



**MINUTES  
OF THE  
ORDINARY MEETING OF THE COUNCIL  
HELD ON  
TUESDAY 20 SEPTEMBER 2016  
AT 6.30PM IN THE COUNCIL CHAMBERS  
MELVILLE CIVIC CENTRE**

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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON TUESDAY, 20 SEPTEMBER 2016.**

**1. OFFICIAL OPENING**

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

**Affirmation of Civic Duty and Responsibility**

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

**2. PRESENT**

His Worship the Mayor R Aubrey

**COUNCILLORS**

Cr N Pazolli  
Cr M Woodall, Cr C Robartson  
Cr R Aubrey  
Cr P Phelan, Cr L O'Malley  
Cr T Barling, Cr N Foxtan  
Cr G Wieland

**WARD**

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

**3. IN ATTENDANCE**

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Mr J Christie	Director Technical Services
Mr S Cope	Director Urban Planning
Ms C Young	Director Community Development
Mr L Hitchcock	Executive Manager Legal Services
Mr P Prendergast	Manager Statutory Planning
Ms C Newman	A/Governance and Compliance Program Manager
Mr N Fimmano	Governance and Property Officer
Ms S Tranchita	Minute Secretary
Ms L Hartill (until 7.29pm)	Manager Neighbourhood Development
Mr M Spencer (until 7.07pm)	Manager Strategic Urban Planning
Mr G Ponton (until 7.07pm)	Senior Strategic Urban Planner

At the commencement of the meeting there were eight members of the public and two members from the Press representing the Melville Times and Fremantle Herald in the Public Gallery.

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

Nil

**4.2 APPROVED LEAVE OF ABSENCE**

Cr J Barton	Bicton/Attadale Ward
Cr D Macphail	City Ward
Cr C Schuster	Applecross/Mount Pleasant Ward

**5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS****5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.**

Nil

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

Nil

## 6. QUESTION TIME

6.1 – Aphrodite Nicholson - Applecross

### Question 1

*I refer to the question I asked at the August 2016 Ordinary Council Meeting with respect to the Chief Executive Officer (CEO) contracts of employment.*

*With all due respect, the response given did not answer my question, stating that all the “awards” which the CEO has achieved since the commencement of his employment with the City does not answer my question.*

- A) *What was the reason/s for terminating the CEO's employment contract two years early in June 2011 when the contract end date was March 2013?*
- B) *What was the reason/s for terminating the CEO's employment contract two years early in May 2016 when the contract end date would have been March 2018?*

Contract Date	Term
6.12.07	20.3.08-19.3.13
22.6.11	20.3.11-20.3.16
17.6.14	20.3.14-20.3.19
23.5.16	20.3.16-20.3.20

### Response

The contract was terminated to enable a new contract to be entered into.

### Question 2

*How much has been recovered to date in total from the initial investment by the City of Melville of \$21.22 million in Collateralised Debt Obligations (CDOs)?*

### Response

Of the original amount of \$21.22 million invested in Collateralised Debt Obligations, the City has to date received a total return of capital and interest, less legal costs incurred, of \$23.39 million being a net positive return of \$2.17 million.

Further distributions are expected to be received, however we understand this may not be until 2017/2018 after which it will be possible to determine the final outcome.

## 6. QUESTION TIME CONTINUED

6.2 – Mr M McLerie – Bicton

Council was asked a number of questions at the 18 August 2015 OMC in response to the Building Commissioner's 8 July 2015 public cautioning of Bellagio Homes Pty Ltd in relation to a boundary wall in Bicton. The questions referenced the relevant building approval (BA-2015-155), SAT proceedings and emails between the adjoining landowner and the City.

Council took the questions on notice and publically responded to them at the 15 September 2015 Council meeting. The City's answers were along the lines of "the adjoining property owner is not identified. No response can be provided".

Subsequently on 5 April 2016 the Melville Times published the "Residents' group takes council to task" article that quoted the City's CEO, Shayne Silcox, as saying "The City's answers were accurately given".

On 25 June 2016 the Public Sector Commissioner, post reviewing the questions, answers and evidence, determine "that City officers have demonstrated a knowledge of who the adjoining landowner is" prior to answering the questions.

### Question 1

*When will Council answer the attached 18 August 2015 OMC questions in a full, accurate and forthright manner?*

### Question 2

*On what basis did the City's CEO, Shayne Silcox, make the statement in the 5 April 2016 Melville Times article that the 15 September 2015 OMC "answers were accurately given"; ie why did the CEO believe the answers were accurate and forthright?*

### Question 3

*Why did Council not challenge the City's administration's inaccurate answers at the 15 September 2015 OMC; particularly given the adjoining property owner identified himself and briefed the Mayor and all councillors on the background to the questions prior to that meeting.*

### Response

The Mayor and the Council responded to the questions in a prompt and informative manner with the information at its disposal at that time. If the questioner wishes the City to readdress any aspects of these questions it would be helpful that a request be received and more detailed information provided.

It is noted that the questioner has had the ability to clarify any issues regarding this matter for over 12 months.

## 6. QUESTION TIME CONTINUED

### 6.3 Questions Melville Residents and Ratepayers Association

#### **CEO premature contract renewals**

Initial response by the Mayor - Before I answer the following questions I highlight that there have been a number of questions on this topic over a number of meetings. Once these questions are responded to I have no intention to respond to any future questions presented on this matter. This approach is taken as the City has an obligation to ensure all employees are treated respectfully and I do not believe there is anything more that can be added which has not been presented, and as such would represent a misuse of ratepayer funded resources in responding further.

#### Question 1

*We refer to the Council's response to Ms E Nicholson's 16 August questions in relation to the CEO's multiple employment contract pre-term renewals. Council's answer, whilst highlighting a number of possibly extraneous awards, did not fully answer the question. Please confirm:*

*Given Council's response failed to include mention of any auditable report into; the CEO's performance, nor the performance of City administrative functions, nor achievements to the good government of persons in the City of Melville, at or prior to each renewal of his contract of employment; how does the Council demonstrate that the mere handful of 'achievement' items, which were purchases, or obtained through either self-assessment, or documentary information provided by the City; was adequate compensation for the absence of quantitative performance measuring reports to have enabled the Council to have made an "informed decision" on the contract renewals? What was the CEO's performance against those quantitative targets and measures?*

#### Response

The response to Ms Nicholson used the example of the achievements to demonstrate the high esteem that the organisation and leadership through the CEO has received. The CEO performance is evaluated against specific key performance criteria that are outlined in the contract and determined by absolute majority decision of Council. The Council are responsible for that review, in accordance with the Local Government Act section 18D. There is no other party or auditing mechanism specified under the legislation.

The fact that the contracts with the CEO have been renewed is indicative of the Council regard for the CEO's performance.

## 6. QUESTION TIME CONTINUED

### Question 2

*In the absence of any substantive auditable quantitative review reports, what encouragement, inducement or guidance was given to the Councillor's (sic), which then enabled each of them to 'facilitate communication between the community and the Council' for the express purpose of measuring and assessing the performance of the CEO in delivering the "performance of the local government's functions" to the satisfaction of the community in a manner that Council's decision can be demonstrated to have been "informed decisions" reflecting community expectations?*

### Response

Elected members were provided with a range of information to facilitate their decision making in regard to the CEO performance as per their role under the *Local Government Act 1995*. In addition, Council conducted extensive interviews with the CEO on his performance.

### Question 3

*What were the changes to the CEO's contract conditions post the 6 December 2007 in each of the renewals and what was the business case for the premature renewals?*

### Response

The Council is responsible for the CEO performance review, in accordance with the Local Government Act section 18D. There is no other party or auditing mechanism specified under the legislation. Contract variations have been considered by Council in accordance with legislative requirements and information relating to the matters affecting an employee are matters that have been closed to the public under Local Government Act 5.23.

The Local Government Act section 5.36 details the requirements for employment and renewal of contracts for a CEO position. The option of Council renewing a contract is detailed in the legislation and there is no requirement for a business case.

### Question 4

*Where and when can copies of the current CEO's renewed contracts and any worksheets or otherwise used in Council's decision-making process, be viewed?*

### Response

The decision is recorded in Council minutes, along with the process undertaken. In terms of documentation around the performance review decision the matter was closed to the public on the following grounds under the Local Government Act – section 5.23 which states:

If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

- (a) a matter affecting an employee or employees

## 6. QUESTION TIME CONTINUED

Section 5.95 of the Local Government Act details limits on right to inspect local government information as follows:

- (1) A person's right to inspect information referred to in section 5.94 does not extend to the inspection of information —
  - (a) which is not current at the time of inspection; and
- (3) Subject to subsection (4), a person's right to inspect information referred to in section 5.94 does not extend to the inspection of information referred to in paragraph (n) or (p) of that section if the meeting or that part of the meeting to which the information refers —
  - (a) was closed to members of the public

### **5.94. Public can inspect certain local government information**

A person can attend the office of a local government during office hours and, unless it would be contrary to section 5.95, inspect, free of charge, in the form or medium in which it is held by the local government and whether or not it is current at the time of inspection —

- (t) any contract under section 5.39 and variation of such contract;

## 6. QUESTION TIME CONTINUED

### **Tompkins Park Urbnsurf Wave Park**

#### Question 5

*We refer to the numerous recent news articles about the Wave Park Group's proposal for an URBNSURF development where the Melville Bowling Club currently resides at Tompkins Park; including the 26 August PerthNow article in which Mayor Aubrey is quoted as saying:*

*"We are delighted Tompkins Park is seen as the third iconic site to receive a proposal" ... "A thousand surfers a day, a thousand waves an hour, 15 hours a day, seven days a week – the City of Melville will be the surfing mecca of Western Australia" ... "It's not a done deal yet, there is a lot of assessments and processes we have to go through, (but) at this stage we're positive" Please confirm:*

*When the proponent first contact Council and/or City staff prior to the City receiving the formal proposal? Exactly when did the City receive the proposal?*

#### Response

The proponent had previously identified several potential sites within the City of Melville, but for a variety of reasons did not pursue any of these at the time. A letter from the Wavepark Group with an expression of interest for the Tompkins Park site was received by the City on the 30 June 2016. The proponent briefed the Council on the 23 August 2016 at an Elected Members Information Session prior to releasing further details to the community.

#### Question 6

*When and which Councillors and/or City staff engaged with the proponent prior to receiving the proposal?*

#### Response

City Officers had some discussions with the proponent prior to receiving the proposal. As highlighted in the previous response the proponent had previously identified several potential sites within the City but for a variety of reasons did not pursue these. The proponent had also at that time provided information to Councillors at an Elected Members Information Session (late 2014)

**6. QUESTION TIME CONTINUED**Question 7

*Given the City had “only just” received the proposal, which had not been reviewed by Council nor residents and ratepayers, what was the basis/authority of Mayor Aubrey’s positive and supportive statements to the press?*

Response

Mayor Russell Aubrey stated that while the proposal was only a concept, yet to be assessed, studied and put under the scrutiny of Council, it was encouraging Melville was being considered as a prime destination. This aligns directly with the City’s continued planning for the future, for which the City has just been rated by the Property Council Australia, as the leading local government for planning performance in the State.

Question 8

*What is the forward plan and timeline for Council’s assessment of the proposal and the indicative schedule for the development?*

Response

A report will be presented at the October/November 2016 Ordinary Meeting of Council accompanied with a detailed Business Case. Should the Council then endorse formal advertising of the proposal, under the Local Government Act, the proposal would be advertised for public comment. Following this period a further report would be provided to the Council for decision regarding proceeding to lease negotiations.

**Verge Treatment Policy (CP-086) Compliance – 28 Blackwall Reach Parade Bicton**Question 9

*In April this year the MRRA communicated with the City in relation to a 28 Blackwall Reach Pde Bicton development application. At the time the City was made aware of the two verge gardens planted through to the road kerb in a manner that would prevent public thoroughfare, ie there was not the required 2 m (sic) access way between the road kerb and the gardens. Very clear photos taken in May 2016 showing planted vegetation through to the kerb in breach of CP-086 were provided to Mr Jeff Clark, Governance and Compliance Program Manager. Mr Clark subsequently responded on 16 June indicating the matter will be address with the property owners. As of today (photos 31 August attached) the verge gardens remain and still obstruct public thoroughfare within the 2 m (sic) set back from the kerb. Please confirm:*

*When were the property owners/builders requested to modify the verge treatment to bring it into compliance with CP-086?*

Response

They were informed on the 17<sup>th</sup> of June 2016.

## 6. QUESTION TIME CONTINUED

### Question 10

*When were the owners /builder first given written permission to store building material on the verge and when was their kerb security deposit returned?*

### Response

No written request was received to store material on the verge. The Kerb security deposit for the dwelling has not been refunded. The kerb security deposit for the swimming pool was refunded in September 2013. No other Kerb security deposits have been taken.

### Question 11

*Given 28 Blackwall Reach Parade is a recently completed building why did the City's building compliance officers not notice an obvious non-compliance?*

### Response

The non – compliance was identified at the time of inspection (5/4/2016).This was discussed with the builder who advised that he was in discussion with Technical Services.

### Question 12

*Why does the non-compliant obstruction to public thoroughfare remain more than 4 months after the City was made aware of it?*

### Response

The obstruction remains as a result of the property owner failing to comply with the request to rectify this matter. The City has written again to the property owner requesting this matter be rectified no later than 26 September 2016.

### Question 13

*How many other planning, building or other complaints has the City received in relation to the development at 28 Blackwall Reach Parade?*

### Response

There have been a number of compliance related comments all of which have been addressed.

## 6. QUESTION TIME CONTINUED

### **MRRA 16 August question to Council – Parking Local Law**

#### Question 14

*Council's response to the MRRA's 16 August Parking Local Law question 1 "How many qualified practicing lawyers does Council employ directly and who are they?" (6.2.1 in the Council meeting minutes) was not answered. The Legal Practice Board of WA has a public register of legal practitioners qualified to give legal advice on its website. We have reviewed this list and not found any known Council employees on this register, including the City's Executive Manager Legal Services. Please confirm:*

No directly employed Council staff members are on the LPBWA register? Is Council does not directly employ a qualified legal practitioner to provide real time legal advice?

#### Response

The statement that "no directly employed Council staff members are on the LPBWA register" is incorrect. Council confirms that it does not directly employ a qualified legal practitioner to provide real time legal advice.

There are no specific roles that require this registration and the organisation relies on employee general para legal advice and external legal services as required, however the CEO reserves the right to use the internal qualified legal practitioner to give advice as and when required and retains external legal advisors for real time advice.

#### Question 15

*If a City employee is on the register, what position are they in and do they regularly provide legal advice directly to Council.*

#### Response

There are no specific roles that require this registration and the organisation relies on employee advice and external legal services as required.

#### Question 16

*After the 16 August Council meeting the City administration published the minutes of that meeting onto the City's website on or just before 23 August. On review of these minutes the MRRA made a complaint to the Public Sector Commission and the Ombudsman et al in relation to Council's responses to the MRRA's 16 August and 5 July questions to Council. Sometime after this and before 2 September the City modified the online Council meeting minutes in response to the MRRA's complaints. There is no clear indication in the minutes where the minutes have been modified post the initial publication; though on review it can be seen that the answers to the MRRA 5 July questions were subsequently included; but, without a line-by-line review, it is not clear if any other text has been modified. A copy of both versions is attached. Please confirm:*

## **6. QUESTION TIME CONTINUED**

*What document and management controls does Council have in place to ensure the probity of published public Council meeting minutes, agendas, supporting documents (embedded or otherwise) or the like (Council Records), and clearly track any changes post initial publication to ensure resident and ratepayers are assured the provenance of the Council records available to it on the City's website. That is: what is to stop the City subsequently amending records without resident and ratepayers being made aware of those changes?*

### Response

The Minutes of the 16 August 2016 Ordinary Meeting of Council were published to the website as clause 13 of the *Local Government (Administration) Regulations 1996* requires that the City make available for public inspection unconfirmed minutes of the meeting within 10 business days of the meeting.

The minutes of that meeting remain unconfirmed until submitted to the next Ordinary Meeting of Council, for confirmation as required by clause 5.22 of the *Local Government Act 1995*.

Once confirmed, the minutes are certified by the person who presided at the meeting that the minutes refer and these become the official record of that meeting.

### Question 17

*How many instances, and what were they, over the past 2 years has there been where the City has removed, modified, replaced, added, amended or the like any Council Records published on the City's website.*

### Response

The answer to question 16 indicates a legitimate process for amending draft minutes prior to confirmation at the next Ordinary meeting of Council.

The Website is not the City's records management system. The City of Melville constantly updates its Website content to ensure information for customers is up-to-date. In order to ensure all Website content is up-to-date the City has been implementing a more detailed Website Content Edit Plan to create a customer friendly experience.

6.4 - Mr S Wallace - Bicton

Mr Wallace presented 7 questions , which were taken on notice .

## **7. AWARDS AND PRESENTATIONS**

The Mayor advised that the following awards had been presented to the City of Melville and The Chief Executive Officer:

- City of Melville - Strategic and Planning Performance Award - being the Top Award presented to a Local Government in the Metropolitan Area.
- Chief Executive Officer - Australian Institute Management (AIM) – AIM Leadership of Excellence Award presented to Dr Silcox as the State Winner - WA Manager of the Year.

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY MEETING OF THE COUNCIL – 16 AUGUST 2016**  
Minutes 16 August 2016**COUNCIL RESOLUTION**

At 7.03pm Cr Robartson moved, seconded Cr Wieland–

**That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 16 August 2016, be confirmed as a true and accurate record.**

At 7.03pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

**8.2 NOTES OF AGENDA BRIEFING FORUM – 6 SEPTEMBER 2016**  
Notes 6 September 2016**COUNCIL RESOLUTION**

At 7.03pm Cr Foxtan moved, seconded Cr Aubrey–

**That the Notes of the Agenda Briefing Forum held on Tuesday, 6 September 2016, be received.**

At 7.03pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

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

Nil

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

- Item P16/3716 – Cr Robartson – Interest under the Code of Conduct
- Item 11 Applications for new leave of absence – His Worship the Mayor – Interest under the Code of Conduct

**10. DEPUTATIONS**

Nil

**11. APPLICATIONS FOR NEW LEAVES OF ABSENCE**Disclosure of Interest

Member	His Worship the Mayor
Type of Interest	Code of Conduct
Nature of Interest	Daughter is requesting Leave
Request	Stay, Discuss and Vote
Decision of Council	Stay, Discuss and Vote

At 7.04pm Cr Robartson moved, seconded Cr Barling -

**That the applications for new leaves of absence submitted by Cr Aubrey, Cr Phelan, Cr Schuster and Cr Wieland on 20 September 2016 be granted.**

At 7.05pm the Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (10/0)**

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

Nil

## **13. PETITIONS**

### **13.1 Petition – Bicton North Underground Power Project**

A petition signed by 100 residents was received by the City of Melville on Thursday, 8 September 2016.

