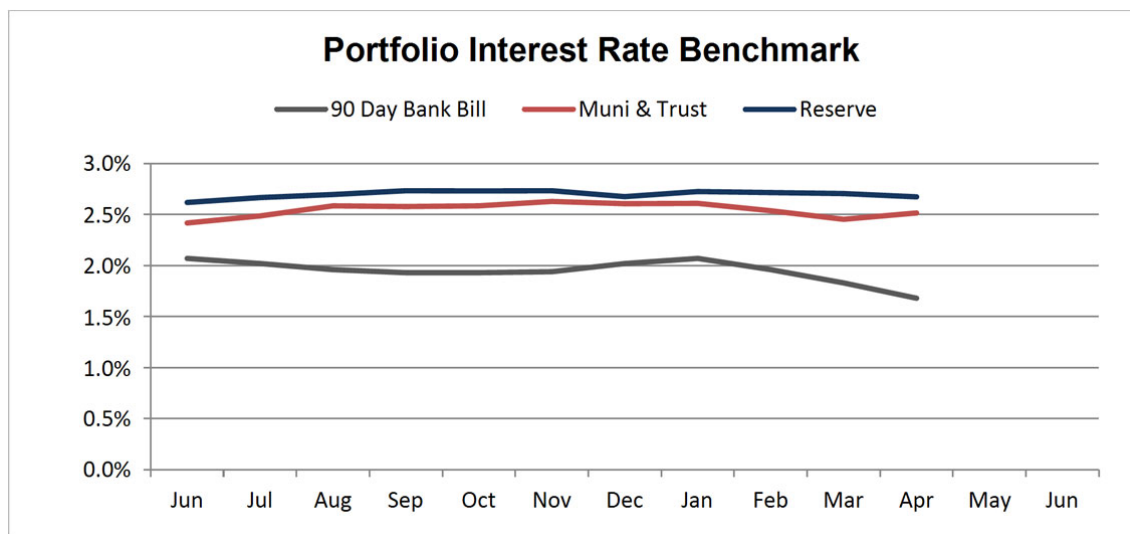
For the period ending 30 April 2019:

- Investment earnings on Municipal and Trust Funds were \$704,018 against a year to date budget of \$758,684 representing a negative variance of \$54,666.

The weighted average interest rate for Municipal and Trust Fund investments as at 30 April 2019 was 2.52%.

- Investment earnings on Reserve accounts were \$3,467,874 against a year to date budget of \$2,573,333 representing a positive variance of \$894,540.

The weighted average interest rate for Reserve account investments as at 30 April 2019 was 2.67%.



As at: 30 April 2019

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.

C19/6000 - INVESTMENT STATEMENTS FOR APRIL 2019 (REC)**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*.

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 City's 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 this report only presents information for noting.

CONCLUSION

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 2.52% to 2.67% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 1.68%.

20% of the City's investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 20% in March 2019.

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

OFFICER RECOMMENDATION (6000)**NOTING****That the Council notes the Investment Report for the period ending 30 April 2019.**

At 8:55pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR APRIL 2019 (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	: Debbie Whyte – A/Manager Financial Services

AUTHORITY / DISCRETION

DEFINITION

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<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & 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 September be appealable to the State Administrative Tribunal.</i>
<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report presents the details of payments made under delegated authority to suppliers for the period of April 2019 and recommends that the Schedule of Accounts Paid be noted.

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR APRIL 2019 (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 the 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 April including Payment Registers numbers, Cheques 707 - 708 and Electronic Funds Transfers batches 568 – 570, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 31 May 2019. Payments for the period totalled \$9,574,898.52 for the Municipal Fund and \$46,256.60 for the Trust Fund whilst new investment transactions totalled \$1,500,000.00. Details of the payments are shown in attachment [6001 April 2019](#).

