



City of
Melville

AGENDA

ORDINARY MEETING OF COUNCIL

NOTICE OF MEETING

I respectfully bring to the attention of Elected Members that an Ordinary Meeting of the Council will be held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 16 April 2024 commencing at 6:30 PM.

Gail Bowman
Chief Executive Officer

The City of Melville acknowledges the Bibbulmun people as the Traditional Owners and custodians of the lands on which the City stands today and pays its respect to the Whadjuk people, and Elders both past, present and emerging.

Use this link to [Register to attend the Ordinary Meeting of the Council Tuesday, 16 April 2024](#)



Our Vision

Engaging with our diverse community to achieve an inclusive, vibrant and sustainable future.

Our Mission

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

Our Values

Excellence

Striving for the best possible outcomes

Participation

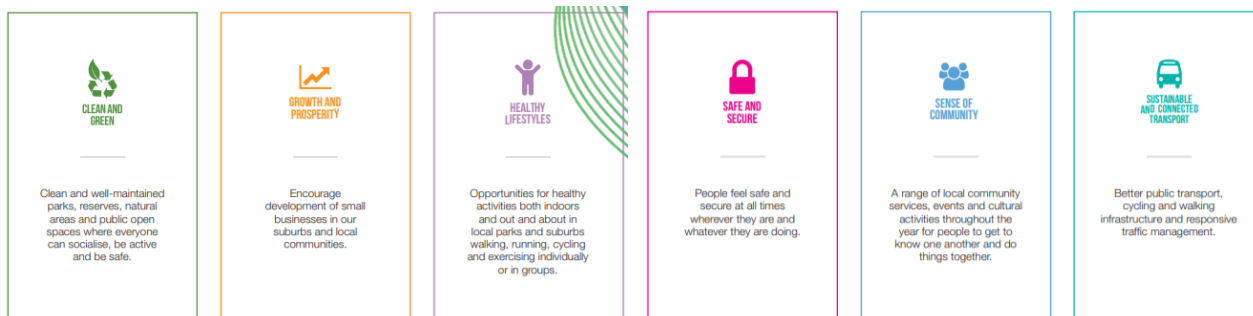
Involving, collaborating and partnering

Integrity

Acting with honesty, openness and with good intent

Caring

Demonstrating empathy, kindness and genuine concern



Making A Deputation

A deputation is a verbal presentation by one or more members of the public on a matter to be considered at the Council meeting. Deputations are made at the relevant Agenda Briefing Forum, held one week prior to the Ordinary Meeting of Council.

Information on making a deputation is available on the City's website. [Request to make a Deputation.](#)

Public Question Time

You can ask a question at a Council meeting during Public Question Time. Information on how to ask a question can be found on the City's website. [Public Question Time.](#)

Complex questions or those related to matters on the agenda and requiring a response at the meeting are "questions on notice" and should be submitted in writing, by the close of business the Tuesday prior to the meeting.

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Audio Recording/ Access to Recording

In accordance with the Council Policy CP- 088 Creation, Access and Retention of Audio Recordings of the Public Meetings this meeting is electronically recorded. All recordings are retained as part of the City's records in accordance with the State Records Act 2000 and the General Disposal Authority for Local Government Records. The Audio recording may be accessed at www.melvillecity.com.au/agendas.

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

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

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1 OFFICIAL OPENING

2 ATTENDANCE AND APOLOGIES

In Attendance

Councillors

Ward

Officers

Apologies

On Approved Leave of Absence

Mayor K Mair

Mayor

3 DECLARATIONS BY MEMBERS

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

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

4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Approved Deputations

Approved Written Submission

5 DISCLOSURE OF INTEREST

5.1 Financial or Proximity Interests

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

5.2 Disclosure of Interest That May Cause a Conflict

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

6 PUBLIC QUESTION TIME

6.1 Questions Received with Notice

6.2 Questions Received at the Meeting

6.3 Questions Taken on Notice at Previous Meeting

6.3.1 Mr M McLerie, Bicton

The following questions were taken on notice from Mr M McLerie, Bicton at the Ordinary Meeting of Council held on 19 March 2024.

Preamble for Questions 1 to 3

With respect to s129 of the Building Act:

Question 1

How many applications has the City received since 2012 (by year), and please advise the number of distinct properties these applications are related to?

Response 1

The City's data management system didn't collate this information until December 2022. Since December 2022, 34 requests have been made.

Question 2

Out of the applications received (and number of properties they relate to), how many of these applications have not been fulfilled by the City at all, and how many have not been fulfilled within 10 working days of application?

Response 2

A review of the City's records has been undertaken and this information is isn't specifically captured.