The petition reads as follows –

*“We the undersigned, all being Electors of the City of Melville, do humbly pray that –  
The Council will reconsider the payment schedule and repayment options associated with the underground power program. The following petition demonstrates the community view that the Council has not provided a fair and responsible repayment schedule.*

*It is also noted through the limited consultation process undertaken that:*

- 1. Repayment options were identified as either 2 or 3 years, and*
- 2. The limited timeline for current payment options and interest charges were not detailed through the consultation process.*

*It is therefore the community’s opinion (as demonstrated by the following signatures) that two different payment options be considered (based on suggestions during the consultation process):*

- 1. A repayment option of instalments over 5 years at 4 percent interest, with no interest being charged until the completion of the project.*
- 2. A repayment option of instalments over 3 years with no interest charged (as discussed in the original consultation process).*

*It should be noted that the option of a 5 year repayment is based on what comparable Councils are providing. While Melville Council did not provide this option within their limited consultation process, it is the community’s view that this option should be included.*

*It is requested that all changes achieved through this process should be applied retrospectively and to all future ratepayer accounts.”*

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**COUNCIL RESOLUTION**

At 7.06pm Cr Wieland moved, seconded Cr Barling -

**That the petition bearing 100 signatures be received and acknowledged in writing to the lead petitioner with the advice that a report will be presented to a future meeting of the Council.**

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

**CARRIED UNANIMOUSLY (10/0)**

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

**P16/3716 - AMENDMENT 1 TO LOCAL PLANNING SCHEME No. 6 TO MAKE ADMINISTRATIVE CHANGES (REC) (ATTACHMENT)**

Disclosure of Interest

Item No.	P16/3716
Member	Cr C Robartson
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Reference is made to the RAAFA Association Estate Zoning – Cr Robartson resides on the RAAFA Estate
Request	Stay, Discuss and Vote
Decision of Council	Not Applicable

Ward	: All
Category	: Strategic
Application Number	: N/A
Property	: N/A
Proposal	: Amendment 1 to Local Planning Scheme No.6 to make administrative changes.
Applicant	: City of Melville
Owner	: N/A
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P15/3628 - Report on submissions and modifications to Local Planning Scheme No. 6 following advertising – 12 May 2015
Responsible Officer	: Gavin Ponton Manager Strategic Planning

**P16/3716 - AMENDMENT 1 TO LOCAL PLANNING SCHEME No. 6 TO MAKE ADMINISTRATIVE CHANGES (REC) (ATTACHMENT)**

**AUTHORITY / DISCRETION**

**DEFINITION**

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

<ul style="list-style-type: none"> <li>• Local Planning Scheme No. 6 (LPS6) was gazetted on 27 May 2016.</li> <li>• Several minor changes have been identified to correct the text and maps as soon as practical.</li> <li>• These changes are considered administrative only and therefore represent a basic amendment to the Scheme.</li> <li>• A basic amendment             <ul style="list-style-type: none"> <li>• requires a resolution from the Council endorsing the changes as this is required by the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</li> <li>• does not require advertising as there is no material change impacting on stakeholders.</li> </ul> </li> </ul>
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**P16/3716 - AMENDMENT 1 TO LOCAL PLANNING SCHEME No. 6 TO MAKE ADMINISTRATIVE CHANGES (REC) (ATTACHMENT)****BACKGROUND**

The Local Planning Scheme No.6 (LPS6) was adopted for advertising by resolution of the Council on 9 August 2011.

The Council resolved to support approval of the Draft Scheme on 12 May 2015.

The Western Australian Planning Commission (WAPC) recommended approval of LPS6 on 10 May 2016.

The Minister for Planning granted approval of the Scheme on 16 May 2016.

LPS 6 was formally gazetted on 27 May 2016.

In the process of approval and with formal use of the Scheme, there were several elements that were either impacted by:

- approval of structure plans or activity centre plans,
- approval or advertising of Metropolitan Region Scheme amendments that were not included in the approved Scheme, or
- discovery of inconsistencies that require changes to correct omissions discovered prior to gazettal but held over for an omnibus amendment so that the gazettal process was not further delayed, and
- minor inconsistencies discovered since gazettal of the Scheme.

A further amendment is being progressed that will consider areas of recoding raised during submissions that, although supported in principle, were considered to require additional advertising to affected stakeholders prior to final consideration. These areas will be considered under Amendment 2.

**DETAIL**

The *Planning and Development (Local Planning Schemes) Regulations 2015* under Clause 34, defines a basic amendment to a Local Planning Scheme. The following extract from the Planning Regulations highlights the relevant sub clauses of Clause 34 which relate to the interpretation of the proposed amendment, as a basic amendment (sub clauses not relevant have been excluded):

- (a) *an amendment to correct an administrative error;*
- (b) *an amendment to the scheme so that it is consistent with the model provisions in Schedule 1 or with another provision of the local planning scheme;...*
- (g) *an amendment to the scheme map that is consistent with a structure plan, activity centre plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme currently includes zones of all types that are outlined in the plan;...*
- (i) *an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area if the amendment will have minimal effect on the scheme or landowners in the scheme area...*

The details of the amendments can be viewed in Attachment 1. The identified items all fit within the requirements for a basic amendment and do not impact significantly on adjoining or surrounding landowners or residents.

**P16/3716 - AMENDMENT 1 TO LOCAL PLANNING SCHEME No. 6 TO MAKE ADMINISTRATIVE CHANGES (REC) (ATTACHMENT)**

It should be noted that the modifications to the LPS6 R-codes for areas within the City, that were requested in May 2015 by the Council, (specifically recommendations 6 and 7 of P15/3628) were not accepted by the Western Australian Planning Commission, and are intended to be addressed separately in Scheme Amendment 2. The amendments in Amendment 2 will require further advertising as they are considered a “standard amendment” under the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The process for basic amendments is set out in the *Planning and Development (Local Planning Schemes) Regulations 2015*. It follows the following steps:

1. Local Government (LG) resolves to adopt amendment (Current Step)
2. LG refers amendment to the Environmental Protection Authority (EPA). (EPA advised that no environmental review is required for Local Planning Scheme 6 on initial approval so anticipate similar response to this basic amendment.)
3. LG incorporates any environmental conditions
4. LG provides amendment documents to the Western Australian Planning Commission (WAPC)
5. WAPC to consider and make recommendations to the Minister.
6. Minister approves amendment, requires amendment to be modified and resubmitted or refuses to approve amendment. (If Minister considers amendment is significant, Minister may direct LG to advertise)
7. LG provides two copies of approved amendment to the WAPC for endorsement
8. WAPC endorses copies and provides to the Minister for endorsement.
9. Minister endorses amendment
10. WAPC publishes notice in the Gazette
11. LG advertises approved amendment.

**[P16 3716 Attachment 1](#)****STAKEHOLDER ENGAGEMENT**

Advertising Required:	No advertising required under clauses 34 (1) and 58 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .
Neighbour's Comment Supplied:	N/A
Reason:	N/A
Support/Object:	N/A

**P16/3716 - AMENDMENT 1 TO LOCAL PLANNING SCHEME No. 6 TO MAKE ADMINISTRATIVE CHANGES (REC) (ATTACHMENT)**

**I. COMMUNITY**

No external engagement has been carried out because the amendment is considered a basic amendment under clause 34(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

If, under Clause 59, the WAPC considers that the amendment to the local planning scheme is a complex or standard amendment the Commission may direct the local government to advertise.

**II. OTHER AGENCIES / CONSULTANTS**

The amendments proposed are either:

- administrative only,
- have had opportunity for comment during associated Structure Plan process or
- are the result of Metropolitan Region Scheme (MRS) processes.

After adoption by Council the amendment will be sent to the Environmental Protection Authority to decide if an environmental review is required.

**STATUTORY AND LEGAL IMPLICATIONS**

The changes proposed can be considered as a basic amendment under Clause 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Once adopted by the Council the *Planning and Development (Local Planning Schemes) Regulations 2015* require that the amendment be provided to the WAPC.

**FINANCIAL IMPLICATIONS**

There are no upfront financial implications for the City as a result of this amendment other than administrative costs.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

Risk Statement	Level of Risk	Risk Mitigation Strategy
Should Amendment 1 be delayed, complications may arise in approving or conditioning a development application for some properties covered by the amendments.	Moderate consequences which are likely to occur if the amendment is not progressed, resulting in an <b>High</b> level of risk	Progress of the amendment will remove the risk.

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**P16/3716 - AMENDMENT 1 TO LOCAL PLANNING SCHEME No. 6 TO MAKE ADMINISTRATIVE CHANGES (REC) (ATTACHMENT)****POLICY IMPLICATIONS**

There is no Council Policy that relates to this amendment specifically.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council may opt to treat the amendment as a “standard amendment” which would require advertising for a period of 42 days. A report on submissions and recommendation for the resolution on the amendment would then be reported to the Council and the resolution forwarded to the Western Australian Planning Commission within 21 days. This would add a minimum of three months to the process of amendment including preparation of advertising. As outlined above the proposed amendment is considered to fall within the definition of a “basic amendment” and accordingly meets the requirements for a reduced amendment approval process.

**CONCLUSION**

The amendments proposed are designed to correct omissions and inconsistencies in the Scheme that was gazetted, or introduce changes implemented through regional or other plans that have received approval since gazettal of LPS6. The content of the amendment are aimed at improving the operation and outcomes of LPS 6 and are not considered to impact on stakeholders.

Determining the amendment as a “basic amendment”, approval of the amendment and forwarding to the WAPC are recommended accordingly.

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**P16/3716 - AMENDMENT 1 TO LOCAL PLANNING SCHEME No. 6 TO MAKE ADMINISTRATIVE CHANGES (REC) (ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3716)                      APPROVAL**

**That the Council :**

- 1.    adopt Amendment 1 to Local Planning Scheme No. 6 as shown in Attachment 1 to item P3716 as a basic amendment under regulation 35(1) of the *Planning and Development (Town Planning Schemes) Regulations 2015* as it satisfies the following criteria set out in Clause 34 of those Regulations:
  - a)    An amendment to correct an administrative error;**
  - b)    An amendment to the scheme so that is consistent with a state planning policy**
  - g)    an amendment to the scheme map that is consistent with a structure plan, activity centre plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme currently includes zones of all types that are outlined in the plan;**
  - i)    an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area if the amendment will have minimal effect on the scheme or landowners in the scheme area.****
  
- 2.    forward the basic amendment report on a form 2, showing the amendment 1 to local Planning Scheme 6 as described in Attachment 1 to item P16/3716 and accompanied by the resolution of the Council and documents necessary to convey the intent and reasons for the amendment, to the Western Australian Planning Commission for consideration.**

At 7.44pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**P16/3718 - REVIEW OF PLANNING POLICIES (REC)**

Ward	: All
Category	: Policy
Application Number	: Not applicable
Property	: Not applicable
Proposal	: Review of planning policies
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	: P16/3694 – Review of various planning policies.
Responsible Officer	: Peter Prendergast Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P16/3718 - REVIEW OF PLANNING POLICIES (REC)****KEY ISSUES / SUMMARY**

- The City of Melville maintains a suite of planning policies. These policies augment the provisions of the Town Planning Scheme and assist in ensuring consistent decision making.
- The *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations) and Local Planning Scheme No. 6 (LPS6) are now operational. All of the City's planning policies need to be updated to reflect the current planning framework.
- The changes proposed are of an administrative nature and are summarised below:
  - Rename all policies, each being currently referred to as Council Policy, to Local Planning Policy. This reflects the naming conventions now found within Part 2 Schedule 2 of the Regulations;
  - Where reference is made within a policy to Community Planning Scheme No. 5 (CPS5) or a specific clause within CPS5, insert reference to LPS6, the Regulations, or the relevant specific clause within LPS6 or the Regulations;
  - Modify references to other City policies where appropriate;
  - Update the review date to the date of this report.
- The proposed modifications are of a minor nature and therefore are not required to be advertised to the public (sub-clause (5) (2) of Schedule 2 of the Regulations refers).
- It is recommended that changes to the policies are undertaken administratively and the relevant document management system updated accordingly.

**BACKGROUND**

The Regulations came into effect on 19 October 2015. These operate in conjunction with LPS6 which became operational after gazettal in May 2016.

The Regulations contain provisions to enable the Council to prepare, adopt and amend Local Planning Policies.

A number of the City's current Council Planning Policies refer to CPS5 and specific clauses within that document. CPS5 is now replaced by LPS6, which means that all policies which include reference to CPS5 must be amended and updated to reflect LPS6 and the Regulations.

**COMMENT**

Council Policies are generally updated every two years to ensure they remain relevant and reflect current best practice. In this instance changes to the whole suite of policies is required to bring them into line with the current planning framework. It is recommended that changes to the policies are undertaken administratively and the relevant document management systems updated accordingly.

Part 2, Schedule 2 of the Regulations refers to Local Planning Policies (LPP's). It outlines the purpose of Local Planning Policies and the procedures involved in making and amending them.

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**P16/3718 - REVIEW OF PLANNING POLICIES (REC)**

At present, planning related Council Policies comprise a proportion of all Council Policies. The Regulations suggest that planning related Council Policies be appropriately classed as Local Planning Policies, and specifically named as such. To rename the planning related Council Policies in this way will ensure consistency with the Regulations. In addition, the change to the naming protocol will assist customers in accessing the policies in their dealings with the City, either in person or online via the City's website.

The majority of current Council Policies make reference to CPS5, and some make reference to a specific clause within CPS5. These policies need to be updated to refer to either LPS6, or the Regulations, or a specific clause within either.

The amendments proposed in this case are of a minor administrative nature designed to bring about alignment with the updated legislative framework of planning documentation (LPS6 and the Regulations). These administrative amendments will not result in any changes to the objectives of any Council Policy, nor to its purpose or sentiment. On that basis, and subject to approval by the Council, it is recommended that the necessary changes be implemented by officers at the earliest opportunity.

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

The Regulations came into effect on 19 October 2015. Clause 5 of Schedule 2 of the Regulations contains requirements for amending a local planning policy. In accordance with subclause 5(2) the local government may amend a local planning policy without advertising if in the opinion of the local government the proposed changes are minor in nature. In this instance the changes to the policy are of an administrative nature to reflect the current planning framework and advertising of the policy is not recommended.

**II. OTHER AGENCIES / CONSULTANTS**

Clause 4(4) of Schedule 2 of the Regulations requires that the Council advise the Western Australian Planning Commission (WAPC) of any Council policy where that policy is inconsistent with any State Planning Policy. The proposed changes are of an administrative nature only and do not change the intent or operation of the policies. Therefore the WAPC is not required to be consulted.

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**P16/3718 - REVIEW OF PLANNING POLICIES (REC)****STATUTORY AND LEGAL IMPLICATIONS**

Without these administrative changes LPS6 essentially has no policy support.

Local Planning Policies are an important and intrinsic element of the broader framework of planning policy that exists to guide the decision making process associated with DA's. The proposed modifications to update the suite of Council Planning Policies will ensure they are correctly worded to reflect current circumstances.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City which result from this report other than administrative costs.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

The proposed modifications will ensure the policy framework is up to date with the current planning framework and will provide a sound basis for the assessment and determination of planning applications.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Council could resolve not to enable the modifications to the existing policies to be made administratively. This is not recommended as it would result in each of the policies being brought to Council for approval.

**CONCLUSION**

A number of current Council Policies do not accurately reflect the current planning framework and are required to be updated. It is recommended that these modifications are undertaken administratively following Council approval.

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**P16/3718 - REVIEW OF PLANNING POLICIES (REC)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3718)****APPROVAL****That the Council:****1. Update the City's planning related Policies, by:**

- Renaming each policy as a Local Planning Policy to reflect the naming conventions in Part 2 Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- Deleting reference to Community Planning Scheme 5 and/or reference to an associated clause within Community Planning Scheme 5, and substitute those with reference to Local Planning Scheme 6, the *Planning and Development (Local Planning Schemes) Regulations 2015*, or any specific and relevant clause of either document associated thereto;
- Modifying references to other Council policies where appropriate;
- Updating the policy review date of each policy to reflect this Council decision.

**2. Endorse that the administrative updates to policies be undertaken by officers on behalf of the Council within one month of the date of this decision.**

At 7.44pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**T16/3720 – URBAN FOREST AND GREEN SPACE POLICY (REC) (ATTACHMENT)**

Ward : All  
 Category : Strategic  
 Subject Index : Urban Forest and Green Space Policy  
 Customer Index : BMS  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Motion at Ordinary Meeting of Council on 12 May 2015  
 Works Programme : Not Applicable  
 Funding : 2016/2017 \$150,000  
 Responsible Officer : Jeff Bird  
 Manager Parks and Environment

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**T16/3720 – URBAN FOREST AND GREEN SPACE POLICY (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The City of Melville Urban Forest and Green Space Policy, which forms an attachment to this report, will provide a long term guide to the management and enhancement of the leafy green character of the City.
- The policy constitutes the highest strategic level of a framework that includes a two-part Urban Forest Strategy aimed at increasing the tree population on public and private land and a Green Space Strategy aimed at maintaining and increasing urban greenery other than trees.
- Implementation of the Urban Forest and Green Space Policy framework will preserve the character of our suburbs and contribute to the health, wellbeing and quality of life of the community.
- Additional funds required to increase tree planting by the City and develop digital tools for urban forest management will be accessed from the Public Open Space Reserve.

**BACKGROUND**

At the Ordinary Meeting of Council on 12 May 2015, the following motion was raised for the development of funding options to mitigate the effects of climate change:

*“That the Council:*

1. *Requests the Chief Executive Officer to develop funding options to progress the development and implementation of an Urban Forest, a Foreshore Protection and a Vegetation Corridor Strategy to mitigate the effects of climate change with a particular focus on the following:*
  - *Reducing the urban heat island effect by increasing tree canopy cover across the City.*
  - *Assessment of coastal vulnerability associated with the predicted sea level rise and the impacts on foreshore erosion and rehabilitation on the Swan and Canning River foreshores.*
  - *The further development and implementation of the City’s Foreshore Restoration Strategy.*
  - *The establishment of vegetation and nature corridors to preserve and enhance natural biodiversity.*
2. *Requests the Chief Executive Officer to present the funding options to an Elected Member Information Session in July 2015 for discussion and future consideration as part of the Community Plan review process.”*

As a result of the above motion, the City investigated funding options which were presented at the Elected Members Information Session (EMIS) on 25 August 2015 after which the City commenced developing an Urban Forest Strategy.

**T16/3720 – URBAN FOREST AND GREEN SPACE POLICY (REC) (ATTACHMENT)**

As part of this process research into urban forest strategies developed locally and globally, revealed considerable inconsistency in definitions, scope, assumptions and methodology. However, the most successful and cited strategies operate within a strategic policy framework with clear outcomes and are based on sound data, realistic expectations and include objective risk and opportunity assessments. Preliminary work also concluded that the City does not currently have information about the current status of the total urban forest, the potential for additional planting, or the state of its own tree assets at the level or quality expected in modern urban forest management.

**DETAIL**

According to an independent assessment conducted by the McMullen Nolan Group (MNG) in February 2016, the City of Melville has an average tree canopy cover of about 16% from trees more than 6 metres tall and an average understorey foliage cover of 26% from smaller plants. Only one suburb (Myaree) has less than 10% tree canopy cover and it is also the suburb with the lowest total tree and understorey cover (32%). Over all suburbs, the median total tree and understorey cover is 41%, although there are site-specific deficiencies.

Internationally, a forest is defined as an area of land greater than 0.5 hectares with tree canopy cover of more than 10% from trees with a potential mature height of at least 5 metres (Food and Agriculture Organisation (FAO), Convention on Biological Diversity (CBD) and United Nations Environment Programme (UNEP)).

While many urban forest strategies include arbitrary tree canopy cover targets, current expert advice suggests that this simple two-dimensional approach fails to adequately account for complex environmental dynamics, and may under-value the importance of biodiversity in sub-canopy forest layers, natural ecological balance. It is also important to recognise the benefits of non-treed green spaces, particularly in situations unsuitable for large trees.

The Urban Forest and Green Space Policy framework seeks to place the City's Urban Forest Strategy within a broader context. It will clarify the different strategic approaches to be taken for urban forest and other green space on land within the City's ownership or control and on land owned or controlled by external parties. The Urban Forest and Green Space Policy attached for the Council's approval is the highest level in that framework.

**Key Challenges:**

1. The loss of mature trees and other green space on private land is accelerating as a result of new development, redevelopment and residential densification.
2. Despite surveys indicating broad public support for more trees, there is often passionate localised opposition to planting new trees, especially of street and foreshore trees, based on perceived disadvantage.
3. Climate change and the prevalence of impermeable, heat-reflective surfaces in urban areas are increasing the impact of the urban heat island effect, and placing pressure on established trees and understorey adapted to the higher rainfall regime of the past.

**T16/3720 – URBAN FOREST AND GREEN SPACE POLICY (REC) (ATTACHMENT)**

4. The City does not have a complete, up-to-date tree database or an inventory of suitable potential planting sites to support long-term management decisions.
5. Arbitrary targets focused on canopy cover are simple and popular but under-value the importance of biodiversity in sub-canopy forest layers, natural ecological balance and the benefits of non-treed green spaces.
6. Trees take time to mature and short term targets are unrealistic. Depending on species, a tree may require 20 to 50 years to develop its full growth, and the attrition rates for trees planted in urban locations is estimated as over 20% in the first three years. Tree crowns may also have significant impacts on visual amenity until they are high enough not to obstruct views.

Setting the Urban Forest Strategy within the wider context of an urban forest and green spaces policy allows for landholders' perceptions and rights to be respected and for competing objectives to be managed. A clear overall objective of no net loss of urban forest across the City is consistent with this more holistic approach.