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

Supplier Number	Supplier Name	Description of Supply	Amount
16793	Action Solution Pty Ltd	Progress claims to sound wall at Murdoch Drive	\$25,949.00
14560	Artek Furniture Pty Ltd	Furniture for Heathcote Precinct	\$26,988.50
14313	Asphaltech Pty Ltd	Road resurfacing	\$353,546.13
14724	Axiis Contracting Pty Ltd	Concrete works	\$34,405.34
99995	Building Commission Pty	Regulatory fees and government charges - BSL for March	\$25,040.25
16715	Candor Contractors Pty Ltd	Progress payment for refurbishment of LeisureFit Melville change rooms	\$35,440.90
10056	City of Cockburn	Commercial waste tip fees	\$29,802.28
13935	Contraflow Pty Ltd	Traffic control services	\$52,656.61
12131	Data #3 Limited	IT software/licensing and maintenance	\$65,796.33
14051	Department of Fire and Emergency Services	ESL remittance for March	\$1,173,586.14
14756	ECO Resources Pty Ltd	Waste disposal	\$37,738.80
11380	EMSO Maintenance	Building maintenance	\$37,142.26
10385	Flexi Staff	Temporary labour hire	\$37,439.52
16626	Hays Specialised Recruitment (Australia) Pty Ltd	Temporary labour hire	\$33,128.44
16223	Holton Connor Architects & Planners	Consultancy for Tompkins Park redevelopment project	\$113,571.15
10501	Hydroquip Pumps & Irrigation	Irrigation and watering systems	\$29,394.20

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR APRIL 2019 (REC) (ATTACHMENT)

Supplier Number	Supplier Name	Description of Supply	Amount
16771	Makmax Australia	Consultancy and design for Tompkins Park redevelopment	\$53,900.00
17940	Natural Area Management & Services	Bush regeneration and foreshore maintenance	\$118,610.11
13563	Pearmans Electrical & Mechanical Services Pty Ltd	Electrical maintenance	\$257,761.94
16535	Precise Air Group Pty Ltd	Air conditioning maintenance and services	\$41,383.92
17528	Repeat Plastics WA	Supply and delivery of bollards	\$42,416.28
12121	Sculptures by the Sea Inc	Purchase of sculpture	\$28,000.00
12203	Southern Metropolitan Regional Council	MSW gate fees for March, MRF and green waste gate fees for April	\$717,427.57
16605	Synergy	Electricity charges	\$306,760.16
16506	T.C Drainage (WA) Pty Ltd	Drainage services	\$27,486.80
17037	Tree Care WA Pty Ltd	Arborist and tree pruning services	\$160,605.62
14271	Tree Planting & Watering Pty Ltd	Street tree watering	\$43,002.80
12075	Turf Care WA Pty Ltd	Turf maintenance	\$32,226.26
12334	Water Corporation	Water charges	\$43,193.28
10311	Western Power Electricity	Cash call for Alfred Cove East underground power project	\$695,000.00
99998	Striker Indoor Sports	Contribution from Department of Education for school usage	\$29,920.05

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR APRIL 2019 (REC) (ATTACHMENT)

Payroll

Supplier Name	Remittance Number	Remittance Details	Amount
Various Banking Institutions	Direct Bank Transfers 03/04/2019 & 17/04/2019	Payment of salaries and wages to City employees net of tax and deduction for pays 20 and 21.	\$2,196,771.72
Australian Taxation Office	Direct Bank Transfers 03/04/2019 & 17/04/2019	Pay as You-Go taxation and other deductions from employee payroll for pays 20 and 21.	\$674,630.00
Creditors and Advances	Direct Bank Transfers 03/04/2019 & 17/04/2019	Payment of superannuation, union membership, council rates, vehicle deductions, Centrelink, etc. for pays 20 and 21.	\$514,971.06
Total			\$3,386,372.78

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

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.

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR APRIL 2019 (REC) (ATTACHMENT)**CONCLUSION**

Payments for the period totalled \$9,574,898.52 for the Municipal Fund and \$46,256.60 for the Trust Fund whilst new investment transactions totalled \$1,500,000.00.