Question 3

How many building orders and proposed building orders has the City issued since August 2022?

Response 3

Since August 2022, the City of Melville has issued 1 building order. Since August 2022, the proposed building orders issued is 11.

7 AWARDS AND PRESENTATIONS

Nil.

8 APPLICATIONS FOR NEW LEAVE OF ABSENCE

Nil.

9 CONFIRMATION OF MINUTES

9.1 Ordinary Meeting Of The Council – 19 March 2024

That the minutes of the Ordinary Council Meeting held on 19 March 2024 be confirmed as a true and accurate record.

9.2 Ordinary Meeting Of The Electors – 25 March 2024

That the minutes of the Ordinary Electors Meeting held on 25 March 2024 be confirmed as a true and accurate record.

9.3 Special Meeting Of The Electors – 25 March 2024

That the minutes of the Special Electors Meeting held on 25 March 2024 be confirmed as a true and accurate record.

9.4 Notes Of Agenda Briefing Forum – 9 April 2024

That the Notes of the Agenda Briefing Forum held on 9 April 2024 be confirmed as a true and accurate record.

10 NEW BUSINESS OF AN URGENT NATURE

11 IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

12 PETITIONS

12.1 Petition - Esplanade Park

On Monday, 25 March 2024 the City of Melville received a petition from Mr I Peacock, signed by 284 residents of the City of Melville and 12 non-residents. The petition reads as follows:

“We, the undersigned, all being electors and/or ratepayers in the City of Melville, do respectfully request that the Council:

Vote in favour of the Officer’s Recommendations to approve the design concept and budget for the Esplanade Park (put to the February 2024 Ordinary Meeting of Council and then deferred to the May 2024 Ordinary Meeting of Council) and proceed to implement the July 2023 Council decision to complete the park in 2024.”

It is noted that this petition is additional pages to a petition previously received in relation to this matter, and at the Ordinary Meeting of Council (OMC) held on 19 March 2024. In relation to this matter, the Council resolved that a report would be prepared for the May 2024 OMC. The recommendation for this petition to be considered in conjunction with that item.

OFFICER RECOMMENDATION

That the Council:

1. **Acknowledge the petition submitted by Mr I Peacock on Monday, 25 March 2024 signed by 284 residents of the City of Melville and 12 non-residents; and**
2. **That a report be prepared for the 21 May 2024 Ordinary Meeting of Council in conjunction with the petitions received at the 19 March 2024 Ordinary Meeting of Council.**

13 ADOPTION OF RECOMMENDATIONS EN BLOC

14 REPORTS

14.1 Reports from Committees

Nil.

14.2 Reports of the Chief Executive Officer

Management Services

Nil.

Corporate Services

C24/133 RFQ232433 Purchase of Resource Recovery Bulk Verge Waste Truck

File Number:	
Responsible Officer:	Director Environment & Infrastructure
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	1. CTAU minutes 12 March 2024 (confidential) (under separate cover)

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> This report is presented to Council to recommend the acceptance of a request submitted for RFQ232433 Purchase of Resource Recovery Bulk Verge Waste Truck.
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CTAU RECOMMENDATION

That the Council:

- Accepts the recommendations as contained in the confidential attachment to this report, RFQ232433 Contract and Tender Advisory Unit Minutes (Attachment 1); and**
- Upon resolution of the recommendation, directs that the successful respondents’ names be inserted below this point 2, awarded;**

PURPOSE

The City of Melville is seeking a suitable company to supply and deliver one (1) Resource Recovery Bulk Verge Waste Truck c/w 24m2 Rear compactor. The Truck to be a low entry walk through cab type, with a purpose-built heavy-duty compactor (hard waste industrial) having a multi ribbed body finish.

Replacing asset: 39614

The supply of the truck will be an outright purchase with the City taking responsibility for the service and maintenance of the vehicle.

The City is utilising the WALGA contract # NPN 04-13 (Fleet, Trucks, Heavy/Medium Rigid).

The existing waste truck is not offered for trade and will be sold at a later date.

The Supplier is expected (or required, as stated in this document to comply with industry and Australian Standards relative to a purpose-built heavy-duty compactor (hard waste industrial) rear loading collection truck.

The Contract and Tender Advisory Unit (CTAU) is satisfied that the recommended supplier meets the City’s qualitative requirements and represents value for money.

The CTAU’s recommendation is now being presented to Council for their approval.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.
Outcome Indicator	There are no applicable outcome indicators in relation to this report.

BACKGROUND

The City is seeking a suitability qualified and experienced contractor for 1 Resource Recovery Bulk Verge Waste Truck. The CTAU Meeting Minutes included as a confidential attachment to this report is additionally available to Elected Members on the Elected Members Portal.