The proposed policy framework is shown below in Figure 1. Community engagement and data analysis are common threads throughout the framework.

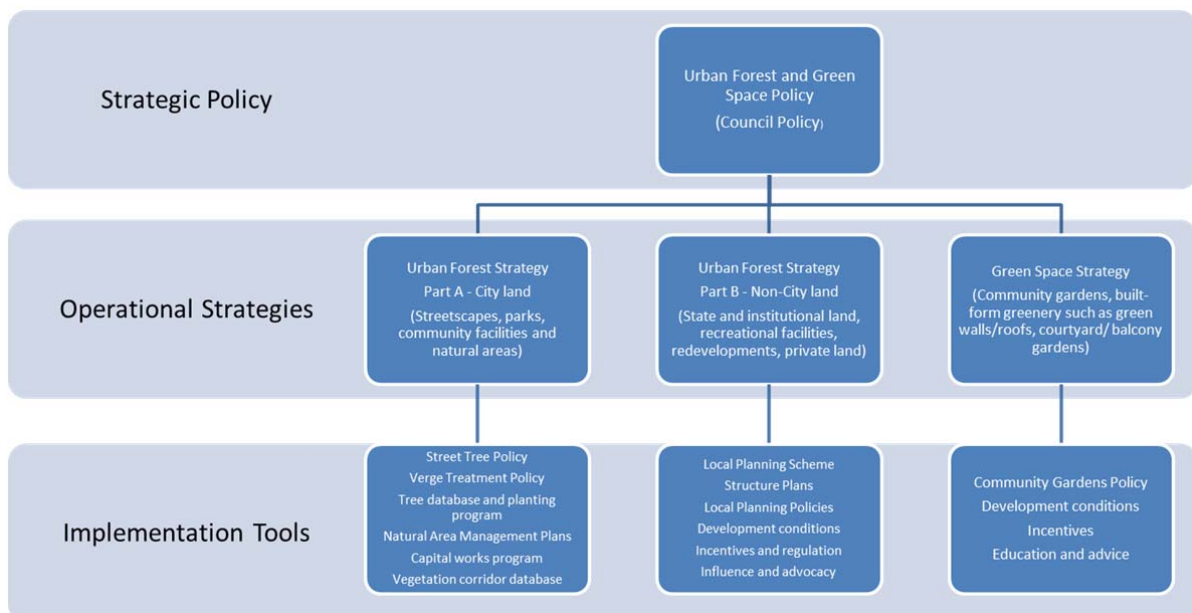


Figure 1 - Urban Forest and Green Space Strategic Policy framework.

In response to the Council's resolution of 12 May 2015, the City has commenced the development of Part A of the Urban Forest Strategy (City land) which will focus initially on City managed trees. Subject to the Council's approval of the attached policy, this development will continue with the aim of providing a long term guide to the maintenance and enhancement of the City's urban forest through efficient and effective monitoring and management of City trees, while also recognising the value of maintaining and enhancing understorey coverage.

**T16/3720 – URBAN FOREST AND GREEN SPACE POLICY (REC) (ATTACHMENT)**

Part B of the Urban Forest Strategy will focus on mechanisms suitable to maintain and increase tree and understorey cover on private, institutional and public land not controlled by the City, where the City will need to rely on influence, advocacy and other mechanisms to achieve urban forest objectives.

A fundamental element of effective Urban Forest Strategies is sound data on which to make decisions. The City commissioned the McMullen Nolan Group in February 2016 to conduct aerial and thermal imaging assessments to develop a broad picture of the existing urban forest and determine areas of concern, including urban heat island effects. It has also commenced developing a full City tree inventory which will underpin management decisions aimed at maintaining diversity of tree age and species.

The objectives for Part A of the Urban Forest Strategy are:

Understand the City's existing and potential tree assets

- Prepare and maintain a complete City tree inventory.
- Analyse aerial and thermal imaging data to determine priority locations for renewing or enhancing urban forest on public land and determine realistic coverage targets.
- Implement an appropriate economic valuation methodology for City trees, consistent with industry standards.
- Adopt or develop a model to predict tree canopy and understorey coverage over time under alternative planting, replacement and management regimes.

Protect and maintain existing tree assets

- Prioritise tree protection during infrastructure maintenance and capital works.
- Proactively maintain City trees and understorey plants in order to maximise their life and consequential community benefits.
- Investigate and trial new techniques to improve the health and wellbeing of City trees.
- Undertake targeted planting and replacement based on the tree inventory.

Increase City tree numbers

- Increase the overall numbers of trees within public open space through targeted plantings.

Increase community knowledge, engagement and support

- Explain the benefits of trees on public land and ways in which perceived disadvantages can be managed.
- Seek the community's input and involvement in supporting and caring for the City's trees.

Part A of the Urban Forest Strategy will be drafted by the end of 2016, with planting targets to be finalised in mid-2017 following completion of the data collection and analysis and the modelling exercise.

**T16/3720 – URBAN FOREST AND GREEN SPACE POLICY (REC) (ATTACHMENT)**

Part B of the Urban Forest Strategy will be developed in consultation with the community and other stakeholders in 2016/17. In developing this document, the City will investigate planning options, regulatory and other incentives, and community engagement mechanisms that have been successful elsewhere in enhancing urban forest resources.

The proposed Green Space Strategy recognises that green spaces without a significant tree presence, whether natural open grassed areas, food or flower gardens or built form greenery such as green roofs/walls, balcony and courtyard gardens or atriums, also deliver significant human and environmental benefits.

This strategy will be developed in 2017 in consultation with the community. It will identify mechanisms to increase green space in locations where trees or large shrubs are impractical, and ways to compensate for the loss of home gardens as residential density increases. For example, more communal and community gardens may provide the therapeutic and physical activity benefits of gardening for people without gardens of their own.

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

This Policy has been informed by the 2016 City of Melville Residents Perceptions Survey and 2015 City of Melville Wellbeing Survey as well as informal interaction between community members and City staff. Subject to the Council's endorsement of the Urban Forest and Green Space Policy and the policy framework shown in Figure 1, community engagement will be undertaken as part of the development of the strategies.

The involvement and support of the community will be a key factor in the success of the Urban Forest Strategy and the Green Space Strategy. This engagement could include elements such as:

- A consultation paper explaining the key benefits and management issues associated with urban forests and other green spaces, inviting public comments and ideas, which will be considered in the preparation of the strategies.
- A community survey to canvas community understanding of the benefits and issues, their concerns, and their willingness to contribute to the enhancement of the City's urban forest and other green spaces.
- A diverse Community Reference Group to debate issues, provide advice to the City on engagement programs and incentives and liaise with interested community groups.
- A suite of information and advisory material that is made available through:
  - The City's website and social media;
  - Melville Talks;
  - Information sessions and workshops;
  - Promotion through libraries, pop-up booths and community events.

The engagement program will be intensive to assist with the development of the strategies, and then communication will be ongoing at a background level. Engagement mechanisms will be continuously reviewed and modified to assist the City in retaining community support and understanding.

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**T16/3720 – URBAN FOREST AND GREEN SPACE POLICY (REC) (ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**

The City will liaise with other metropolitan local governments in the interests of promoting a consistent approach, and developing common assumptions, valuation methodologies, modelling techniques and monitoring tools.

The City will seek to develop collaborative and cooperative arrangements with State and institutional landholders in the City in support of the objectives of the Urban Forest and Green Space Policy.

**STATUTORY AND LEGAL IMPLICATIONS**

There are no immediate statutory or legal implications with regard to this item. However, protecting and enhancing the urban forest on private land may require changes to local laws and planning policies, which will be the subject of specific advice to the Council as options are explored.

**FINANCIAL IMPLICATIONS**

Currently the City plants approximately 700 trees per year. A tree to be purchased, planted and watered for two years will cost approximately \$450 per tree which equates to \$315,000 for 700 trees. Taking into account current estimated attrition rates of over 20% before maturity, each healthy mature tree represents a direct financial investment of over \$560.

If the City were to increase the planting program, for example to 1,400 trees per year, the total cost would increase to \$630,000 per year. In addition to the initial costs associated with tree planting, ongoing maintenance costs need to be considered to estimate full lifecycle costs (including end-of-life removal) consistent with other infrastructure assets.

Economic modelling in other jurisdictions indicates that planting trees in urban areas delivers a net economic benefit over the life of the trees, although the amount of benefits depends on the circumstances and the assumptions made in the model.

Currently the City has an operating budget for tree management of approximately \$2.4 million (2016/2017 financial year budget), to manage the estimated 80,000 to 100,000 trees within the City's parks and streetscapes. An increase in tree stock will result in a corresponding increase to the operational budget in future financial years. Continuous improvement in the management of trees and improved information programs will improve attrition rates and maintain downward pressure on lifecycle costs.

Funding for the Urban Forest Strategy has been identified within the City's Long Term Financial Plan. The City has allocated \$150,000 in the proposed 2016/2017 Capital Works budget, which will be used to complete data collection and analysis. Once data collection is complete a planting program will be developed which will clearly identify the numbers of trees and funds required into future financial years.

**T16/3720 – URBAN FOREST AND GREEN SPACE POLICY (REC) (ATTACHMENT)**

The City investigated funding options and presented at the Elected Members Information Session held on 25 August 2015. The Council endorsed, through the budgetary process, the use of a proportion of the Public Open Space Reserve to finalise the development and fund the implementation of the Urban Forest Strategy. As described above, the City currently budgets for 700 trees a year, to double the amount of trees being planted; the City would require an additional \$315,000 per financial year.

Consideration will also need to be given in future financial years to resource requirements that may be required to manage Part B of the Urban Forest Strategy and the Green Space Strategy.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Risk of increased capital and ongoing maintenance expenses due to additional tree installations and maintenance costs.	Moderate consequences which are Likely, resulting in a <b>medium</b> level of risk	Utilise funds from the Public Open Space Reserve. Develop Contracts for materials and services to ensure best value for money.
Risk of localised public opposition to increased planting of trees on verges and foreshores due to perceptions of personal disadvantage.	Low consequences which are likely, resulting in a <b>medium</b> level of risk.	Undertake community education and engagement. Develop a list of suitable planting sites on public land and prioritise sites where adjacent land users do not oppose tree planting. Investigate complaints and seek flexible solutions to address reasonable concerns.

**POLICY IMPLICATIONS**

Street Tree Policy CP-029, outlines the City of Melville's commitment that all trees are assets of the City that contribute to the well-being of the community and to the natural environment. The Urban Forest Strategy provides a mechanism to implement the Street Tree Policy and increase the City's street tree population whilst meeting the City's obligation to provide a safe environment for the community and its responsibility to minimise negative impacts on other infrastructure.

Verge Treatment Policy CP-086 sets out guidelines for verges along City streets, including requirements for resident initiated verge gardens, surface materials and protection for street trees. This policy may need to be reviewed to ensure it encourages the enhancement of green space in streetscapes.

**T16/3720 – URBAN FOREST AND GREEN SPACE POLICY (REC) (ATTACHMENT)**

Residential Development Policy (CP-078) and Non-residential Development Policy (CP-087) set out the City's expectations of developers, including amenity issues such as green space. Subject to appropriate review, these policies provide a mechanism to facilitate the implementation of the Urban Forest and Green Space Policy, particularly through incentives and conditions associated with development approvals.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

1. Business as usual - the City could choose to continue its current practice of planting a minimum of 600 trees annually in streetscapes, in addition to ad hoc planting within its parks. Many of these trees are replacements but this option would continue to slowly increase tree numbers on City-controlled land. However, this level of planting is unlikely to compensate for the loss of trees on private property, leading to a steady net loss of canopy cover and green space.
2. Focus entirely on canopy cover - the City could apply an arbitrary percentage canopy cover target and undertake aggressive measures to achieve it, including tree preservation legislation, stringent tree retention, planting or offset conditions for developers and preference for dense-canopied (primarily exotic) street and park tree planting. This approach is likely to be controversial, expensive and may deliver poor value for money.

**CONCLUSION**

The City is committed to sustainability initiatives and doing everything within its control to ensure future generations will benefit from the consequences of the City's actions.

The City of Melville Urban Forest and Green Space Policy, implemented through an Urban Forest Strategy and a Green Space Strategy and associated operational policies and procedures, will deliver social, environmental and economic benefits to the community today and into the future.

The policy and strategies will increase the number of trees and their resultant benefits, provide essential vegetation and nature corridors that support the movement of wildlife and increase biodiversity and preserve the aesthetic character of the City.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3720)      APPROVAL****That The Council:**

1. **Endorses the Urban Forest and Green Space Policy framework shown in Figure 1 and the attached City of Melville Urban Forest and Green Space Policy.**  
[3720 CP-102 Urban Forest and Green Space Policy](#)
2. **Notes that technical data collection and analysis have commenced to underpin directions and the identification of targets in the Urban Forest Strategy.**

At 7.44pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)**

Ward	: All
Category	: Strategic
Subject Index	: Strategic Planning
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	: C07/8010 Community Plan 2007 – 2017 - OMC 19 June 2007. CD12/8046 Strategic Community Plan Revision - OMC 15 May 2012. M12/5258 Adoption of the City of Melville Corporate Plan 2012-2016 - 20 November 2012.
Works Programme	: Not Applicable.
Funding	: Not Applicable.
Responsible Officer	: Leanne Hartill Manager Neighbourhood Development

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- A full review of the ten year Strategic Community Plan is legislatively required to occur every four years, whilst the Corporate Business Plan has a minimum four year timeframe and an annual review.
- The current Strategic Community Plan expires in 2016.
- An extensive community and stakeholder engagement plan is deployed to review the Strategic Community Plan, and a strong Elected Member and Executive Management Team strategic planning process is undertaken to review the Corporate Business Plan.
- The Council is required under the Local Government (Administration) Regulations 1996 (the Regulations) to adopt the proposed Strategic Community Plan and Corporate Business Plan by absolute majority decision.
- The proposed Corporate Business Plan 2016 – 2020 is the long term Corporate Business Plan that activates the Strategic Community Plan 2016 - 2026: People, Places, Participation; and related Informing Plans such as Neighbourhood Plans; Directions from Seniors; and Directions from Young People.

**BACKGROUND**

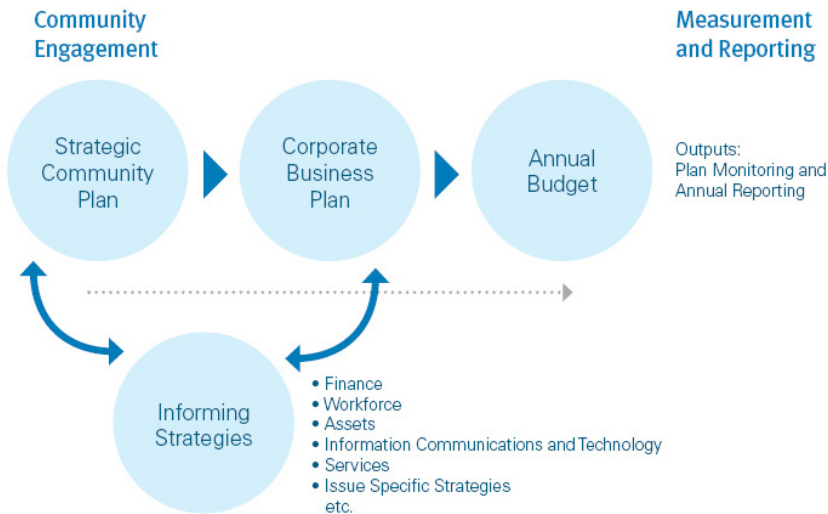
The *Local Government (Administration) Regulations 1996* requires each local government to adopt a Strategic Community Plan and a Corporate Business Plan.

A successful integrated planning and reporting process will deliver the following outcomes:

- A Strategic Community Plan that clearly links the community's vision, aspirations and objectives with the Council's vision and long term strategy;
- A Corporate Business Plan that integrates resourcing plans and specific council plans with the Strategic Community Plan; and
- A clearly stated vision for the future viability of the local government area.

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)**

**Elements of Integrated Planning and Reporting Framework**



Reference: <https://www.dlqc.wa.gov.au/CommunityInitiatives/Pages/Integrated-Planning-and-Reporting.aspx>

There are three major parties to the development of an integrated strategic community plan:

1. *The community* – participates in a community planning process to determine major vision or intended big picture directions and also participates in regular reviews of those directions.
2. *The Council* – signs off the Strategic Community Plan resulting from the community planning process, the four year reviews updating that plan, and the annual budget.
3. *The local government administration* – supports delivery of the Strategic Community Plan, the four yearly reviews, and annual budget through its corporate business planning.

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)**

Figure 1.1



Reference: <https://www.dlqc.wa.gov.au/CommunityInitiatives/Pages/Integrated-Planning-and-Reporting.aspx>

The City has conducted a review of community aspirations previously identified in People, Places and Participation 2012 – 2022, the Strategic Community Plan for the City of Melville.

The process for the review was informed by the City’s Stakeholder Engagement Policy and the International Association for Public Participation (IAP2) Quality Assurance Standard for Community and Stakeholder Engagement.

In conjunction with this review, the elected members and executive management team undertook a structured strategic planning process which has consolidated the key priority actions for the next four years that are central to the proposed Corporate Business Plan.

**DETAIL**

The Strategic Community Plan outlines the communities long term (ten plus years) vision, values, aspirations and priorities, with reference to other local government plans, information and resourcing capabilities. The Strategic Community Plan is not static. A full review is required every four years with a desktop review every two years.

The Strategic Community Plan:

- Establishes the community's vision for the local government's future, including aspirations and service expectations;
- Drives the development of local government area/place/regional plans, resourcing and other informing strategies, e.g. workforce, asset management and services, and
- Will ultimately be a driver for all other planning.

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)**

The integration of asset, service and financial plans helps match the local government's resource capabilities to their community's needs.

From October 2015 through to June 2016, the following activities were undertaken to review the current Strategic Community Plan:

- Review of City activities with respect to each current community aspiration;
- Recruitment of a representative Community Reference Group to assist with development and implementation of the stakeholder engagement process;
- Administration of an online survey;
- Development of a new online site for stakeholder engagement (**Melville Talks**); and
- Analysis of quantitative and qualitative feedback from the community.

All of these inputs have been synthesised into the attached revised draft [8086 City of Melville Draft Strategic Community Plan](#) which is now presented to the Council for consideration and absolute majority adoption.

The key elements of the Strategic Community Plan include the following Community Vision and Community Aspirations and Objectives:



A safe City with green, leafy streets, suburbs and open spaces where people enjoy high levels of health and wellbeing, participate in local events and activities; have access to community services and local business opportunities are encouraged.

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)**

Aspirations	Objectives
Clean and Green 	Clean and well-maintained Parks, reserves, natural areas and public open spaces where everyone can socialise, be active and be safe.
Sustainable and connected transport 	Better public transport, cycling and walking infrastructure and responsive traffic management.
Growth and prosperity 	Encourage development of small businesses in our suburbs and local communities
Sense of community 	A range of local community services, events and cultural activities throughout the year for people to get to know one another and do things together.
Healthy lifestyles 	Opportunities for healthy activities both indoors and out and about in local parks and suburbs walking, running, cycling and exercising individually or in groups
Safe and secure 	People feel safe and secure at all times wherever they are and whatever they are doing.

**8086 City of Melville Draft Strategic Community Plan**

The Corporate Business Plan has a minimum of a four year timeframe and identifies and prioritises the City's priorities, strategies and activities for dealing with the aspirations and objectives of the Strategic Community Plan. It also states the service, operations and projects that a local government will undertake the method for delivering these and the associated costs.

A formal strategic planning process, which involved Elected Members and the Executive Management Team, was undertaken to review the key risks and priority areas for the City. There was the agreement by elected members and the executive management team on five key priority areas of focus, and the key strategies that have been identified to address these key strategic risks.