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

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

That the Council notes the Schedule of Accounts paid for the period of April 2019 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 April 2019](#)

At 8:55pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2019 (AMREC)
(ATTACHMENTS)**

Ward	: All
Category	: Operational
Subject Index	: Financial Reporting - Statements of Financial Activity
Customer Index	: Not applicable
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Standard Item
Works Programme	: Not applicable
Funding	: Not applicable
Responsible Officer	: Debbie Whyte – A/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"/>	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 & 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

<p>This report presents:</p> <ul style="list-style-type: none"> • The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 30 April 2019 and recommends that they be noted by the Council. • The variances for the month of April 2019 and recommends that they be noted by the Council. • The Budget amendments required for the month of April 2019 and recommends that they be adopted by Absolute Majority decision of the Council.

C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2019 (AMREC)
(ATTACHMENTS)

BACKGROUND

The Statements of Financial Activity for the period ending 30 April 2019 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

EXTRACT OF RATE SETTING STATEMENT FOR VARIANCE OVER \$50,000 for the Period 1 July 2018 to 30 April 2019							
	April Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
OPERATING ACTIVITIES							
Revenue from operating activities (excluding rates and non-operating grant, subsidies and contributions)							
General Purpose Funding	481,210	8,421,428	9,383,157	961,729	11%	10,568,752	9,422,923
Education & Welfare	23,605	177,579	231,985	54,407	31%	204,034	207,466
Recreation and Culture	865,606	6,914,065	7,135,563	221,498	3%	8,160,171	8,181,753
Transport	137,238	1,185,078	1,400,966	215,888	7%	1,585,458	1,496,343
Economic Services	561,672	2,712,943	3,262,355	549,411	20%	2,762,888	2,922,310
Other Property and Services	(399,300)	703,035	(165,601)	(868,636)	-124%	334,849	862,483
	1,865,209	27,091,618	28,234,536	1,142,918		30,082,837	30,781,819
Expenditure from operating activities							
Governance	(273,779)	(4,288,644)	(3,630,500)	658,144	-15%	(5,612,027)	(5,953,944)
General Purpose Funding	(727,850)	(3,998,870)	(3,940,052)	58,818	-1%	(7,469,373)	(7,452,373)
Law, Order, Public Safety	(285,348)	(3,506,373)	(3,187,798)	318,575	-9%	(4,259,141)	(4,267,396)
Health	(84,134)	(944,834)	(885,293)	59,541	-6%	(1,162,818)	(1,157,157)
Education & Welfare	(229,784)	(2,504,275)	(2,275,050)	229,225	-9%	(2,819,942)	(3,019,111)
Community Amenities	(1,813,293)	(22,232,559)	(20,433,737)	1,798,822	-8%	(25,607,458)	(27,716,812)
Recreation and Culture	(2,793,670)	(28,789,139)	(27,323,130)	1,466,009	-5%	(31,042,439)	(34,727,351)
Transport	(1,511,929)	(14,711,673)	(14,037,640)	674,033	-5%	(18,503,353)	(18,042,233)
Economic Services	(203,450)	(1,998,501)	(2,253,620)	(255,119)	13%	(2,316,255)	(2,425,405)
Other Property and Services	(167,099)	(9,713,984)	(8,394,620)	1,319,363	-14%	(9,865,826)	(11,916,688)
	(8,097,939)	(92,769,150)	(86,443,208)	6,325,942		(108,727,124)	(116,772,464)
Investing Activities							
Purchase of Furniture & Equipment	(117,004)	(2,215,939)	(1,386,852)	829,087	-37%	(1,863,602)	(2,960,659)
Purchase of Land & Buildings	(316,989)	(6,563,835)	(5,143,143)	1,420,692	-22%	(11,831,681)	(27,418,783)
Purchase of Infrastructure Assets	(1,133,958)	(16,804,396)	(14,296,493)	2,507,903	-15%	(23,494,859)	(31,812,798)
	(1,539,672)	(24,219,564)	(19,457,725)	4,761,839		(33,614,073)	(57,724,317)

C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2019 (AMREC)
(ATTACHMENTS)

A more detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program is provided in attachments [6002C Sub Program April 2019](#) and [6002H April 2019](#).