CONSIDERATION

Responses were received from the following organisations:

- Penske Australia Pty Ltd (Dennis Eagle Truck) – Bucher Compactor
- Penske Australia Pty Ltd (Dennis Eagle Truck) – Superior Compactor

All Respondents properly addressed the Compliance and Disclosure Requirements and were processed through to Qualitative Assessment.

The City set the following qualitative criteria and weightings:

Technical Specification	35 %
Operational Capacity	35 %
Environmental Sustainability	20 %
Warranty Period	10 %

The recommended Respondent achieved a qualitative score of 93.33% against the following criteria:

I. Technical Specification

The Respondent provided the required information against this criterion. The technical specifications meet the requirements issued by the City.

II. Operational Capacity

The Respondent provided the required information against this criterion.

The Operational capacity meets the requirements issued by the City.

III. Environmental Sustainability

The Respondent provided the required information against this criterion.

The engine complies (Eu06 emission standards) with the City's environmental guidelines in reducing Co2 emissions and the City's Carbon Footprint.

IV. Warranty Period

The Respondent provided the required information against this criterion.

The warranty, service and spare parts support also meets the expectations of the City's Fleet Department.

The Evaluation Panel reviewed all Respondents' offers and prepared an Evaluation Report, identifying the recommended Respondent.

The recommendation was supported by the Contract and Tender Advisory Unit (CTAU) and is put forward as part of the recommendation to the Council.

The Evaluation Report and associated confidential attachments were distributed to Elected Members under confidential cover.

ENGAGEMENT

No community or external engagement has been required or undertaken as part of this request.

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

This request has been considered with regards to the following policies and legislative requirements:

- CP-023 Procurement of Products and Services
- *Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1)*

"A Local Government is required to invite tenders before it enters into a contract for another person to supply goods or services".

FINANCIAL IMPLICATIONS

Any relevant financial implications are detailed in the confidential attachment to this report.

CONSEQUENCE

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

C24/128 Melville City Centre Bushfire Management

File Number:	
Responsible Officer:	Acting Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	Nil
Attachments:	<ol style="list-style-type: none"> 1. Melville City Centre Land Exchange Agreement Deposited Plan ↓ 2. Location Plan ↓ 3. Del Botanic Reconnaissance Flora and Vegetation Survey ↓ 4. Officer Advice Note ↓

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> • A portion of the City’s Civic Centre site fronting Davy Street currently has native and non-native vegetation. The presence of this vegetation triggers a classification of the site as containing bushfire prone vegetation, increasing the bushfire attack level (BAL) for the Library and Cultural Centre (LCC), future land swap site and adjoining development sites. • Vegetation management of the affected area to a low threat vegetation status will reduce the bushfire attack level (BAL), whilst still retaining the conservation value trees. This provides multiple benefits to the City and all the adjoining sites as it facilitates the vision for the Booragoon (Melville) City Centre Structure Plan; and also enables creation of the high street for placemaking activation.

OFFICER RECOMMENDATION

That the Council approves the immediate and ongoing management of the vegetated portion of the Civic Centre site at 10 Almondbury Road, Booragoon to a low threat vegetation status to reduce the Bushfire Attack Level (BAL) and facilitate development of the adjoining development sites within the Melville City Centre precinct.

PURPOSE

The Melville City Centre Structure Plan sets a vision to transform the precinct around Westfield Booragoon into a vibrant city centre. In order to facilitate this vision, the City of Melville (the City) agreed to a land exchange with Scentre Group to create a “high street”. The City’s future land swap parcel and the adjoining land parcels, owned by Scentre Group, all have significant development potential.

Scentre Group has submitted a development proposal for their sites. However, in order to facilitate and negotiate the best built form outcome and deliver the vision for the Melville City Centre including the City’s Library and Cultural Centre project; the City needs to reduce the bushfire attack level (BAL) of the native vegetation bush portion of the Civic Centre site at 10 Almondbury Road,

Booragoon. This can be done by management of the bush, which will still maintain and retain the conservation value trees.