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)**

The key elements of the Corporate Business Plan include the following Priority areas and strategies:

Document: City of Melville Corporate Business Plan 2016 - 2020	City of Melville Key Priorities	<p><b>Key priority:</b> Restricted current revenue base and increasing/changing service demands impacts on rates</p> <p><b>Key strategies:</b></p> <ol style="list-style-type: none"> <li>Explore opportunities for increased residential density and commercial investment in strategic locations, aligned to the local planning objectives and coupled with the exploration of special area rating</li> <li>Creating greater revenue from our current and potential land, property and facility holdings</li> <li>Pursue productivity and efficiency improvements</li> </ol>	<p><b>Key priority:</b> Meeting the demand to provide fit for use/appropriate infrastructure into the future</p> <p><b>Key Strategies:</b></p> <ol style="list-style-type: none"> <li>Optimise facilities to achieve 'fit for use' facilities for current and future beneficiaries. Includes amalgamation of like groups into hubs and shared use of facilities (private sector, State Govt., other LG and community groups)</li> <li>Review the standards and management model that we assess our asset gap against (the, technical standards and from a customer perspective regarding their expectations )</li> </ol>	<p><b>Key priority:</b> Urban development creates change in amenity (positive and negative)</p> <p><b>Key Strategies:</b></p> <ol style="list-style-type: none"> <li>Ensure higher density developments in strategic locations, consistent with the local planning framework and structure plans, design guidelines for interface areas and ensuring measured change in established areas and consideration of parking and traffic issues</li> <li>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</li> </ol>	<p><b>Key priority:</b> Degradation of natural resources within the City</p> <p><b>Key Strategies:</b></p> <ol style="list-style-type: none"> <li>Holistic and integrated strategies for protection of the City's natural resources (includes urban forest, foreshore protection, public open space and streetscapes)</li> <li>Ameliorate loss of vegetation from private property development</li> <li>Explore with current and potential partners the next generation waste treatment technology and implement</li> </ol>	<p><b>Key priority:</b> The challenge of meeting community expectations regarding community engagement</p> <p><b>Key strategies:</b></p> <ol style="list-style-type: none"> <li>Improve communication mechanisms to make information easy to access regarding community engagement, including improving website, addressing misinformation in the community and optimising use of social media</li> <li>Continue participatory budgeting that involves the community (such as Project Robin Hood) and then taking it further</li> <li>Improve engagement with the business community</li> </ol>
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[8086 City of Melville Draft Corporate Business Plan](#)

This report presents the outcomes of that process, being the attached revised draft Corporate Business Plan, to the Council for consideration and adoption by absolute majority decision.

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

**Engagement objectives were to:**

- Inform City of Melville residents of their opportunity to participate in the review through an extensive advertising and promotion campaign in February 2016;
- Consult with City of Melville residents on the review using methods including an online survey and public workshop/s; and
- Enable elected member leadership and direction for future organisational priorities.

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)****Preliminary review for the Strategic Community Plan**

In 2015, a preliminary review of the City's contribution to community aspirations since 2012 was conducted and included a series of interviews and workshops with key staff across the organisation.

The review focussed on the various roles performed by the City when contributing to community aspirations, namely those of: provider; partner, regulator, funder (grants), facilitator, monitor, and advocate.

The information collected during the preliminary review was used to:

- Inform staff about the review of the Strategic Community Plan and to understand their professional contributions to achievement of community aspirations;
- Educate the Community Reference Group on the City's contributions and provide the context against which the stakeholder engagement process was to be developed; and
- Create "aspiration" pages on MelvilleTalks (online engagement portal) to educate the community on what the City does and can do in its day to day activities. The aspiration pages contained videos of staff talking about their work, photographs, images and text.

**Community Reference Group (CRG)**

Terms of Reference were developed requiring CRG members to undertake the following tasks:

1. Attend a series of meetings held at the City between October 2015 and May 2016.
2. Become familiar with the current Strategic Community Plan and assist in revisiting the nine community aspirations for the City of Melville, namely:
  - Safety and security
  - Healthy lifestyles
  - Accessible and inclusive
  - Sense of community
  - Involved and engaged
  - Liveable built environment
  - Clean and green environment
  - Sustainable and connected transport
  - Growth and prosperity
3. Assist the City in designing the stakeholder engagement process, particularly with respect to identifying the key questions for community input.
4. Take a leadership role with actively encouraging community participation in the review.
5. Evaluate the stakeholder engagement process and outcomes with respect to:
  - adherence to International Association for Public Participation (IAP2) core values; and
  - the revised Strategic Community Plan and the extent to which it reflects community aspirations and priorities.

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**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)**

Opportunities to participate were advertised over a two week period in the local community newspaper.

Representatives to serve on the group were sought and included those residents who:

- Did not speak English as their first language at home;
- Were residents from the 4 neighbourhoods;
- Were local Aboriginal or Torres Straight Islanders;
- Were living with disabilities;
- Were under 25;
- Were 65 plus; and who had broad community interests e.g. cultural, environmental, social and economic (business).

Selection of CRG members was dependent upon their experience in representing or acting on behalf of representative groups, networks/organisations associated with them and a commitment to attend all meetings of the group.

The final group composition included:

- Barry Jones – local businessman and member of the Melville/Cockburn Chamber of Commerce.
- Linley Batterham – retired teacher then consultant researcher in WA History.
- Felix Rosario – young environmentalist.
- Nick Passanisi – a young man with a disability, owner/operator of Another Angle Consulting and Training.
- Adam Hewber – a young man with a disability, self employed as an arts practitioner motivator.
- Andy Lau – local non-government service provider from a CALD background
- Suzie Farghaly – local business woman.
- Christine Baker – Early Years Executive Manager.
- Kevin Stubbs – retired member and past committee member of Melville Theatre.

The group met on at least ten occasions, attended an Elected Member Information Session on 26 April 2016 to provide an informal briefing on their involvement, and participated in a community workshop to review the updated community aspirations.

### **The Online Survey**

The purpose of the online survey was to test community sentiment on existing aspirations.

The CRG identified 11 questions which could be divided into sections relating to quality of place and quality of life. A five point “level of importance” scale was used for closed questions and two open questions followed each of the two sections.

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)****Quality of Place:**

1. How important is a range of housing options for different ages and stages of life? (Liveable built environment).
2. How important is it to get around – work, shopping, entertainment – without having to own a car? (Sustainable and connected transport).
3. How important is having restaurants, cafes and shops within walking distance of your home? (Growth and prosperity).
4. How important are parks, reserves and natural areas within your neighbourhood? (Clean and Green).

## Open question:

5. What would make the City of Melville the place of choice to live, work and play?

**Quality of Life:**

6. How important is it to know what to do and where to go in case of an emergency/disaster? (Safe and Secure)
7. How important is it to be fit and healthy? (Healthy lifestyle)
8. How important is it to feel and be welcomed in public spaces, venues and other facilities? (Access and inclusion)
9. How important is it for you to attend a range of local cultural events and activities? (Sense of community)
10. How important is it for you to get involved in things that affect your community? (Involved and Engaged)

## Open Question:

11. What would improve how you feel about your quality of life in the City of Melville?

## An additional question requested by CRG members was:

12. How important is it to access information and emerging technologies?

**Development of a new online site for stakeholder engagement**

Established in December 2015, the new online facility, **MelvilleTalks**, was used as the primary vehicle for stakeholder engagement during the review of the Strategic Community Plan. The site was officially launched when the stakeholder engagement process commenced in April 2016.

**Promotion of opportunities for stakeholder engagement**

Sponsorship from a local provider in the form of a prize was obtained to encourage participation. The Flight Centre matched the City's contribution of \$2,500 for a \$5,000 travel voucher. The prize complemented the "Where to Go" campaign and was an incentive to participate in the online survey.

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)**

The promotion campaign included:

- Letter box drop of flyers to 40,000 households;
- Delivery of posters and flyers at local cafes;
- Pull-up banners, posters and flyers in City of Melville buildings including the Civic Centre, libraries, LeisureFit Centres and the Community Centres at Blue Gum, Willagee and Bull Creek;
- Bus back advertisements on main routes through the City;
- Road signs and major intersections;
- Shopalite signage rotated throughout Garden City Shopping Centre;
- Full and half page advertisements local newspapers;
- Articles in newspapers and in Mosaic;
- Launch at Point Walter Concert – YAC recruited young people wearing branded t-shirts and distributing flyers through the crowd;
- A 'manned' booth at Garden City;
- Use of all staff and Community Reference Group networks and contacts;
- Presentations at a range of events hosted by the City;
- Google and Facebook advertisements;
- Administration of an online survey;
- Analysis of quantitative and qualitative feedback from the community.

**Outcomes of online engagement**

Both quantitative and quality data were captured using the online survey.

Analysis of the quantitative data, the level of importance that members of community attached to aspirations, was undertaken by Metrix, a market research company. The data was weighted against the ABS profile for the City of Melville.

The qualitative data was collected from the 'free text' response to two open questions in the online survey.

- What would make the City of Melville the place of choice to live, work and play?
- What would improve your quality of life?

These questions allowed participants to say more on what mattered to them about life and living in the City, providing greater insights than a simple response to an 'importance' question.

**II. OTHER AGENCIES / CONSULTANTS**

A highly experienced external consultant was involved in facilitating the strategic planning process for the Corporate Business Plan development.

Consultation has occurred with the Department of Local Government to understand the Integrated Planning Framework and associated legislative requirements.

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)**

**STATUTORY AND LEGAL IMPLICATIONS**

All local governments are currently required to produce a plan for the future under S5.56 (1) of the *Local Government Act 1995*. Regulations have been made under S5.56 (2) of the Act to briefly outline the minimum requirements to achieve this.

In accordance with Regulation 19C of the *Local Government (Administration) Regulations 1996*, the voting requirement for adoption, or modification, of a Strategic Community Plan is an absolute majority of council.

In accordance with Regulation 19DA of the *Local Government (Administration) Regulations 1996*, the voting requirement for adoption, or modification, of a Corporate Business Plan is an absolute majority of council.

**FINANCIAL IMPLICATIONS**

The development of the Strategic Community Plan and Corporate Business Plan documents are within operational budgets for 2016/2017. Financial implications of the Corporate Business Plan actions were discussed with Elected Members in the context of potential impacts on the Long Term Financial Plan, and will be detailed further when the Long Term Financial Plan and annual budget processes are presented to Council on an annual basis.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
That the Strategic Community Plan and Corporate Business Plan do not comply with legislative requirements.	<b>Moderate</b> consequences which are <b>unlikely</b> , resulting in a <b>LOW</b> level of risk.	Utilisation of the Department of Local Government Integrated Planning and Reporting Framework and feedback provided on previous Plans occurred during the review of the Plans.

**POLICY IMPLICATIONS**

Relevant Council Policies:

- CP 002 - Stakeholder Engagement Policy
- CP 008 – Financial Sustainability – Forward Financial Planning and Funding Allocation
- CP 037 – Neighbourhood Development – Community Hub Policy
- CP 038 – Discretionary Services

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Development of the Strategic Community Plan and Corporate Business Plan has been achieved through a number of structured workshops and information sessions with elected members and senior staff. The Plans reflect the consensus outcome from the various sessions. If any substantive changes to the Plans were proposed by the Council those changes should then be referred back to the respective parties consulted to develop the plans for further input.

**CONCLUSION**

The Strategic Community Plan and Corporate Business Plan are the documented outcomes resulting from an extensive participatory process with Elected Members, the community and other stakeholders. As a consequence of this inclusive process the Plans form a strong foundation for future planning of activities, services and products ensuring that the City continues to contribute to those things that are important to our community.

Both Plans are legislative requirements that are central to effective integrated planning.

**OFFICER RECOMMENDATION (8086)****ABSOLUTE MAJORITY**

At 7.08pm Cr Barling moved, seconded Cr Foxton–

**That the Council by absolute majority decision endorses the 2016 – 2026 Strategic Community Plan People Places Participation and the Corporate Business Plan 2016 – 2020.**

[8086 City of Melville Draft Strategic Community Plan](#)  
[8086 City of Melville Draft Corporate Business Plan](#)

**AMENDMENT**

At 7.07pm Cr Robartson moved, seconded Cr Woodall –

That an additional point be included as follows:

**“That the Council thanks and appreciates the members of the Community Reference group for their efforts associated with the engagement process of the review of the Strategic Community Plan.”**

At 7.10pm the Mayor submitted the amendment, which was declared

**CARRIED UNANIMOUSLY (10/0)**

**CD16/8086 - ADOPTION OF STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN (AMREC) (ATTACHMENT)**

**COUNCIL RESOLUTION (8086)**

**That the Council;**

- 1. Endorses the 2016 – 2026 Strategic Community Plan People Places Participation and the Corporate Business Plan 2016 – 2020.**

[8086 City of Melville Draft Strategic Community Plan](#)  
[8086 City of Melville Draft Corporate Business Plan](#)

- 2. Thanks and appreciates the members of the Community Reference group for their efforts associated with the engagement process of the review of the Strategic Community Plan.**

At 7.11pm the Mayor submitted the motion as amended, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (10/0)**

<b>Vote Result Summary</b>	
Yes	10
No	0

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Foxtton	Yes
Cr O'Malley	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes

**Reasons:**

To publically recognise the input of the Community Reference Group

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)**

Ward	: All
Category	: Policy
Subject Index	: Community Development Policy 40 5A
Customer Index	: City of Melville
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: M16/5460 – General Meeting of Electors – Motions Carried Ordinary Meeting of Council 16 February 2016 16.1 Motions of which previous notice has been given Ordinary Meeting of Council 19 April 2016
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Leanne Hartill Manager Neighbourhood Development

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

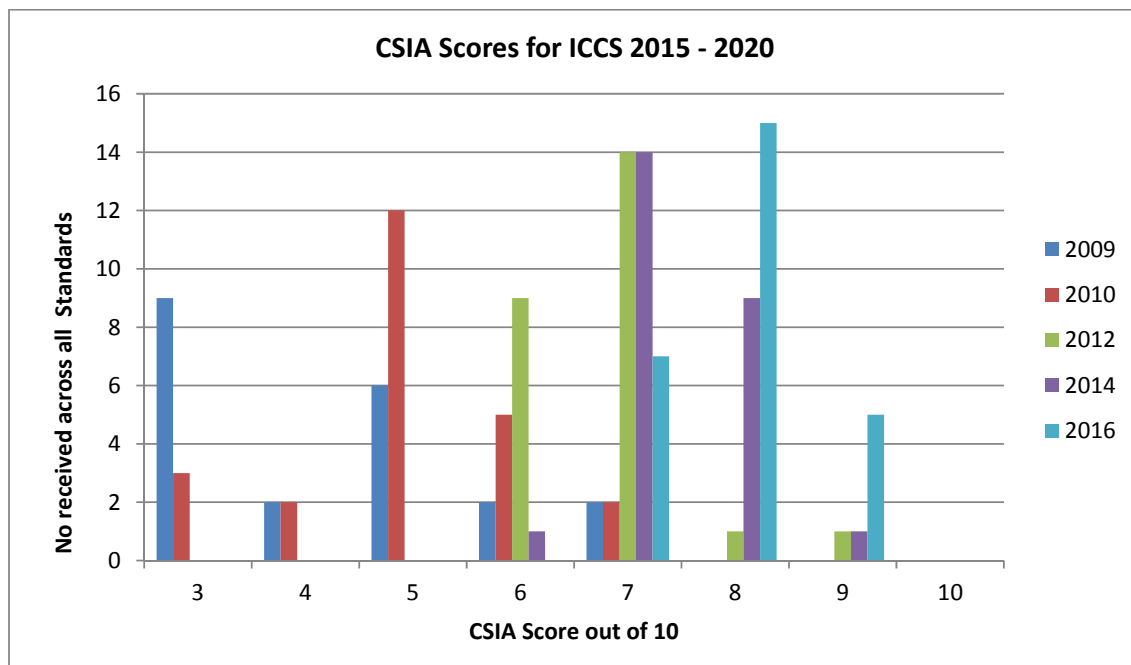
A Council Resolution in April 2016, following a Motion of which previous notice had been given, recommended the creation of a Complaints Management Policy for Council consideration.

**BACKGROUND**

The City has had an Operational Customer Feedback Policy OP-022 since 2014 and a Customer Feedback – Complaints Procedure since 2012 which guide the City’s processes in this area. The City is also implementing the International Standard on Customer Service (ICSS: 2015 - 2020) and the ISO 10002:2006 Customer Satisfaction – Guidelines for complaints handling in organisations. To date, the City has been benchmarked over the years at:

- 2009 – Certification to ISCC: 2010-2014.
- 2010 – Recertification to ISCC:2010-2014 and recognition as State Leader in Customer Service.
- 2014 – Recertification to ISCC: 2010-2014 and recognised at State and National Leader in Local Government Customer Service.
- 2016 – Recertification to ISCC: 2015 -2020 and recognition as finalist for State and National Leader.

The following table outlines the City’s improvement over time from 2009 to 2016 against the International Standard on Customer Service (ICSS: 2015-2020):



**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)**

The following details provide background information from the Annual General Meeting of Electors held on 2 December 2015, and the Ordinary Meetings of Council held on 16 February and 19 April 2016.

At the **Annual General Meeting of Electors** held on 2 December 2015, the following question was asked and responded to:

**9.6 Mr M McLerie, Booragoon**Question

*Will the City consider further improvements to its complaints procedure to include the requirements for:*

- (a) *the CEO to provide a summary status report of all written complaints received to Council monthly,*
- (b) *the City administration to provide a briefing on any specific complaint and for it to facilitate meetings with the complainant and relevant officers if requested by any Council member at any time, and*
- (c) *Council members to form a complaint committee to investigate and provide a report with recommendations back to Council in the event the complaint is escalated to an external body or is about the CEO or Mayor.*

*I request permission to address the meeting in relation to this.*

Response

*The City of Melville's Complaints Handling process and guiding principles are based on elements of the complaints handling process as identified in the International Standard ISO 10002:2006 Customer Satisfaction – Guidelines for complaints handling in organisations.*

*Opportunities for improvement are identified in the **ICSS: 2010–14 Recertification Report Customer Service Institute of Australia, July 2014**. This recertification process is carried out every two years.*

*In October 2014 the City of Melville was recognised at the Australian Service Excellence Awards for outstanding customer focused organisations – winning both the Western Australian and National Local Government Award. The City is a national benchmark organisation for the Local Government Sector.*

*The City's Complaints Handling process and procedures has been reviewed by the Ombudsman and acknowledged to be a model for other local governments."*

*"At 8.51pm Mr M McLerie of Booragoon moved, seconded Mr A Syed of Attadale –*

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)**

*That Council adopt a Complaints Policy that at a minimum requires:*

1. *The City CEO to provide a report on all written complaints to Council at least monthly. The report should include at a minimum:*
  - 1.1. *Complainant name.*
  - 1.2. *A summary of the nature of the complaint.*
  - 1.3. *Date complaint received and if resolved a summary of the outcome.*
  - 1.4. *If not resolved whether escalated and/or referred to an external body.*
2. *If a Complaint has been escalated to any external body the CEO must inform Council as soon as possible.*
3. *A Council member can request the City administration to provide a briefing on any specific complaint at any time. A Council member may meet with the complainant and relevant City officers at any time to better understand the nature and detail of the complaint.*
4. *Council must form a specific complaints committee to investigate and provide a report with recommendations back to Council (Complaints Committee) in the event a complaint is about the CEO or Mayor, is referred to an external body or at least 2 Councilors(sic) request to do so for any complaint or series of complaints.*
5. *The Complaints Committee, supported by independent advisers as required by the committee, must consist of at least 2 independent Council members for any complaint other than those about the City CEO or Mayor in which case the committee must consist of at least 3 independent Council members.*
6. *Any Council member can elect to join any Complaint Committee.”*

The proposed motion above was declared **CARRIED (20/0)** and tabled at the **Ordinary Meeting of Council on 16 February 2016** (M16/5460 – General Meeting of Electors – Motions Carried) for Council consideration and response.