Revenue

\$87.83 million in Rates (including Rates of \$86.73 million and Rates in Advance of \$1.1 million) was raised as at 30 April 2019 compared to a year to date budget of \$86.48 million. There is a variance of \$1.35 million compared to the Rate Setting Statement. The adjustment of prepaid rates of \$1.1 million is an accounting treatment and will be adjusted at year end. There is a positive variance of \$251,192 (0.29%), excluding the prepayments, when compared to year to date actual.

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for April 2019.

Budget Amendments

Details of Budget Amendments requested for the month of April 2019 are shown in attachment [6002J April 2019](#). There is one budget amendment journal greater than \$50,000 that was processed in April 2019:

- \$55,000 – Transfer budget for Canning Bridge Social Research and Planning collaborative project.

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$1,060,984 were collected over the course of the month. Rates collection progress for the month of April is 2.4% below the target of 95.1%. This represents a dollar value of \$1,817,599. As at 30 April 92.7% of the 2018-2019 rates, including prior year arrears had been collected compared with 94.7% collected for the same time last year. Rates collection for 2018-2019 excluding prior year rate arrears is 96.7%.

Total sundry debtor balances decreased by \$330,245 over the course of previous months from \$1,065,827 (including debtor overpayment of \$5,295) to \$735,847 in April (including debtor overpayment of \$3,119). The 90+ day's debtor balance increased by \$23,239 from \$329,550 to \$352,789.

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.

There were no debts written off for the month of April 2019.

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2019 (AMREC)
(ATTACHMENTS)**

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

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – April 2019	6002A Nature Type April 2019
Rate Setting Statement by Program – April 2019	6002B Program April 2019
Rate Setting Statement by Sub-Program – April 2019	6002C Sub Program April 2019
Representation of Net Working Capital – April 2019	6002E April 2019
Reconciliation of Net Working Capital – April 2019	6002F April 2019
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – April 2019	6002H April 2019
Details of Budget Amendments requested – April 2019	6002J April 2019
Summary of Rates Debtors – April 2019	6002L April 2019
Graph Showing Rates Collections – April 2019	6002M April 2019
Summary of General Debtors aged 90 Days Old or Greater – April 2019	6002N April 2019

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:

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2019 (AMREC)
(ATTACHMENTS)****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.

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2019 (AMREC)
(ATTACHMENTS)****FINANCIAL IMPLICATIONS****Variances**

Variances are detailed and explained in attachment [6002H April 2019](#) (Notes on Statement of Variances in excess of \$50,000 by Sub-Program).

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no identifiable strategic, risks 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.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 30 April 2019.

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2019 (AMREC)
(ATTACHMENTS)**

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

At 8:54pm Cr Phelan moved, seconded Cr Barling –

That the Council:

- 1. Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 30 April 2019 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – April 2019	6002A Nature Type April 2019
Rate Setting Statement by Program – April 2019	6002B Program April 2019
Rate Setting Statement by Sub-Program – April 2019	6002C Sub Program April 2019
Representation of Net Working Capital – April 2019	6002E April 2019
Reconciliation of Net Working Capital – April 2019	6002F April 2019
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – April 2019	6002H April 2019
Details of Budget Amendments requested – April 2019	6002J April 2019
Summary of Rates Debtors – April 2019	6002L April 2019
Graph Showing Rates Collections – April 2019	6002M April 2019
Summary of General Debtors aged 90 Days Old or Greater – April 2019	6002N April 2019

- 2. By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for April 2019 [6002J April 2019](#).**

At 8:54pm the Mayor submitted the motion, which was declared

CARRIED BY ABSOLUTE MAJORITY (13/0)

Disclosure of Interest

Member	Cr Mair
Type of Interest	Proximity Interest (Item CD19/8113 – Parking Management Riseley Centre)
Nature of Interest	Company owns property in Riseley Centre Precinct.
Request	Leave
Decision	Leave

At 8:54 Cr Mair having declared an interest left the meeting.