Following is an excerpt from the **Ordinary Meeting of the Council on 16 February 2016** that summarises discussion and resolutions to date with regards to Motion 4 outlined above:

**Issues:**

*The Motion - Improving Council oversight of complaints that was carried at the General Meeting of Electors poses difficulty in that should the Council resolve to approve the motion, actions required by the motion would at some time breach the Public Interest Disclosure Act 2003, the Local Government Act 1995 and the Corruption, Crime and Misconduct Act 2003.*

*The issues with these acts are noted below:*

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)**

*The Public Interest Disclosure Act 2003 at Section 11 confirms that in certain investigations of allegations, disclosure of the matter or identity of the person disclosing cannot be made other than to the person undertaking an investigation into the allegation. The proposed motion would be a breach of the Local Government Act 1995 Section 5.123 depending on when any complaint was received relating to a candidate in a Local Government Election. In addition, should Elected Members wish to be involved in any “complaints committee” that required staff matters to be discussed, those participating Elected Members would be in breach of the Local Government (Rules of Conduct) Regulations 2007 relating to involvement in “a task that contributes to the administration of the local government unless authorised by the Council or the CEO.*

*In the case of referrals under the Corruption, Crime and Misconduct Act 2003, disclosure of any information may be prohibited (Section 99 and 167) and subject to imprisonment for three years and a fine of \$60,000 for any breach. While the Federal Privacy Act does not apply to Western Australia, it is of interest to note that Local Governments in Western Australia operate in terms of the Freedom of Information Act 1992 (FOI Act). It would be an onerous exercise for officers to examine all reports, as envisaged, for the purpose of testing compliance with the provisions relating to the dissemination of information as requested.*

*In the context of Point 3, it would be unusual for such briefings and may impede or compromise any investigation that is occurring. Should there be allegations against staff, the CEO is responsible to investigate and resolve the matter where it is deemed that a valid complaint has been made or not take action where the complaint has been made to another agency and is subject to that agency’s investigation. It is outside the role of an Elected Member to participate in operational staff matters.*

*In reference to Point 4 relating to forming a complaints committee, the Council has established the Governance Committee and it has contained in its Charter, the power to investigate complaints against the Mayor, Elected Members and the CEO. The Governance Committee then reports its findings and recommendation to the Council. Should any complaints be lodged against staff that are considered to be valid, the CEO is required to investigate the allegation as part of his operational responsibility.*

*In Western Australia the avenues for complaints against a local government, Elected Members or staff are numerous. While it is dependant (sic) on the nature of complaints or allegations, matters may be lodged with the Mayor or CEO, the Department of Local Government and Communities, the Standards Panel, the Public Sector Commission, the Corruption and Crime Commission and the Western Australian Ombudsman. Each deals with specific complaint areas and have specialised staff experienced in their particular role. Where complaints are lodged with agencies external to the City, it is not appropriate for the City to investigate other than provide information to assist the external agency in their role.*

*It is considered that there are numerous options for lodgement of complaints or allegations that would not be enhanced by creating an internal committee that in many instances will have the potential to breach legislation and expose the members to potential significant penalties.*

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)**

*The City was subject to a Recertification Report by the Customer Service Institute of Australia in July 2014 and was tested against the International Customer Service Standard. The assessment summary is provided below:*

*“The result of this certification assessment is that City of Melville has achieved a score maintaining its excellent performance at the top level of organisations assessed against the International Customer Service Standard and should plan on a recertification assessment in about twelve months. The score achieved by City of Melville is another excellent score of 7.36, continuing the consistent improvement in organisational performance seen over recent years and measured against the ICSS. An organisational score at the 7+ level puts the organisation in elite company, and City of Melville is to be congratulated on reaching this milestone.*

*One of the 25 areas of assessment is the City’s formal complaints-handling strategy and process. The assessors scored the City at 8 where the benchmark for “Leading Local Government – 6 and Leading Government Organisation – 7”. The assessors made the comment “City of Melville has had an effective Complaints/Compliments management system in place for some time.”*

*The City monitors the ratio of Complaints to Compliments. The Industry standard is 5 Complaints to every Compliment (5:1 ratio). The City of Melville target is 3 Complaints to every Compliment giving a ratio of 3:1. Anything better than 3:1 is within target. (Complaints/Compliments = Ratio).*

*In the period March 2013 to March 2014 a ratio of 1:1.01 Complaints for every Compliment which demonstrates the City’s continuous improvement of this area. In the financial year 2014-2015, the ratio of Complaints to Compliments was 1:1.2. From July to December 2015, the ratio of Complaints to Compliments was 1:1.36.*

*The City’s Complaints Handling Practices have been acknowledged by the Western Australian Ombudsman who subsequently provided the City’s information as a case study for other local governments. This information is noted at page 35 of the 2009-10 Survey on Complaint Handling Practices in the Western Australian State and Local Government Sectors.*

*It is recommended that the motion - Improving Council oversight of complaints be noted.*

**Costs:**

*The proposed Council Policy (as stated in the original Motion) would incur an additional cost for meetings and any legal costs associated with possible breaches of legislation.*

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)****STATUTORY AND LEGAL IMPLICATIONS**

*The Motion - Improving Council oversight of complaints that was carried at the General Meeting of Electors contains elements that are legislated in the Public Interest Disclosure Act 2003, the Local Government Act 1995 and the Corruption, Crime and Misconduct Act 2003.*

*Should the Council resolve to adopt the motion as worded, the outcome is likely to bring sanctions against participating Elected Members and in the worst case, significant fines and possible imprisonment.*

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

*The Council could resolve to approve the Complaints Policy and put in practice procedures to manage the risk of exposure to a legislative breach. Should disclosure of investigations and names of complainants be made, investigations and appropriate outcomes are likely to be compromised.*

**CONCLUSION**

*The Council is required to consider any decisions made at a General Meeting of Electors and any decision made, will be recorded in the minutes of the Council meeting. The decisions made at the General Meeting of Electors have officer comment provided to inform Elected Members of the context and issues associated with each motion. This report supports no further action be taken for motions 1-3 other than to advise the mover of the motions of the Council's resolution. Motion 4 is not recommended due to the potential for breaching legislation and confusing the roles of the Council and CEO in staffing and operational matters. There are multiple existing opportunities for complainants to lodge allegations to specialised government organisations with the skills and expertise to examine allegations within their roles.*

**Recommendation 4:****At 8.09pm moved Cr Macphail, seconded Cr Aubrey -**

*That the Council notes Motion 4 - Improving Council oversight of complaints, that the City's complaint management system has been recognised as a local government industry model by the Customer Service Institute of Australia and that the Ombudsman Western Australia used the City's complaints handling practices as a best practice model. (Survey of complaint handling practices in the West Australian State and Local Government sectors, Page 35).*

**Amendment****At 8.10pm moved Cr Pazolli, seconded Cr Barton -**

*That the Council amend Recommendation 4 – Improving Council Oversight of Complaints by numbering the officers' recommendation as number 1 and adding the following:*

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)**

2. That the CEO each month provides a summary report in the Elected Members Bulletin a list of all written complaints regarding decisions of Council (by Council or by the CEO under the delegated authority of Council) lodged with the City of Melville during the month or previous complaints progressed during the month.

The summary report should include the complainant's name, a summary of the nature of the complaint, date complaint received and if resolved a summary of the outcome, if not resolved whether escalated and/or referred to an external body.

3. Other categories of complaints (such as complaints against the Mayor, Councillors, the CEO or staff, or complaints lodged directly with other agencies (e.g. Local Government Standards Panel, CCC, and Public Service Commissioner) continue to be processed as per the current procedures that may or may not provide for reporting to Elected Members.

At 9.03pm the Mayor declared the amendment **LOST (2/11)**

**Procedural Motion**

**At 9.04pm Cr Wieland moved, seconded Cr Schuster, the following Procedural Motion in accordance with Clause 11.1(b) of Standing Orders Local Law 2003 - That the Council defer consideration of Recommendation 4 (Item M16/5460 – General Meeting of Electors – Motions Carried) to the next Elected Members Information Session to allow for further clarification and the officers report be presented to a future Ordinary Meeting of the Council.**

At 9.07pm the Mayor submitted the motion, which was declared **CARRIED (8/5)**

**Reason for Procedural Motion**

Cr Wieland provided the following reason in support of the Procedural Motion -

*“To allow Elected Members to be provided with additional information and clarification on the officer's report at an Elected Members Information Session”*

*The reasons for the Council's decisions are contained in the officer's report.*

At the **Ordinary Meeting of Council on 19 April 2016** the following Governance Committee Recommendation was **CARRIED (12/0)**

**That the Council requests that the Chief Executive Officer develops a Complaints Management Policy for Council consideration, with five major items included:**

- 1. The City's commitment to customer service and handling complaints to the extent possible (including a definition of complaint vs service request);**
- 2. The processes, requirements and commitments contained in the City's "Customer Feedback - Complaints Procedure" and "Customer Service Charter" procedures located on the City's web site;**
- 3. The management of complaints received in respect to Elected Members;**
- 4. How records of complaint and their resolution are to be reported to the Council, particularly in respect to privacy and confidentiality requirements;**  
**and,**

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)**

**5. The external bodies that unresolved complaints about the City can be referred to and the level of information (or not) that the City has once a complaint is so referred.**

**6. The Governance Committee has indicated a preference for this Notice of Motion to lay on the Council table pending production of a Council Policy relating to Complaints Management being provided for Council consideration**

**DETAIL**

The Australian Standard on Complaints Handling (ISO 10002:2006) defines a 'complaint' as any: *"expression of dissatisfaction made to an organisation, related to its products [or services] or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected."*

The City has an existing operational policy OP-022 Customer Feedback Policy which defines customer feedback as:

*"Feedback includes complaints, compliments and suggestions for improvement about a service, experience or event. Usually it will involve a specific transaction with City of Melville staff, Elected Members or contractors."*

*Customers may provide feedback on:*

- a) The standard of a City of Melville service(s).*
- b) The behaviour of a City of Melville employee or Elected Member.*
- c) The action or lack of action by the City of Melville, which results in failure to deliver on a commitment.*
- d) A third party who is under the jurisdiction of the City of Melville."*

As a result of a Council resolution to create a Council Policy on Complaints Management, aspects of the Operational Policy have been utilised to inform the requirements of this Council Policy.

Currently, Council receives information quarterly as part of the Organisation Performance Report that includes information the ratio of customer compliments to complaints. Additionally, the CEO has an annual performance target (Key Result Area 6), set by Council, of :

- Continuing with an emphasis on being a business excellence, best practice organisation, and
- Enhancing a whole of organisation customer relationship approach.

Within this report, a full and comprehensive overview is given to Council of the outcomes and performance to Elected Members. The process of assessment is rigorous, independently facilitated, peer/subordinate assessments made and reviewed by the Governance Committee before recommendations are made to Council.

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)**

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

The level of communication in accordance with the CP-002 Stakeholder Engagement Policy for this item is to “inform” the community via the Customer Service Charter of their opportunity to provide feedback and how this is handled and resolved.

[8087 Customer Service Charter](#)

**II. OTHER AGENCIES / CONSULTANTS**

The level of communication in accordance with the CP-022 Stakeholder Engagement Policy for this item is to “inform” the other agencies and consultants via the attached Customer Service Charter for Our Contractors and seek feedback, queries or suggestions for improvement. This document is part of the induction process for contractors.

[8087 Customer Service Charter for Our Contractors](#)

**STATUTORY AND LEGAL IMPLICATIONS**

Not applicable for Complaints Management Policy, as drafted.

**FINANCIAL IMPLICATIONS**

Not applicable for Complaints Management Policy, as drafted.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Policy is amended to align with original Motion from Annual General Meeting of Electors to include an approach that is contrary to <i>the Public Interest Disclosure Act 2003, the Local Government Act 1995 and the Corruption, Crime and Misconduct Act 2003.</i>	Likelihood Unlikely and Consequence Major – with a level of risk as <b>Medium.</b>	A presentation at an Elected Members Information Session and further details provided by the Executive Manager Legal Service have well informed Elected Members of their legal obligations and current operational practices in relation to the management of customer feedback including complaints.

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)****POLICY IMPLICATIONS**

There is no Council Policy that relates to Complaints Management.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

The City of Melville promotes a culture that values complaints and their effective resolution with a view to also using this feedback to improve our customer service and organisational processes.

The Customer Services Charter outlines our customer commitment and service standards and how feedback is handled and resolved. A similar publication is made available to Contractors at induction.

In order to address Council's renewed focus of the customer service management of the City, it is proposed to elevate the Operational Policy OP-22 to a Council Policy which is reviewed every two years, and retain the comprehensive reporting by the CEO in performance management processes by Council.

The draft Complaints Management Policy addresses each of the five points from the Council Resolution from 19 April 2016:

1. *The City's commitment to customer service and handling complaints to the extent possible (including a definition of complaint vs service request);*
  - i. Referenced in the in the Policy document
2. *The processes, requirements and commitments contained in the City's Customer Feedback-Complaints Procedure and Customer Service Charter procedures located on the website;*
  - i. Referenced in the Policy document
3. *The management of complaints received in respect to Elected Members;*
  - i. Referenced in the Policy document
4. *How records of complaint and their resolution are to be reported to the Council*
  - i. Information provided in the quarterly Organisational Performance Report and regular reporting by the CEO on the effectiveness of the City's customer complaints system

**CD16/8087 - COMPLAINTS MANAGEMENT POLICY (REC) (ATTACHMENT)**

5. *The external bodies that unresolved complaints about the City can be referred to and the level of information (or not) that the City has once a complaint is so referred.*
- i. Partly referenced in the Policy document – information on Agencies included, however decision on how much information is provided to the City likely to be responsibility or within the policy/procedure of the relevant external Agency receiving the referral.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8087)****APPROVAL****That the Council:**

1. **Endorses the attached CP-101 Complaints Management Policy**
2. **Notes that the CEO, as per the performance schedule, will provide Council with a comprehensive report to inform the Council on customer service data, trends, issues and improvements.**

**[8087 CP 101 Complaints Management Policy](#)**

At 7.44pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**M16/5498 - REVIEW OF DELEGATED AUTHORITY – DA-020 PLANNING AND RELATED MATTERS - UPDATE (AMREC) (ATTACHMENT)**

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	: M16/5477 Review of City of Melville Delegated Authority Manual – Ordinary Meeting of Council 17 May 2016
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Jeff Clark Governance and Compliance Program Manager

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**M16/5498 - REVIEW OF DELEGATED AUTHORITY – DA-020 PLANNING AND RELATED MATTERS - UPDATE (AMREC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- This report seeks the Council's consideration in reviewing and adopting amendments to DA-020 Planning and Related Matters to permit officers to perform functions within prescribed parameters.
- The report has been required to ensure references to Community Planning Scheme No 5 are removed from DA-020 and replaced with references to Local Planning Scheme 6.

**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 delegation DA-020 Planning and Related Matters and this report requests the Council to adopt the amendments made to DA-020 Planning and Related Matters as submitted by officers.

The report was considered at the 16 August Ordinary Meeting of the Council and the Council resolved that the report should be considered at an Elected Member Information Session. The report was considered at an Elected Member Information Session held on 30 August 2016.

**DETAIL**

It is necessary to review this delegation to ensure that it is consistent with the legislation and the gazetted Local Planning Scheme No. 6. The Scheme Text has been prepared in accordance with the *Planning and Development Act 2015* and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

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

The various amendments now required, which result due to the introduction of the City's new Local Planning Scheme are listed below. These are recommended for adoption. It is noted that Elected Members have the ability to call up DAU items to Council, and can request referral of any Responsible Authority Report (DAP matters) to Council, irrespective of this delegation.

**M16/5498 - REVIEW OF DELEGATED AUTHORITY – DA-020 PLANNING AND RELATED MATTERS - UPDATE (AMREC) (ATTACHMENT)**

## 1. Under Description:

Dot point 1 – Delete “(other than applications requiring Special Majority or Absolute Majority decisions of Council);”

Dot point 3 – Delete “Community Planning Scheme No. 5” and replace with “Local Planning Scheme No 6”.

## 2. Under Subject to the following restrictions and conditions,

Number 1- Delete – “CP-044 Development Advisory Unit and”

## 3. Under Delegated Authority Matrix for Planning Matters

Rows two and three - Delete - CPS5 (and do not require an Absolute or Special Majority decision) and replace with LPS6.

Row four – Delete CPS5 and replace with LPS6

## 4. Under Notes:

Delete - (a) Development applications which require Absolute or Special Majority decisions Council under CL.4.2 of CPS5 are referred to Council for determination

Amend (c) by deleting “Community Planning Scheme” and replace with “Local Planning Scheme.”

**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 Councils consideration

**II. OTHER AGENCIES / CONSULTANTS**

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

**M16/5498 - REVIEW OF DELEGATED AUTHORITY – DA-020 PLANNING AND RELATED MATTERS - UPDATE (AMREC) (ATTACHMENT)**

**STATUTORY AND LEGAL IMPLICATIONS**

The delegations to enable the CEO and the administration to perform their functions are set out in the Local Government Act, without the implementation of which there is no authority to perform this function.

**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.

**STRATEGIC, ENVIRONMENT AND RISK MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
An issue arises that requires urgent attention of officers to ensure public safety.	Moderate consequences which are almost certain, resulting in a <b>High</b> 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 <b>Medium</b> 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 officers.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Should the appropriate level of 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.

With the recent gazettal of Local Planning Scheme No.6, it is necessary for DA-020 Planning and Related Matters to be amended to reflect Local Planning Scheme No.6 with all references to the former Scheme No. 5 being removed.

**M16/5498 - REVIEW OF DELEGATED AUTHORITY – DA-020 PLANNING AND RELATED MATTERS - UPDATE (AMREC) (ATTACHMENT)**

**OFFICER RECOMMENDATION (5498)**

**ABSOLUTE MAJORITY**

At 7.12pm Cr Wieland moved, seconded Cr Aubrey –

**That the Council by Absolute Majority decision adopts the amended Delegated Authority as attached [5498 Delegated Authority – DA-020 Planning and Related Matters](#)**

**AMENDMENT**

At 7.13pm Cr Pazolli moved, seconded Cr O'Malley–

**That Council amends the proposed draft Delegation No. DA-020 by deleting the words in the \* note at the bottom of the Delegated Authority Matrix for Planning Matters table and replace it with the following wording:**

**“Where the State Administrative Tribunal requests that the City reconsider its previous decision the matter is to be reconsidered by referral to the Council with advice from the appropriate Planning Officers.”**

At 7.38pm the Mayor submitted the amendment which was declared

**LOST (4/6)**

<b>Vote Result Summary</b>	
Yes	4
No	6

<b>Vote Result Detailed</b>	
Cr O'Malley	Yes
Cr Pazolli	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Cr Aubrey	No
Cr Barling	No
Cr Foxton	No
Cr Phelan	No
Cr Robartson	No
Mayor Aubrey	No

**M16/5498 - REVIEW OF DELEGATED AUTHORITY – DA-020 PLANNING AND RELATED MATTERS - UPDATE (AMREC) (ATTACHMENT)**

**COUNCIL RESOLUTION (5498)**

**That the Council by Absolute Majority decision adopts the amended Delegated Authority as attached [5498 Delegated Authority – DA-020 Planning and Related Matters](#)**

At 7.38pm the Mayor submitted the motion, which was declared

**CARRIED BY ABSOLUTE MAJORITY (9/1)**

Vote Result Summary	
Yes	9
No	1

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Foxtton	Yes
Cr O'Malley	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Pazolli	No

*Following a comment by Councillor Pazolli, Councillor Aubrey requested that it be noted that there were four members of the public and two representatives of the Press remaining in the public gallery.*

**M16/5499 – ADOPTION OF THE PROPOSED CITY OF MELVILLE PARKING LOCAL LAW  
2016 (AMREC) (ATTACHMENT)**

Ward	: All
Category	: Operational
Subject Index	: Acts, Statutes and Local Laws Parking Control
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	: M16/5499 – Proposed City of Melville Parking Local Law 2016 – Ordinary Meeting of Council - August 2016
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Corrine Newman Executive Support and Governance Officer

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**M16/5499 – ADOPTION OF THE PROPOSED CITY OF MELVILLE PARKING LOCAL LAW  
2016 (AMREC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The Council has resolved to commence the process to make a new Parking Local Law at its Ordinary Meeting held 19 April 2016.
- The matter has been presented to an Elected Member Information Session for review.
- In accordance with the requirements of the *Local Government Act 1995*, the proposed new local law was advertised to the community and the community were given the opportunity to make comment on the proposed local law.
- The Department of Local Government and Communities has provided comment on the proposed local law.
- All submissions on the local law have been considered and the local law amended accordingly.
- This report seeks the Council's endorsement, by absolute majority, to continue the process to create the City of Melville Parking Local Law 2016, in accordance with the requirements of the *Local Government Act 1995*.

**BACKGROUND**

In April 2016, the Council considered the proposed City of Melville Parking Local Law and resolved to commence the process to make the new local law:

*“That the Council:*

1. *Authorises the Chief Executive Officer to advertise the proposed City of Melville Parking Local Law 2016 as contained in 5475 Draft City of Melville Parking Local Law for public comment, in accordance with the requirements of section 3.12(3) of the Local Government Act 1995.*
2. *Requests that a copy of the proposed City of Melville Parking Local Law 2016 be forwarded to the Minister for Local Government in accordance with section 3.12(3) of the Local Government Act 1995.*
3. *Requests that the Chief Executive Officer prepares a further report at the conclusion of the public advertising period to enable the Council to consider the submissions made.”*

At the 16 August 2016 Ordinary Meeting of Council, it was resolved:

*“That the Council reject and replaces the Officer’s Recommendation in relation to Item M16/5499 as follows:*

1. *Delete Parts 1 and 2 of the printed Recommendation, and;*
2. *Replaces Parts 1 and 2 with a new Recommendation 1 as follows:*  
*“1 This item be deferred, noting the existing Parking Local Law is still in place, to allow further consideration of the traffic safety issues involved in requiring vehicles to park wholly on the road pavement, given the usual width of suburban street pavements”; and a new Recommendation 2 as follows:*

*“2 The matter be referred to an Elected Members Information Session for review before being presented to Council again.”*

The matter was presented to the Elected Member Information Session held 30 August 2016.

**M16/5499 – ADOPTION OF THE PROPOSED CITY OF MELVILLE PARKING LOCAL LAW 2016 (AMREC) (ATTACHMENT)**

**DETAIL**

The proposed local law was advertised:

- a) in the West Australian newspaper on 4 May 2016;
- b) in the Melville Times newspaper on 10 May 2016;
- c) on the noticeboard at the Civic Centre
- d) on noticeboards at all City of Melville Public Libraries; and
- e) on the City of Melville website.

As required by section 3.12(3)(a)(i) of the *Local Government Act 1995*, the advertisement associated with this local law included the purpose and effect of the local law, which were also read aloud by the Mayor at the meeting held 19 April 2016.

The **purpose** of the proposed City of Melville Parking Local Law 2016 is to define the parking region for the City of Melville and to regulate and manage parking within that region.

The **effect** of the City of Melville Parking Local Law 2016 is to provide a safe, fair and equitable parking environment under the care and control of the local government, enable the control of parking activities within the parking region and provide for the management and operation of parking facilities.

Following the advertising period, submissions on the local law closed on Wednesday 22 June 2016, with three submissions being received from the community.

A copy of the proposed local law was forwarded to the Minister for Local Government and Communities on 5 May 2016, with the Department of Local Government and Communities also provided written comments and suggestions on the proposed local law.

**Community Submissions**

Submission 1 - This submission addresses concerns related to verges associated with battle-axe lots and specifically with Part 3, point 3.13 Verge Parking, item (2):

*“A person, not being the occupier of the land abutting on to a street verge, shall not without the consent of the occupier, park or stop a vehicle upon that verge.”*

Submission Content	Response
<p>The submission objects to the proposed exclusion of parking rights on the shared verge of the rear owner of the joint block and to bestowing sole rights as the occupier of the strata block to the front owner, and requests that the City of Melville classify both the front and back owners as ‘occupiers’, granting all occupiers parking rights on their shared verge.</p>	<p>Noted. As strata blocks may mean that two, or in many cases more, properties are associated with a single verge. The amenity of the abutting property to the verge may be compromised by allowing other owners in a complex to use the verge for unregulated parking.</p>

**M16/5499 – ADOPTION OF THE PROPOSED CITY OF MELVILLE PARKING LOCAL LAW 2016 (AMREC) (ATTACHMENT)**

Submission 2 - This submission raises the following points:

Submission Content	Response
<ul style="list-style-type: none"> <li><i>Opposes changing the term “Council” to local government. Believe accountability should clearly remain with the Council.</i></li> </ul>	<p>Noted. The Council has the power to make and amend local laws under the <i>Local Government Act 1995</i>. Best practice and advice from the Department of Local Government and Communities is to use the terminology ‘local government’.</p>
<ul style="list-style-type: none"> <li><i>Disagree with 3.6(1) as think that 1 metre distance between parked vehicles will be difficult to achieve in all circumstances.</i></li> </ul>	<p>Noted. This clause is consistent with line-marked parking bays.</p>
<ul style="list-style-type: none"> <li><i>Increase controls to protect resident’s verges; including the ability for Rangers to issue infringements to drivers that persistently drive over or park on a resident’s verge. Currently Rangers will not issue infringements unless they see the resident.</i></li> </ul>	<p>Noted. Clause 3.13 Verge Parking addresses this concern.</p>
<ul style="list-style-type: none"> <li><i>Provide a mechanism to deal with residents that persistently rely on street parking or verge storage to accommodate their vehicles on an ongoing basis, recognise some discretion is required on an interim basis. For example we need to dissuade residents from persistently parking their cars on the street every day for an extended period vs resetting the ‘clock’ if shifted within every 24 hour period.</i></li> </ul>	<p>Noted. Clause 4.11 allows for vehicles to be parked for periods not exceeding 24 hours, unless authorised.</p>
<ul style="list-style-type: none"> <li><i>Provide a mechanism, whether in policies and/or the local laws, to prevent residents parking an excessive number of vehicles, visible from the street, on their properties if it adversely impacts the amenity.</i></li> </ul>	<p>Noted. This local law does not deal with residents parking on private property and the associated amenity.</p>
<ul style="list-style-type: none"> <li><i>Explicitly outline an adversely affected person’s right of review, consistent with the Local Government Act 1995, in the event Council makes a decision that imposes any permanent restrictions on a resident’s right to park on the street in front of their property or to park on their verge.</i></li> </ul>	<p>Noted. This information is contained within the <i>Local Government Act 1995</i> and is not replicated within a local law.</p>

**M16/5499 – ADOPTION OF THE PROPOSED CITY OF MELVILLE PARKING LOCAL LAW 2016 (AMREC) (ATTACHMENT)**

Submission 3 - The submission raises the following dot points.

Submission Content	Response
<ul style="list-style-type: none"> <li><i>No vehicle of any type should be permitted to park on the street verges without the consent of the affected household, especially if the resident maintains the street verge including reticulation. Builders, tradesperson and visitors to the street are the main offenders.</i></li> </ul>	<p>Noted. Part 3, point 3.13 Verge Parking, item (2) addresses this concern.</p>
<ul style="list-style-type: none"> <li><i>No vehicle should be permitted to park on the road on a permanent and regular basis unless the vehicle is parked in front of their own property and not a distance away which affects other residents.</i></li> </ul>	<p>Noted. Guidance on the parking of vehicles on thoroughfares is provided in Clauses 3.5 and 3.6 of the proposed local law and Clause 3.10 relates to parking vehicles so as to not obstruct traffic.</p>
<ul style="list-style-type: none"> <li><i>No vehicle should be permitted to park on the road directly opposite the neighbour's driveway as this will obstruct reversing space for the neighbour's vehicle.</i></li> </ul>	<p>Noted. Guidance on the parking of vehicles on roads is provided in Clauses 3.5 and 3.6 of the proposed local law and Clause 3.10 related to parking vehicles so as to obstruct traffic.</p>
<ul style="list-style-type: none"> <li><i>No vehicles should be permitted to park parallel to each other on the same road so as to constrict access for other vehicles.</i></li> </ul>	<p>Noted. Clause 3.12 Double Parking addresses the concerns outlined in this point.</p>
<ul style="list-style-type: none"> <li><i>A restriction should be put in place as to how many vehicles (including boats) a property can have parked on its verge and road to avoid large quantity of vehicles being parked regularly for longer than on day/night as this would affect motorists and neighbours street access and the aesthetic look of the street.</i></li> </ul>	<p>Noted. Clause 4.11 allows for vehicles to be parked for periods not exceeding 24 hours, unless authorised.</p>
<ul style="list-style-type: none"> <li><i>No unregistered vehicle is permitted to be parked or dumped permanently on the road, verge or driveway so as to cause an unsightly vision to the neighbours and streetscape.</i></li> </ul>	<p>Noted Parking unregistered vehicles on thoroughfares is dealt with in Clause 3.19.</p>

**M16/5499 – ADOPTION OF THE PROPOSED CITY OF MELVILLE PARKING LOCAL LAW 2016 (AMREC) (ATTACHMENT)**

Submission Content	Response
<ul style="list-style-type: none"> <li>No large Commercial vehicles, including boats, be permitted to park on a permanent or regular basis in residential streets to avoid obstruction of motorists' vision and affecting aesthetic of the streetscape.</li> </ul>	<p>Noted Part 4, clause 4.3 Commercial Vehicle Parking addresses this concern.</p>
<ul style="list-style-type: none"> <li>Residents who start work as early as 5am in the morning or arrive home after 12 midnight need to consider the noise impact on their sleeping neighbours (including children) resulting from the multiply (sic) vehicle door slamming.</li> </ul>	<p>Noted. Not relevant to this local law</p>
<ul style="list-style-type: none"> <li>The City of Melville Rangers need to have authority to receive complaints from residents and to act on them to resolve disputes and enforce infringements where residents are contravening the local parking laws.</li> </ul>	<p>Noted. City of Melville Rangers are authorised Officers under Clause 9.10 of the <i>Local Government Act 1995</i> and able to enforce the local law.</p>

**Department of Local Government and Communities**

Submission Content	Response
<p><i>Redrafting of 1.3 Repeal to correct the citation.</i></p>	<p>Accepted and changes made.</p>
<p><i>Consistency in terminology that the term "City" be deleted and replaced consistently through the document with "local government".</i></p>	<p>Accepted and changes made.</p>
<p><i>Clause 1.5 definition for 'symbol'. Suggestion that reference to the Australian Standard be omitted as this information is not available freely.</i></p>	<p>Accepted and changes made.</p>
<p><i>Clause 1 include, a definition for the term "transit lane".</i></p>	<p>Accepted and changes made.</p>

**M16/5499 – ADOPTION OF THE PROPOSED CITY OF MELVILLE PARKING LOCAL LAW 2016 (AMREC) (ATTACHMENT)**

Submission Content	Response
<i>Provisions within the local law that the City can make resolutions or determinations and these 'may' be indicated by signs. The Joint Standing Committee on Delegated Legislation has previously objected to clauses such as this as it may be interpreted to mean that the use of a sign is not compulsory when a determination or resolution occurs.</i>	Accepted and changes made.  It should be noted that the definition of a sign includes traffic sign, mark, structure, inscription, pavement marking, symbol or device.
<i>Clause 2.12 – Special Event Parking, the Joint Standing Committee has previously found issue with clauses that relate to special event parking, particularly with respect to sufficient public notice.</i>	Accepted and clause deleted following review of the Joint Standing Committees Report 44 (February 2011) as this clause is rarely used.
<i>The Department of Local Government also provided suggestions on a range of drafting edits.</i>	Accepted and changes made.

The changes that have been accepted and made to the proposed local law are not significant changes and the City is able to proceed with making the local law. A copy of the amended proposed local law can be accessed through the following link

[5499 City of Melville Parking Local Law 2016](#)

Following Council's adoption of the local law, the City is required to publish the new local law in the *Government Gazette* and submit a copy to the Minister for Local Government and Communities. After the local law has been published in the Gazette, the City is required to give Statewide public notice:

- stating the title of the local law;
- summarising the purpose and effect of the local law;
- specifying when the local law comes into operation;
- advising where copies of the local law may be obtained.

Once the local law has appeared in the Government Gazette, the local government is also required to send an explanatory memorandum and copies of the local law to the Joint Standing Committee on Delegated Legislation for further review.

## STAKEHOLDER ENGAGEMENT

### I. COMMUNITY

As required by section 3.12(3) of the *Local Government Act 1995*, the City of Melville advertised its intention to make the proposed local law in the West Australian and the Melville Times newspapers, on noticeboards at the Civic Centre, all libraries and on the City's website and called for public submissions.

**M16/5499 – ADOPTION OF THE PROPOSED CITY OF MELVILLE PARKING LOCAL LAW 2016 (AMREC) (ATTACHMENT)**

Three submissions were received from the public and these have been taken into consideration.

**II. OTHER AGENCIES / CONSULTANTS**

As required by the local law making process under the *Local Government Act 1995*, the proposed local law was forwarded to the Minister for Local Government and Communities on 5 May 2016. The comments made by the Department of Local Government and Communities have been taken into consideration.

**STATUTORY AND LEGAL IMPLICATIONS**

The *Local Government Act 1995* provides guidance on the process to follow to make a local law. Section 3.12(4), (5) and (6) specifically address the process to be undertaken following the close of the public submission period.

**FINANCIAL IMPLICATIONS**

There are financial costs associated with the advertising the adoption of the local law and the gazettal of the new local law. Sufficient provision has been made in the budget to accommodate these costs.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

Under the *Local Government Act 1995*, local governments are empowered to make local laws to assist in the performance of their functions as long as the local laws are not inconsistent with the Act or any other written law.

The creation of adequate and appropriate local laws benefits the community by ensuring the regulation of activities within the district.

**POLICY IMPLICATIONS**

At the Ordinary Meeting of Council held 19 April 2016, the Council adopted the CP-097 Parking Permit Policy, which provided guidelines for the issue and control of Parking Permits within the City of Melville and supports this Parking Local Law 2016 and the Car Parking Strategy to ensure the orderly management of parking within the City of Melville.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council could decide to not proceed with the making of the Proposed Parking Local Law 2016, in which case the existing local law would remain in place in its current format. Alternatively the Council could determine to make a local law that is substantially different to the local law that was advertised to the community, in which case, the local law making process would need to recommence from the beginning.

**M16/5499 – ADOPTION OF THE PROPOSED CITY OF MELVILLE PARKING LOCAL LAW 2016 (AMREC) (ATTACHMENT)****CONCLUSION**

The proposed City of Melville Parking Local Law 2016 will define the parking region and regulate and manage parking within that region providing a safe, fair and equitable parking environment under the care and control of the local government.

The new Parking Local Law 2016 provides the City with a modern and concise Local Law providing clarity and context of the parking regulations applicable to the City and in keeping with standards deemed appropriate by the Department of Local Government and Communities.

The proposed local law, if adopted by the Council, will be gazetted in the *Government Gazette* and will come into effect 14 days after the advertising date.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5499)****ABSOLUTE MAJORITY**

At 7.41pm Cr Wieland moved, seconded Cr Robartson –

**That the Council;**

- 1. Adopts by absolute majority decision, in accordance with section 3.12(4) of the *Local Government Act 1995*, the City of Melville Parking Local Law 2016 as amended and contained in [5499 City of Melville Parking Local Law 2016](#) and affixes the Common Seal.**
- 2. Endorses the progression of the remaining actions to finalise the gazettal of the City of Melville Parking Local Law 2016 in accordance with section 3.12 and 3.15 of the *Local Government Act 1995*.**

At 7.41pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (10/0)**

**M16/5504 - APPOINTMENT OF EXTERNAL MEMBER OF FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE (AMREC)**

Ward	: All
Category	: Operational
Subject Index	: Audits - External
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 M14/5383 Appointment of External Member of Financial Management, Audit, Risk and Compliance Committee - Ordinary Meeting of Council of 16 September 2014
Works Programme	: Not applicable
Funding	: Not applicable
Responsible Officer	: Jeff Clark Governance and Compliance Program Manager

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**M16/5504 - APPOINTMENT OF EXTERNAL MEMBER OF FINANCIAL MANAGEMENT,  
AUDIT, RISK AND COMPLIANCE COMMITTEE (AMREC)****KEY ISSUES / SUMMARY**

- The Financial Management, Audit, Risk and Compliance Committee has a provision in its Charter for an external member to be appointed.
- Mr Richard Woodgate was appointed in 2009 and has served three terms of two years and is completing his term in 2016. Mr Woodgate was approached and agreed to serve another term of two years from October 2016 to October 2018, subject to endorsement by the Council.
- This report seeks the Council's approval for a further two year appointment as the external member to the Financial Management, Audit, Risk and Compliance Committee to conclude in October 2018.

**BACKGROUND**

At the Council meeting held on the 19 September 2006 a Council resolution was passed by absolute majority decision that established the Financial Management, Audit, Risk and Compliance Committee as per the approved Committee Charter. The Council also approved the payment of an honorarium of up to \$2,500 per annum to be paid quarterly in arrears to the independent member of the Financial Management, Audit, Risk and Compliance Committee.

The Charter for the Committee outlines the following requirements relating to membership.

**“3. Membership**

- *In accordance with Section 7.1A (2) of the Local Government Act 1995 members of the Committee will be appointed by absolute majority decision of the Council;*
- *The Committee will comprise at least four persons of which at least three are to be Elected Members of the City of Melville and one other member who will be an independent person;*
- *Independent members will have no association with the Council either as a member, an officer or closely associated person;*
- *Where possible the majority of members shall have experience in business and/or financial and management reporting and risk management;*

**M16/5504 - APPOINTMENT OF EXTERNAL MEMBER OF FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE (AMREC)**

- *The independent member shall be selected on the basis of their skills and experience in the financial and/or risk management environment;*
- *The CEO and designated City of Melville employees, whilst not permitted to be members of this Committee, will when requested be required to attend meetings of the Committee to provide advice and guidance to the committee;*
- *Membership of the Committee will be reviewed after every Local Government Election.*

**4. Meetings**

- *The Chairperson will call and conduct meetings of the Committee in accordance with the City of Melville's Standing Orders and the Local Government Act 1995 and Regulations;*
- *The Committee will meet at least four times per annum, with the timing of each meeting coinciding with the conduct of particular aspects of the City of Melville's audit, risk management and financial reporting cycle;*
- *An agenda, and written reports on the business to be conducted at the meeting, will be prepared and distributed to Committee members at least 72 hours prior to the meeting;*
- *Minutes of the Committee meeting proceedings and recommendations will be taken and submitted to Council for decision ;*
- *The External and Internal auditors will be invited to attend at least one meeting per calendar year, but may be invited at any time to address the Committee on any issues the Committee believes necessary."*

**DETAIL**

As per the Financial Management, Audit, Risk and Compliance Committee (FMARCC) Charter, membership is to be reviewed every two years. The current external member to the Committee, Mr Richard Woodgate, was appointed to the FMARCC through the Council's absolute majority decision in February 2009. His appointment followed an external recruitment process and the appointment was for 2009 and 2010.

On 16 September 2014 the Council endorsed recommendation 5383 as follows:

*"That the Council by Absolute Majority decision, appoint Mr Richard Woodgate to the position of external member for the Financial Management, Audit, Risk and Compliance Committee from October 2014 to October 2016, receiving an honorarium of \$2,500 per annum, to be paid quarterly in arrears."*

Mr Woodgate has over 30 years domestic experience, and over 10 years international experience in the public sector auditing and accounting, with senior responsibility for the management of auditing and accounting projects in Australia and overseas. Mr Woodgate has confirmed that he is willing to remain in the external member position for a further two years.

**M16/5504 - APPOINTMENT OF EXTERNAL MEMBER OF FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE (AMREC)**

The FMARCC has an important role, as outlined in the Committee Charter, with specific responsibilities that include:

- **“Financial reporting**
  - *Overseeing compliance with statutory responsibilities relating to financial disclosure;*
  - *Reviewing the adequacy of financial management reporting;*
  - *Ensuring that Elected Members are provided with financial and non-financial information that is of high quality and relevant to the judgements to be made by them;*
  - *Reviewing the draft annual financial report and all publicly published financial statements, focusing on:*
    - *significant changes in accounting policies;*
    - *significant adjustments to the financial report arising from the audit process;*
    - *compliance with accounting standards and other reporting requirements.*
- **Accounting Policies**
  - *Reviewing any changes to accounting standards and policies and their impact on financial statements.*
- **Internal Controls, Risk and Insurance Profile**
  - *Reviewing the City of Melville’s enterprise risk management framework;*
  - *Reviewing and assess the City of Melville’s approach to the management of risks to ensure that risks are appropriately managed and where economical and practicable to do so, residual risks are appropriately insured;*
  - *Ensuring that opportunities to better manage risks are identified and if feasible, implemented;*
  - *Ensuring business continuity and disaster recovery plans are in place and causing such plans to be tested on a periodic basis;*
  - *Ensuring that controls are established and maintained in order to safeguard the City of Melville’s financial and physical resources;*
  - *Reviewing and assessing management programs and policies in relation to internal controls over the financial and reporting systems including delegations of authority.*
- **Audit**
  - *Providing guidance and assistance to the Council in relation to:*
    - *The process for the selection and appointment of external auditor;*
    - *Recommending to the Council the person to be appointed as auditor;*
    - *Develop and recommend to the Council a written agreement for the appointment of the auditor including conditions;*

**M16/5504 - APPOINTMENT OF EXTERNAL MEMBER OF FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE (AMREC)**

- *Reviewing the annual audit plan with the external and internal auditors to consider its scope and effectiveness;*
  - *Reviewing the information and recommendations provided by external and internal auditors including the responses of management;*
  - *Reviewing any unresolved issues between management and the external and internal auditors and actions planned to obtain resolution;*
  - *Reviewing the performance of any contracted external and internal auditors.*
- **Compliance**
    - *Ensuring that the procedures established to monitor compliance with statutory requirements, regulations and contractual obligations are appropriate;*
    - *Reviewing the annual Statutory Compliance Audit Return and make recommendations to the Council on acceptance and any actions identified as a result of the Return.”*

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

No community stakeholder engagement is required.