15. EN BLOC ITEMS

At 8:54pm Cr Woodall moved, seconded Cr Barling –

That the recommendations for items M19/5000, C19/6000, C19/6001 CD19/8113, and C19/5689 be carried En Bloc.

At 8:55pm the Mayor submitted the motion, which was declared
CARRIED UNANIMOUSLY (12/0)

At 8:55pm Cr Mair returned to the meeting.

At 8:55pm Mr M McLerie entered the Chambers for the purpose of making a deputation in relation to Motion with Notice 16.1 Report on the Requirements of Live Audio/ Visual Streaming of Council Meeting. The presentation concluded at 9:05pm.

*At 8:57pm Cr Phelan left the meeting, and returned at 9:04pm.
At 8:58pm Cr Macphail left the meeting, and returned at 9:00pm.
At 9:04pm Cr Phelan left the meeting, and returned at 9:05pm.
At 9:08pm Cr Woodall left the meeting, and returned at 9:11pm*

At 9:11pm Mr M McLerie departed the Council Chambers.

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**16.1 Report on the Requirements of Live Audio/ Visual Streaming of Council Meetings**

At 9:11pm Cr Kepert moved, seconded Cr Pazolli –

The Council requests the Chief Executive Officer to investigate the requirements and potential costs of accommodating live audio and visual media streaming of all public and open Council meetings. A report is to be provided to the Council which outlines these requirements of live media streaming on the City's website as well as social media platforms prior to the Ordinary Meeting of Council of the 20th of September 2019.

At 9:21pm the Mayor submitted the motion, which was declared
CARRIED UNANIMOUSLY (13/0)

Reasons provide by Councillor Kepert:

Transparency is a cornerstone of good governance. Council meetings are a vital part of the operations of the City of Melville and the body with which the community connects. For this reason the events of Council meetings should be open to the citizens and ratepayers as much as possible.

Additionally, public interest in the City of Melville's Council should be encouraged.

Consideration should also be made to citizens who may experience challenges to their accessibility to the City of Melville Council chambers.

An electors' motion was carried at the Annual General Meeting of Electors held on 6th of December 2017, part of which called for the enablement of live streaming of public meetings via the City's website so that they could be viewed remotely by citizens and ratepayers.

The carried electors' motion was addressed by the Council at the Ordinary Meeting of Council on the 12th of December 2017 and carried unanimously (13/0).

The City of Melville has recently made progress with the other sections of this motion that allow the public to access the audio recordings of Council meetings via the City of Melville website free of charge.

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Disclosure of Interest

Member	Cr Barton
Type of Interest	Proximity Interest
Nature of Interest	Resides opposite Point Walter Reserve
Request	Stay, Discuss and Vote
Decision	Stay, Discuss and Vote

**CONFIDENTIAL ITEM - M19/5690 – POINT WALTER GOLF COURSE PROPOSAL
(AMREC) (CONFIDENTIAL ATTACHMENT)**

COUNCIL RESOLUTION

At 9:21pm Cr Phelan moved, seconded Cr Wheatland –

That the meeting be closed to the members of the public to allow for items deemed confidential in accordance with sections 5.23 (c) and (e) of the *Local Government Act 1995*, to be discussed behind closed doors.

At 9:21pm the Mayor submitted the motion, which was declared

CARRIED (13/0)

At 9:30pm Cr Pazolli left the meeting, and returned at 9:32pm.

COUNCIL RESOLUTION

At 9:47pm Cr Wieland moved, seconded Cr Woodall –

That the meeting comes out from behind closed doors.

At 9:48pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (13/0)

No members of the community returned to the meeting.

The Officer Recommendation associated with Confidential Item M19/5690 – Point Walter Golf Course Proposal, was amended by the Council.

The Substantive Motion as Amended was declared carried the Council 13/0.

Inserted
by
resolution
OMC
15/10/2019
pg 45.

19. CLOSURE

There being no further business to discuss, the Mayor declared the meeting closed at 9:49pm.