**II. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies/consultants has been carried out.

**STATUTORY AND LEGAL IMPLICATIONS**

The Financial Management, Audit, Risk and Compliance Committee operates within the *Local Government Act 1995* Section 7.1A and Regulation requirements that relate to Audit Committees.

**FINANCIAL IMPLICATIONS**

Funds have been provided in the 2016-2017 budget for payment of the honorarium.

If the City was to readvertise, additional recruitment costs such as advertising, interview panel members' time and administration costs would be incurred.

**M16/5504 - APPOINTMENT OF EXTERNAL MEMBER OF FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE (AMREC)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Non-Appointment of the current external member for a further two years.	Low consequences which are likely, resulting in a Low level of risk	To appoint the current External Member

**POLICY IMPLICATIONS**

There is no policy implications associated with this report.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The alternative is to undertake a recruitment process that would incur costs.

**CONCLUSION**

Mr Woodgate, the current external member on the FMARCC, has a substantial level of expertise and has successfully assisted the Committee since 2009 to perform its role as outlined in the Charter and it is recommended that Mr Woodgate be appointed for a further two years.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5504)**

**ABSOLUTE MAJORITY**

At 7.42 pm Cr Foxton moved, seconded Cr Wieland –

**That the Council by Absolute Majority decision,**

- 1. Appoints Mr Richard Woodgate to the position of external member for the Financial Management, Audit, Risk and Compliance Committee from October 2016 to October 2018, receiving an honorarium of \$2,500 per annum, to be paid quarterly in arrears.**
- 2. Directs the Chief Executive Officer to undertake a recruitment process at the conclusion of the two year term.**

At 7.42pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (10/0)**

**M16/5000 – COMMON SEAL REGISTER (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report details the document to which the City of Melville Common Seal has been applied for the period from 22 July 2016 up to and including 25 August 2016 and recommends that the information be noted.

**M16/5000 – COMMON SEAL REGISTER (REC)**

**BACKGROUND**

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

**DETAIL**

<b>Register Reference</b>	<b>Parties</b>	<b>Description</b>	<b>ECM Reference</b>
1158	The City of Melville and Marmion Reserve Sporting Association	Deed of Lease from 1 July 2016 expiring 30 June 2021	3731425
1217	The City of Melville and Diana Creedy Studio 2 at Heathcote Kitchen Building	Variation to Hire Agreement for an Extended Period now expiring 31 December 2016	3858151
1244	The City of Melville and Home Run Holdings- Rhubarb Café	Trial Extension - Home Run Holdings- Rhubarb Café at the Civic Square Library For a 12 month trial period commencing 1 May 2016 expiring 30 April 2017	3919715
1247	The City of Melville and Migara and Tiffany Ramanayake Studio 1 Kitchen Building	Artists Hire Agreement- Studio Hire is to commence on 1 July 2016 and expiring on 31 December 2016.	3905251
1248	The City of Melville and Activate Life Rehabilitation Pty Ltd	Variation to the Management Licence Activate Life Rehabilitation from 1 February 2016 expiring on 31 January 2018	3742619
1250	The City of Melville and Brentwood Karoonda Sporting Association -	Loan Agreement Between The City of Melville and Brentwood Karoonda Sporting Association for \$200,000	3927985
1251	The City of Melville and McLeod's Barristers and Solicitors	Permanent Withdrawal of Caveat - Lot 301(No 45) Aurelian Street and Temp Withdrawal of Caveat Lot 300 (No 63) McKimmie Road, Palmyra	3934424

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**M16/5000 – COMMON SEAL REGISTER (REC)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

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

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

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

**FINANCIAL IMPLICATIONS**

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

**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.

**M16/5000 – COMMON SEAL REGISTER (REC)****CONCLUSION**

This is a standard report for 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 document listed under the Common Seal of the City of Melville from 22nd July 2016 up to and including 25 August 2016.**

At 7.44pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**C16/6000 - INVESTMENT STATEMENTS FOR 31 JULY 2016 (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the investment statements for the period ending 31 July 2016 for the Council's information and noting.

Please Note: Investment figures are yet to be finalised as they will change following further interfund transfers as part of the 2015/2016 year end processes.

**C16/6000 - INVESTMENT STATEMENTS FOR JULY 2016 (REC)**

**BACKGROUND**

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

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

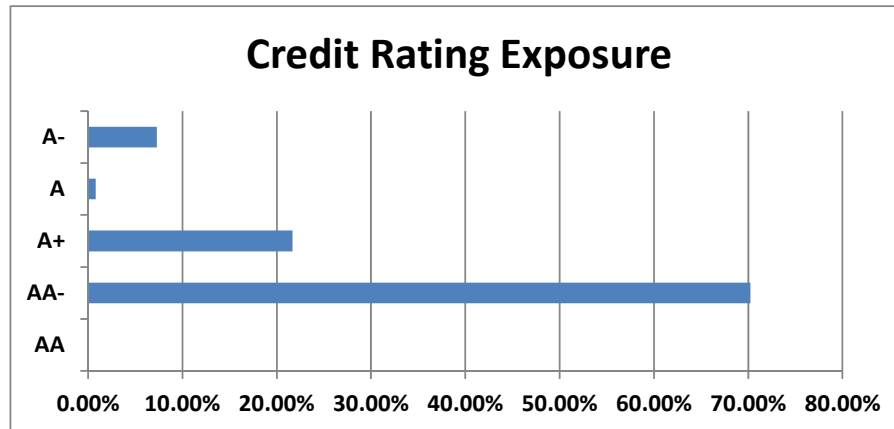
**DETAIL**

Summary details of investments held as at 31 July 2016 are shown in the tables below. The following statements detail the investments held by the City as at 31 July 2016.

<b>CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 JULY 2016</b>	
<b>SUMMARY BY FUND</b>	
	<b>AMOUNT</b> \$
MUNICIPAL	\$ 28,490,877
RESERVE	\$ 94,564,779
TRUST	\$ 628,380
CITIZEN RELIEF	\$ 206,154
	<b>\$ 123,890,191</b>
<b>SUMMARY BY INVESTMENT TYPE</b>	
	<b>AMOUNT</b> \$
11AM	\$ 5,468,350
31DAYS AT CALL	\$ 1,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 5,000,000
TERM DEPOSIT	\$ 108,191,196
BOND	\$ -
FRTD	\$ 2,000,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 123,890,191</b>
<b>SUMMARY BY CREDIT RATING</b>	
	<b>AMOUNT</b> \$
AA	\$ -
AA-	\$ 86,859,546
A+	\$ 26,800,000
A	\$ 1,000,000
A-	\$ 9,000,000
BBB+	\$ -
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 123,890,191</b>

**C16/6000 - INVESTMENT STATEMENTS FOR JULY 2016 (REC)**

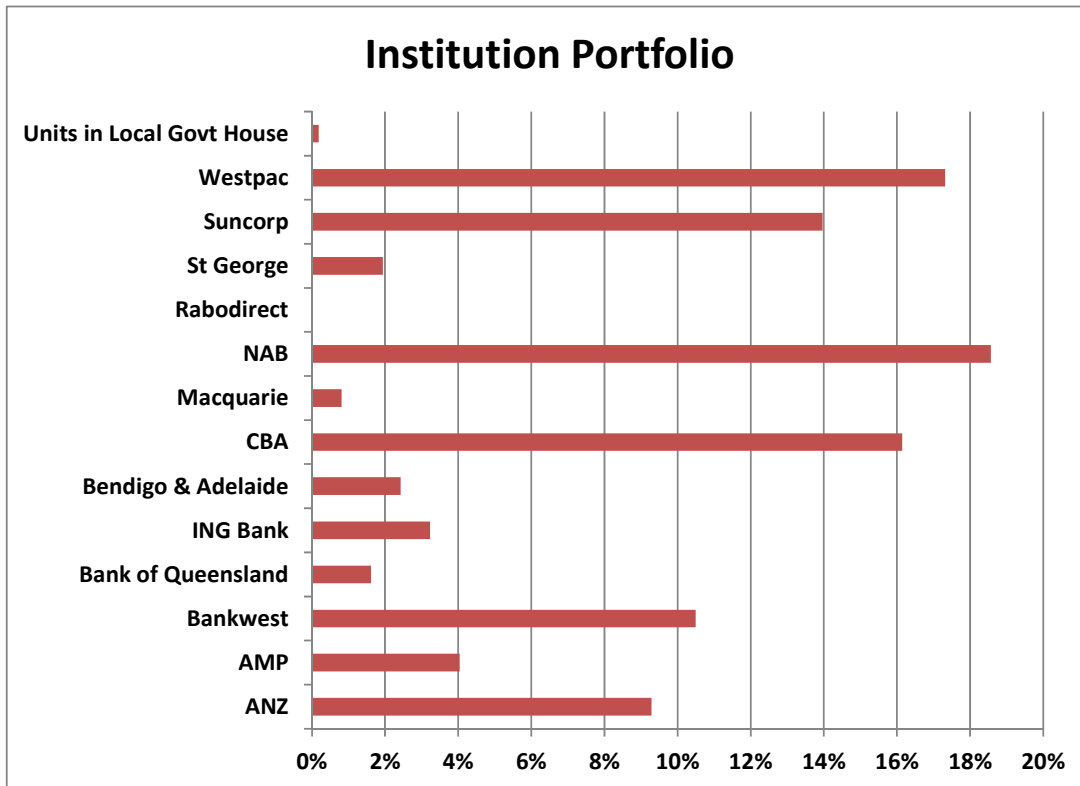
STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 JULY 2016					
INSTITUTION / INVESTMENT	INVESTMENT TYPE	Interest Rate %	S & P RATING	AMOUNT \$	MATURITY DATE
BANKWEST (11AM)	11AM	2.50%	AA-	\$0	On call
WESTPAC (MAXI DIRECT)	11AM	1.70%	AA-	\$2,100,000	On call
WESTPAC (MAXI BONUS 1)	11AM	1.95%	AA-	\$2,339,227	On call
WESTPAC (MAXI BONUS 2)	11AM	1.95%	AA-	\$1,029,123	On call
				<b>\$5,468,350</b>	
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	2.15%	AA-	\$1,000,000	On call
				<b>\$1,000,000</b>	
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	2.95%	AA-	\$2,000,000	On call
				<b>\$2,000,000</b>	
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	3.05%	AA-	\$5,000,000	On call
				<b>\$5,000,000</b>	
BANK OF QUEENSLAND (TERM)	TERM	Various	A-	\$2,000,000	Various
BANKWEST (TERM)	TERM	Various	AA-	\$13,000,000	Various
BENDIGO AND ADELAIDE BANK (TERM)	TERM	Various	A-	\$3,000,000	Various
CITIBANK (TERM)	TERM	Various	AA-	\$0	Various
COMMONWEALTH BANK (TERM)	TERM	Various	AA-	\$20,000,000	Various
AMP BANK (TERM)	TERM	Various	A+	\$5,000,000	Various
ANZ BANK (TERM)	TERM	Various	AA-	\$11,500,000	Various
ING BANK (TERM)	TERM	Various	A-	\$2,000,000	Various
MACQUARIE BANK (TERM)	TERM	Various	A	\$1,000,000	Various
NAB (TERM)	TERM	Various	AA-	\$23,003,726	Various
RABODIRECT (TERM)	TERM	Various	AA	\$0	Various
ST GEORGE BANK (TERM)	TERM	Various	AA-	\$2,400,000	Various
SUNCORP METWAY LTD (TERM)	TERM	Various	A+	\$17,300,000	Various
WESTPAC (TERM)	TERM	Various	AA-	\$7,987,470	Various
				<b>\$108,191,196</b>	
ING BANK (FRTD)	FRTD	3.27%	A-	\$2,000,000	7-Mar-17
				<b>\$2,000,000</b>	
UNITS IN LOCAL GOVT HOUSE	NA	NA	NA	\$230,645	NA
<b>TOTAL FUNDS INVESTED</b>				<b>\$123,890,191</b>	
CREDIT RISK COMPARISON					
CREDIT RISK	AMOUNT \$	ACTUAL PROPORTION	MAX. % AMOUNT IN TOTAL PORTFOLIO	Comments	
AA	\$0	0%	80%		
AA-	\$91,359,546	74%	80%		
A+	\$22,300,000	18%	50%		
A	\$1,000,000	1%	50%		
A-	\$9,000,000	7%	50%		
BBB+	\$0	0%	20%		
UNITS IN LOCAL GOVT: HOUSE	\$230,645	0%	0.1%		Council Decision
<b>TOTAL</b>	<b>123,890,191</b>	<b>100%</b>			

**C16/6000 - INVESTMENT STATEMENTS FOR JULY 2016 (REC)**


DIVERSIFICATION RISK							
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT	\$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION
ANZ BANK (TERM)	TERM	AA-	11,500,000		9.28%	9.28%	20%
AMP BANK (TERM)	TERM	A+	5,000,000		4.04%	4.04%	15%
BANKWEST (11AM)	11AM	AA-	-		0.00%		
BANKWEST (TERM)	TERM	AA-	13,000,000		10.49%	10.49%	20%
BANK OF QUEENSLAND (TERM)	TERM	A-	2,000,000		1.61%	1.61%	15%
BENDIGO AND ADELAIDE BANK (TERM)	TERM	A-	3,000,000		2.42%	2.42%	15%
CITIBANK (TERM)	TERM	AA-	-		0.00%	0.00%	20%
COMMONWEALTH BANK (TERM)	TERM	AA-	20,000,000		16.14%		
COMMONWEALTH BANK (COVERED BOND)	BOND	AAA	-		0.00%		
COMMONWEALTH BANK (RETAIL BOND)	BOND	AA	-		0.00%		
COMMONWEALTH BANK (FRN)	FRN	AA	-		0.00%	16.14%	20%
ING BANK (TERM)	TERM	A-	2,000,000		1.61%		15%
ING BANK (FRTD)	FRTD	A-	2,000,000		1.61%	3.23%	15%
MACQUARIE BANK (TERM)	TERM	A	1,000,000		0.81%	0.81%	15%
NAB (TERM)	TERM	AA-	23,003,726		18.57%	18.57%	20%
RABODIRECT (TERM)	TERM	AA	-		0.00%	0.00%	15%
ST GEORGE BANK (TERM)	TERM	AA-	2,400,000		1.94%	1.94%	20%
SUNCORP METWAY LTD (TERM)	TERM	A+	17,300,000		13.96%	13.96%	15%
WESTPAC (MAXI BONUS 1)	11AM	AA-	2,339,227		1.89%		
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,029,123		0.83%		
WESTPAC (MAXI DIRECT)	11AM	AA-	2,100,000		1.70%		
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	1,000,000		0.81%		
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000		1.61%		
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	5,000,000		4.04%		
WESTPAC (FRTD)	FRTD	AA-	-		0.00%		
WESTPAC (TERM)	TERM	AA-	7,987,470		6.45%	17.32%	20%
UNITS IN LOCAL GOVT HOUSE	NA	NA	230,645		0.19%	0.19%	
			<b>123,890,191</b>		<b>100%</b>	<b>100%</b>	

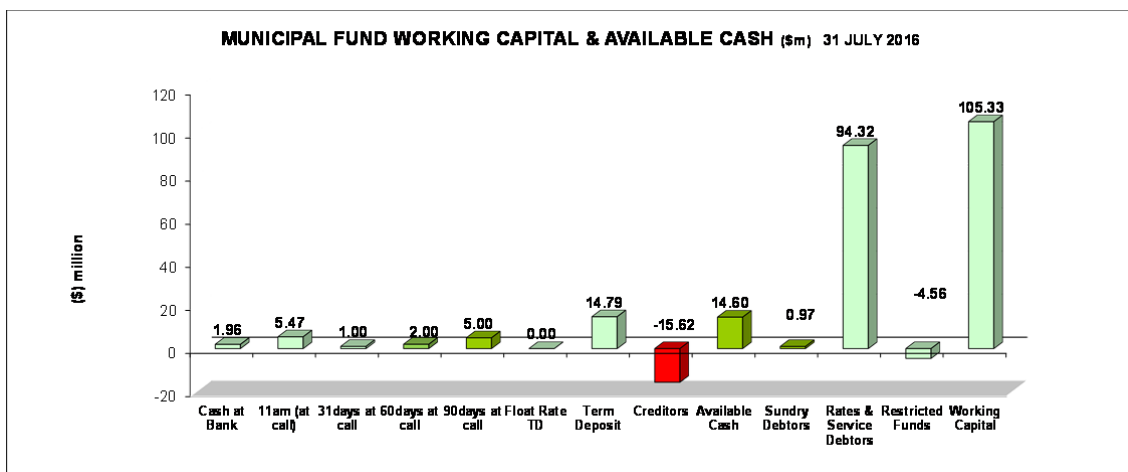
MATURITY COMPARISON					
TERM to MATURITY	AMOUNT	\$	ACTUAL PROPORTION	MAX. % IN ANY ONE YEAR	Comments
MUNICIPAL & TRUST FUNDS					
< 1 year	28,888,612		100%	100%	
	<b>28,888,612</b>		<b>100%</b>		
RESERVE FUNDS					
< 1 year	94,564,779		100%	100%	
	<b>94,564,779</b>		<b>100%</b>		

C16/6000 - INVESTMENT STATEMENTS FOR JULY 2016 (REC)

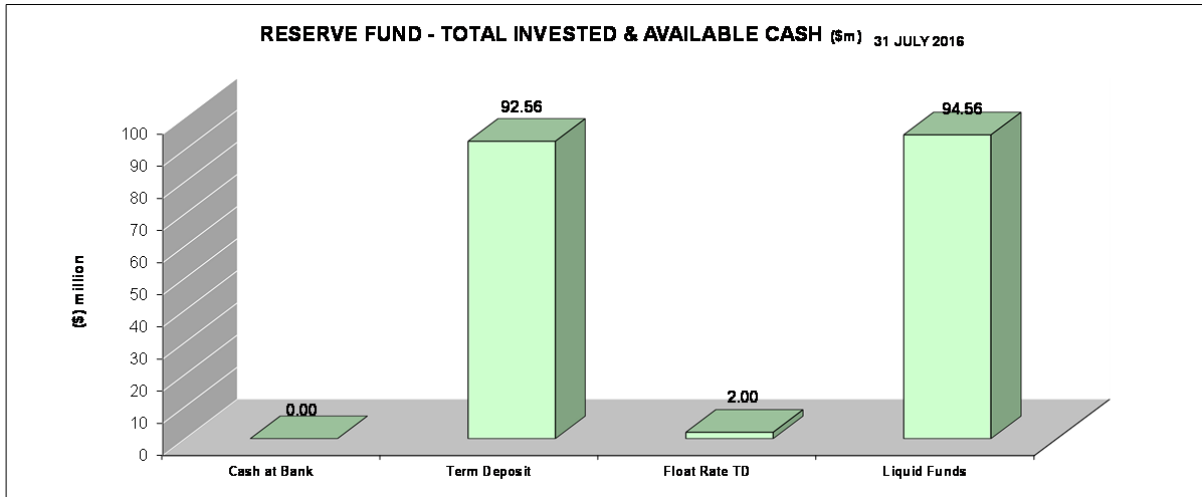


**Net Funds Held**

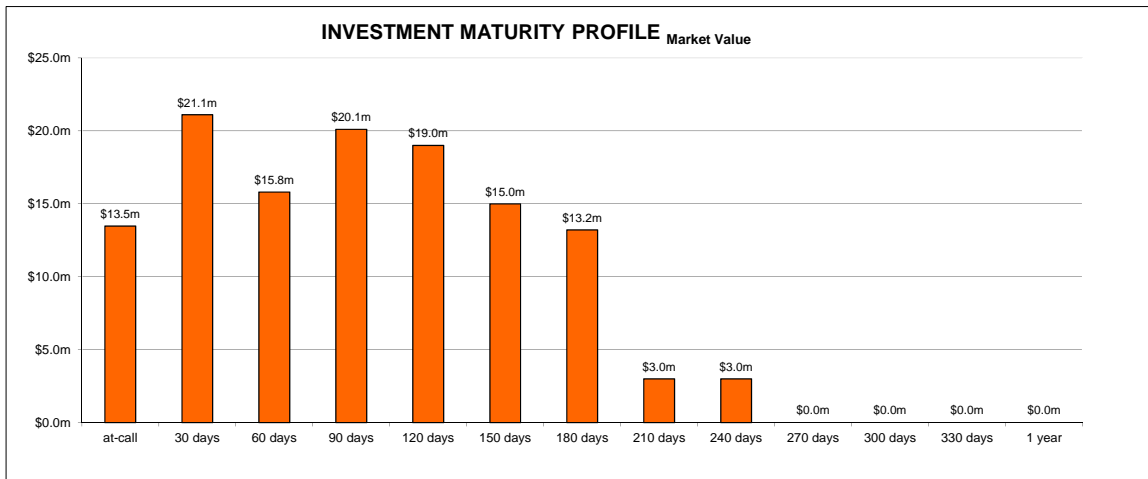
The graphs below summarise the Municipal Fund working capital and available cash and the funds held in the Reserve Fund as at 31 July 2016.



**C16/6000 - INVESTMENT STATEMENTS FOR JULY 2016 (REC)**



The graph below summarises the maturity profile of the City's investments at market value as at 31 July 2016.



**C16/6000 - INVESTMENT STATEMENTS FOR JULY 2016 (REC)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

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

**II. OTHER AGENCIES / CONSULTANTS**

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

**STATUTORY AND LEGAL IMPLICATIONS**

The following legislation is relevant to this report:

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

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

**FINANCIAL IMPLICATIONS**

For the period ending 31 July 2016:

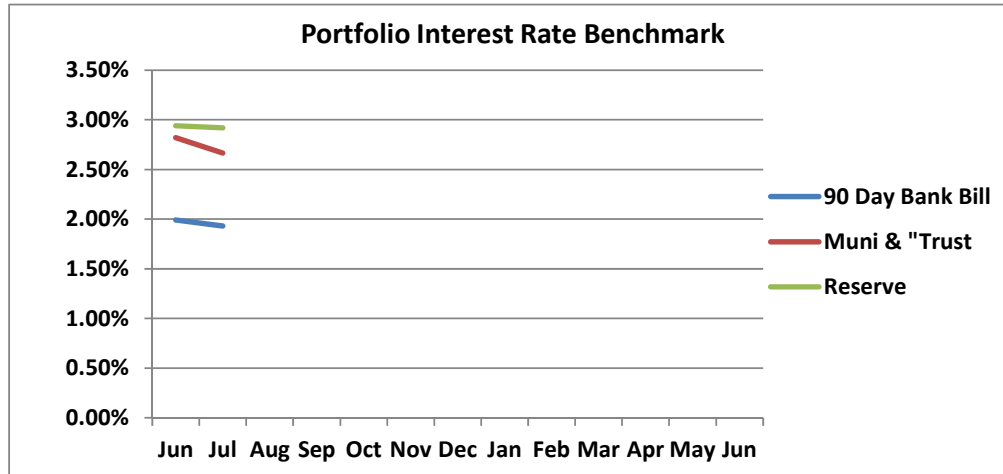
- Investment earnings on Municipal and Trust Funds were \$56,783 against a year to date budget of \$53,419 representing a \$3,364 positive variance.

The weighted average interest rate for Municipal and Trust Fund investments as at 31 July 2016 was 2.67% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.93%.

- Investment earnings on Reserve accounts were \$237,023 against a year to date budget of \$192,014 representing a \$45,009 positive variance.

The weighted average interest rate for Reserve account investments as at 31 July 2016 was 2.92% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.93%.

**C16/6000 - INVESTMENT STATEMENTS FOR JULY 2016 (REC)**



**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

The interest rate risk is high due to the short-term nature of the City's investments and the inability, due to legislative restrictions, to lock into longer dated investments which attract higher interest rates and help reduce exposure to reductions in interest rates.

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

**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*.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**C16/6000 - INVESTMENT STATEMENTS FOR JULY 2016 (REC)****CONCLUSION**

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

Future investment earnings are expected to continue to decrease when compared to previous years as interest rates continue to stay low and the Reserve Bank of Australia (RBA) continues to reduce the official cash rate. Furthermore legislative restrictions that have been implemented by the Western Australian State Government limiting term deposits to a maximum term of 12 months, has resulted in the City not being able to invest in longer term deposits which, depending on the interest rate yield curve, can attract higher interest rates than shorter term investments.

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

**That the Council notes the Investment Report for the month as at 31 July 2016.**

At 7.44pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2016 (REC) (ATTACHMENT)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the details of payments made under delegated authority to suppliers for the month of July 2016 and recommends that the Schedule of Accounts Paid be noted.

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2016 (REC) (ATTACHMENT)**

**BACKGROUND**

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

**DETAIL**

The Schedule of Accounts Paid for the period ending 31 July 2016 ([6001 July 2016](#)), including Payment Registers numbers, Cheques 525 to 528 and Electronic Funds Transfers batches 401 to 403, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 2 September 2016.

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

<b>Supplier Name</b>	<b>Remittance Number</b>	<b>Remittance Details</b>	<b>Amount</b>
Australia Post	E050577	Postage charges for June	39,458.63
Australian Taxation Office	Direct Bank Transfer	Pay-as-You-Go taxation and other deductions from employee payroll for pays 1 and 2	\$614,425.00
Axiis Contracting Pty Ltd	E050677 & E050966	Concrete works	\$74,133.53
Benara Nurseries	E050562 & E050891	Trees and plants	\$38,660.50
Building & Construction Industry Training Fund (BCITF)	Chq 007144	Remittance of the building construction training levy collected by the City with building licence applications	\$56,049.50
Calibre Coatings	E050886	Painting at Willagee Library, Civic Centre and LeisureFit Booragoon	\$29,289.00
Cardno (WA) Pty Ltd	E050604	Consultancy for stormwater detailed design and traffic investigation at MacRae Road	\$44,274.21
City of Cockburn	E050504	Commercial waste tip fees for June 2016	\$86,463.20
Data#3 Limited	E050911	Annual Microsoft license	\$100,336.20
Department of Commerce	E050498	Remittance of Building Service Levy collected on building licence applications	\$46,438.00
Department of Fire & Emergency Services	E050654	ESL remittance for June 2016	\$306,144.79
Department of Transport	Chq's 065291 & 065353	Motor vehicle licence renewals and projector	\$57,858.90
Dickies Tree Service	E050507, E050789 & E050852	Tree lopping services	\$132,763.08
Dieback Treatment Services	E050783	Dieback mapping and treatment program for 2016	\$30,328.08
EMSO Maintenance T/A Crabclaw Holdings Pty Ltd	E050574 & E050901	Building maintenance	\$29,456.11
Flexi Staff	E050536 & E050872	Temporary employment	\$33,657.98
Forestvale Trees	E050656 & E050814	Trees	\$40,524.00
Fredon Air Pty Ltd	E050698 & E050976	Service and maintenance to air conditioners City wide	\$49,443.03
GHD Pty Ltd	E050628	Geotechnical survey at Canning Beach Road, soil and water analysis at Point Walter and Operations Centre and progress claim for foreshore design at Heathcote and Jeff Joseph Reserves	\$34,607.32

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2016 (REC) (ATTACHMENT)**

Horizon West Landscape and Irrigation Pty Ltd	E050720	Irrigation installation at Blue Gum Reserve	\$89,100.00
Hydroquip Pumps	E050541	Irrigation installation at various Reserves	\$142,907.60
LGIS Insurance Broking	E050904	Motor vehicle insurance, aviation hull and liability insurance, marine cargo insurance, management liability insurance, travel insurance and personal accident insurance	\$208,723.09
LGIS Liability	E050877	LGIS liability insurance, LGIS property insurance, LGIS work care insurance and crime insurance	\$874,438.79
Marketforce	E050632	Advertisements	\$32,641.50
McMullen Nolan Group Pty Ltd T/As MNG Survey	E050687	Provision of aerial and terrestrial imaging for Urban Forest Strategy	\$86,350.00
Natural Area Management & Services	E051024	Progress claim for Point Heathcote and Jeff Joseph Reserve revetment works, management plans for Piney Lakes and glyphosate treatment at various Reserves.	\$200,784.77
Octy Water Pty Ltd T/A Aquamonix	R050708 & E050983	Irrigation controllers	\$46,655.40
Rhysco Electrical Services	E050934	Electrical services	\$29,602.10
Roads 2000 Pty Ltd	E050665	Road resurfacing works	\$742,212.97
Roadsafe Traffic Management	E050704, E050828 & E050981	Traffic management services	\$44,770.01
Southern Metropolitan Regional Council	E050588	RRRC loan repayment, MRF gate fees, MSW gate fees and green waste gate fees for June 2016	\$561,950.02
Sunlim Pty Ltd	E050667	Network consultancy services	\$31,036.50
Synergy	E050535, E050792 & E050871	Electricity charges	\$307,485.55
Technology One Ltd	E050784 & E051027	General consultancy and annual maintenance fee for ECM	\$77,211.12
TJS Cleaning Services Perth Pty Ltd	E050675	Cleaning of LeisureFit Booragoon and Melville and AH Bracks Library	\$28,428.40
Water Corporation	Chq's 065246 & 065292	Water charges	\$34,256.24
WATS Management Pty Ltd T/A Austraffic WA	E050620	Traffic counts at various locations	\$61,792.50
West Coast Turf	E050546 & E050882	Turf installation	\$42,782.30
Western Australian Local Government Association	E050589 & E050915	Subscriptions, advertising and training	\$97,003.03
Western Educting Service	E050571 & E050899	Drainage and educting services	\$25,819.75
Western Power	E050530 & E050870	Cash call 5 for Melville South project and cash call 1 for Bicton North project	\$1,567,718.00
Westpac Bank	Direct Bank Transfer	Payment of salaries and wages to City employees net of tax and deductions for pays 1 and 2	\$2,055,637.74
WH Location Services Pty Ltd T/A Abaxa	E050534	Location services	\$36,924.69
Youngs Plumbing Service Pty Ltd	E050606, E050808 & E050924	Building maintenance	\$41,439.92

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2016 (REC) (ATTACHMENT)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

This is a regular monthly report for the Council's information.

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR JULY 2016 (REC) (ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001)****NOTING**

**That the Council notes the Schedule of Accounts paid for the period ending 31 July 2016 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 July 2016](#)**

At 7.44pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (10/0)**

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2016 (AMREC)  
(ATTACHMENTS)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents:

- The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 31 July 2016 and recommends that they be noted by the Council.
- The variances for the month of July 2016 and recommends that they be noted by the Council.
- Budget amendments for the period ending 31 July 2016 and recommends that they be adopted by Absolute Majority decision of the Council.

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2016 (AMREC)  
(ATTACHMENTS)**
**BACKGROUND**

The Statements of Financial Activity for the period ending 31 July 2016 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.

For the period ending 31 July 2016, net (i.e. incomes less expenditure) operating positive variances of \$2.048 million and net capital positive variances of \$427k were recorded.

**Variances**

CITY OF MELVILLE STATEMENT OF VARIANCES IN EXCESS OF \$50,000 by Program for the Period Ended 31 July 2016							
	July Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
<b>Revenue</b>							
Health	95,376	29,113	95,376	66,263	228%	349,360	349,360
Community Amenities	1,775,711	1,719,487	1,775,711	56,224	3%	3,136,387	3,236,387
Recreation and Culture	458,389	787,037	458,389	(328,648)	-42%	8,469,621	8,469,621
Transport	216,809	93,684	216,809	123,125	131%	4,641,787	5,054,358
Other Property and Services	254,524	128,247	254,524	126,277	98%	3,356,430	3,356,430
	11,503,500	11,444,308	11,503,500	127,773	1%	35,739,377	36,251,948
<b>Expenses</b>							
Law, Order, Public Safety	(245,694)	(300,505)	(245,694)	54,811	-18%	(4,051,723)	(4,051,723)
Community Amenities	(1,474,733)	(1,962,122)	(1,474,733)	487,389	-25%	(24,619,692)	(24,619,692)
Recreation and Culture	(1,466,617)	(2,320,257)	(1,466,617)	853,639	-37%	(28,710,832)	(28,710,832)
Transport	(938,282)	(1,222,935)	(938,282)	284,653	-23%	(15,078,943)	(15,078,943)
	(8,330,606)	(10,161,533)	(8,330,606)	2,769,930	-18%	(101,232,456)	(101,232,456)
<b>Net Result Excluding Rates</b>	<b>3,172,894</b>	<b>1,282,775</b>	<b>3,172,894</b>			<b>(65,493,079)</b>	<b>(64,980,508)</b>
<b>Capital Revenue &amp; Expenditure</b>							
Purchase of Furniture & Equipment	(2,578)	(345,004)	(2,578)	342,426	-99%	(1,454,494)	(1,454,494)
Purchase of Plant & Equipment	(1,478)	(203,469)	(1,478)	201,991	-99%	(2,441,631)	(2,441,631)

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2016 (AMREC)  
(ATTACHMENTS)**

A more detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program ([6002A Sub Program July 2016](#)) is provided in attachment [6002H July 2016](#).

**Revenue**

\$83.594 million in Rates was raised to 31 July 2016. This is compared with a revised year to date budget of \$83.568 million, resulting in a positive variance of \$26k.

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

Not applicable for July 2016.

**Budget Amendments**

Details of Budget Amendments requested for the month of July 2016 are shown in attachment [6002J July 2016](#). Highlighted are four budget amendment journal greater than \$50,000 that was processed in July 2016.

- \$412,571 – Capital Income Carry Forwards from 2015/2016.
- \$14,420,377 – Allocation of Capital Works Program to various officers from Responsible Officer 484 for Technical Services.
- \$60,000 – Adjustment to budget responsible officer for capital project “Melville Aquatic Spa”.
- \$100,000 – Create new budget for grant funding to be received from the Disability Services Commission via WALGA for Deep Water Point Change rooms refurbishment.

**Rates Collections and Debtors**

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$10,684,620 were collected over the course of the month. Rates collection progress for the month of July is -2.8% (15/16 -5.6%) below the target of 13%. This represents a dollar value of \$2,413,612. As at 31 July, 10.2% of 2016/2017 rates had been collected, compared with 7.4% collected for the same time last year.

Total sundry debtor balances increased by \$656,918 over the course of the month from \$545,305 to \$1,202,223. This is due to current invoices with a value above \$50,000: Glenpoint Nominees of \$209,599, Melville Glades Golf Club for \$155,390 and West Australian Local Government Association for \$77,000. The 90+ day's debtor balance decreased by \$4,346 from \$36,688 to \$41,014.

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

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

No debts were written off under delegated authority in the month of July 2016.

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2016 (AMREC)  
(ATTACHMENTS)**

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

DESCRIPTION	LINK
Rate Setting Statement by Program – July 2016	<a href="#">6002A July 2016</a>
Rate Setting Statement by Sub-Program – July 2016	<a href="#">6002A Sub Program July 2016</a>
Statement of Financial Activity – July 2016	<a href="#">6002B July 2016</a>
Representation of Net Working Capital – July 2016	<a href="#">6002E July 2016</a>
Reconciliation of Net Working Capital – July 2016	<a href="#">6002F July 2016</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – July 2016	<a href="#">6002H July 2016</a>
Details of Budget Amendments requested – July 2016	<a href="#">6002J July 2016</a>
Summary of Rates Debtors – July 2016	<a href="#">6002L July 2016</a>
Graph Showing Rates Collections – July 2016	<a href="#">6002M July 2016</a>
Summary of General Debtors aged 90 Days Old or Greater – July 2016	<a href="#">6002N July 2016</a>

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

**34. Financial activity statement report — s. 6.4**

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

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2016 (AMREC)  
(ATTACHMENTS)**

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

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

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

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

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

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

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

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

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

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

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

**FINANCIAL IMPLICATIONS**

Variances are dealt with in attachment [6002H July 2016](#) (Notes on Statement of Variances in excess of \$50,000 by Sub-Program).

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR JULY 2016 (AMREC)  
(ATTACHMENTS)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**CONCLUSION**

The attached financial reports reflect a positive financial position of the City of Melville as at 31 July 2016.

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

At 7.43pm Cr Aubrey moved, seconded Cr Phelan –

**That the Council:**

- Note the Rate Setting Statement and Statements of Financial Activity for the month ending 31 July 2016 as detailed in the following attachments:**

<b>DESCRIPTION</b>	<b>LINK</b>
Rate Setting Statement by Program – July 2016	<a href="#">6002A July 2016</a>
Rate Setting Statement by Sub-Program – July 2016	<a href="#">6002A Sub Program July 2016</a>
Statement of Financial Activity – July 2016	<a href="#">6002B July 2016</a>
Representation of Net Working Capital – July 2016	<a href="#">6002E July 2016</a>
Reconciliation of Net Working Capital – July 2016	<a href="#">6002F July 2016</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – July 2016	<a href="#">6002H July 2016</a>
Details of Budget Amendments requested – July 2016	<a href="#">6002J July 2016</a>
Summary of Rates Debtors – July 2016	<a href="#">6002L July 2016</a>
Graph Showing Rates Collections – July 2016	<a href="#">6002M July 2016</a>
Summary of General Debtors aged 90 Days Old or Greater – July 2016	<a href="#">6002N July 2016</a>

- By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for July 2016 [6002J July 2016](#).**

At 7.43pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (10/0)**

**15. EN BLOC ITEMS**

At 7.44pm Cr Phelan moved, seconded Cr Aubrey–

**That the recommendations for items P16/3716, P16/3718, T16/3720, CD16/8087, M16/5000, C16/6000 and C16/6001, be carried En Bloc.**

At 7.44pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

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

Nil

**16.1 Public Question Time at Agenda Briefing Forums**

At 7.45pm Cr Pazolli moved, seconded Cr O'Malley -

**COUNCIL RESOLUTION**

**That the Council amends Council Policy CP-014 – “Question Time at Council and Committee Meetings” by:**

- 1. Amending the “Policy Scope” section of the policy to read:  
“Ordinary and Special Council meetings, Agenda Briefing Forums and Committee meetings that are open to the public.”**
- 2. Amending the second paragraph of the “Policy Statement” section of the policy to read:  
"In accordance with The Act and Regulations, the minimum time of fifteen minutes will be allocated at the commencement of a meeting prior to the debate of any matter that requires a decision to be made by the Council or the Committee. In addition to the requirements of The Act and Regulations and subject to the same provisions, the minimum time of fifteen minutes will be allocated at the commencement of an Agenda Briefing Forum of any matter that requires a decision to be made by the Council in the immediate following Ordinary Council meeting. Question Time provides for questions to be raised by members of the public and responded to at the meeting (Question Time)."**

**PROCEDURAL MOTION**

At 7.45pm Cr Woodall moved, seconded Cr Wieland the following Procedural Motion in accordance with Clause 11.1(b) of Standing Orders Local Law 2003 –

**That the Council defer consideration of this Item, (Item 16.1 Public Question Time at Agenda Briefing Forums) to the October 2016 Ordinary Meeting of the Council pending consideration at an Elected Members Information Session.**

At 7.50pm the Mayor submitted the motion, which was declared

**CARRIED (9/1)**

**16.1 Public Question Time at Agenda Briefing Forums continued**

<b>Vote Result Summary</b>	
Yes	9
No	1

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Foxtan	Yes
Cr O'Malley	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor Aubrey	No

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

Nil

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

Nil

**19. CLOSURE**

There being no further business to discuss, the Mayor declared the meeting closed at 7.50pm.