STRATEGIC ALIGNMENT

Priority	2	Improve the approach for diverse and sustainable urban development and infrastructure
	P2/2	Enhance amenity and vibrancy through placemaking and creating well designed and attractive public spaces.
	P2/3	Optimise the capability and liveability of activity centres with consideration to the expectations of our community.
	5	Ensure long term financial sustainability
	P5/3	Identify opportunities for appropriate alternative revenue streams.
	6	Encourage local economic development
Outcome Indicator	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience
	5	Sense of Community
	Goal 3	Place Activation and Liveability

BACKGROUND

The City’s 31,869m² landholding at 10 Almondbury Road, Booragoon and Westfield Booragoon are located within the Melville City Centre Structure Plan area. The vision for the Melville City Centre Structure Plan is to transform a precinct dominated by an enclosed shopping centre into a vibrant mixed use town centre. The key features include:

- Creation of a “high street” precinct and town square to form a focal point of the centre.
- Activation of surrounding streets and uses.
- Improved links with Yagan Mia – Wireless Hill.
- City’s Library and Cultural Centre (LCC) will be one of the key buildings completing the double-sided high street.
- LCC and other high street developments will have a significant impact on the success of the City Centre.

To facilitate the vision for the Melville City Centre Structure Plan with the creation of the “high street”, Council agreed to a land exchange with Scentre Group (Ref: M22/5862 and P21/3897). The new high street is to be ceded to the City as a public road, securing public access for an important amenity asset for the precinct. Refer to Attachment 1 – Melville City Centre Land Exchange Agreement Deposited Plan.

The City’s Civic Centre landholding is zoned “Centre” and is within the High Street precinct under the Melville City Centre Structure Plan. Current precinct controls permit development between 4-8 storeys over the site, with discretion for additional height.

Scentre Group is due to commence construction by late 2024 on their \$792M expansion of the Westfield Booragoon shopping centre. Scentre Group own additional freehold development parcels adjoining the City's landholding and future land swap parcel.

Scentre Group have also commenced preliminary planning proposals for residential development of their additional sites. The residential towers include mixed use podiums situated along the "high street" linking Almondbury Road and Davy Street. Scentre Group are seeking feedback from the City on community benefit in exchange for significant additional height; and feedback on the future of the native bush portion of the civic centre site to inform their design proposals. Refer to Attachment 2 – Location Plan.

CONSIDERATION

The City is the second largest freehold land owner within the Melville City Centre precinct and as part of the due diligence for the LCC and the future development of the Civic Centre site within the Melville City Centre Structure Plan, officers commissioned various due diligence reports. This included a Reconnaissance Flora and Vegetation Survey for the vegetated portion of the site. Refer to Attachment 3 for the full Flora Survey report. The report identified and recommended the following:

- One vegetation community at a local level was recorded
- No species of Threatened (T), Priority Flora or Threatened Ecological Communities (TEC's) under the *Biodiversity Conservation Act 2016*
- Retain 6 large mature *Eucalyptus marginata* and *Corymbia calophrylla* trees for fauna habitat
- Collect seed for recommended species prior to clearing
- Transplant *Xanthorrhoea preissii* and *Macrozamia reidleyi* where possible; and
- Undertake a targeted Declared Rare Flora (DRF) search in September/October for *Caladenia huegelii*

Previous subdivision concepts for the Civic site to create the library lot assumed all the vegetation would be cleared as a Bushfire Management strategy. However, the City recognises the conservation value of the trees identified in the flora and vegetation survey and would like the significant trees to be retained.

The management of vegetation is an effective way to reduce a bushfire hazard that surrounds any development. An updated bushfire management plan will identify vegetation to manage as well as the weeds and non-native species to remove to reduce the bushfire fuel load. It will also identify revegetation strategies for recommended species.

If the vegetation remains "as is", the native vegetation triggers the vegetation to be classified as containing "bush prone" vegetation which increases the bushfire attack level (BAL) into the LCC site, the future land swap site and the adjoining development sites. The vegetation also remains underutilised and unusable by the community.

Management of the vegetation will facilitate optimal development of the LCC, the future land swap site and the adjoining Scentre Group development sites which will contribute to the scale and vibrancy of the Melville City Centre to deliver its intended vision. It will provide the City's Design Review Panel and Scentre Group vital direction to consider as part of their design proposals, whilst aiming to achieve the best built form outcome and interface between the sites.

The City will still have the opportunity to also investigate partial development of the site to create an alternate revenue stream, subject to tree retention and further due diligence. The portion of the site could be considered for potential inclusion with the future land swap parcel which may deliver a better built form outcome for the Melville City Centre precinct.

ENGAGEMENT

No engagement has been conducted on the current proposal to manage the native vegetation portion of the Civic centre site as the community have minimal impact over the decision, as it is required to manage the bushfire attack level and overall safety of the surrounding community.

Community consultation occurred during the preparation of the Melville City Centre Structure Plan which identified the site as “high street” precinct.

If Council decides to make an alternate decision with the site in the future, a wide range of stakeholders will be engaged, including the surrounding and wider community.

SUSTAINABILITY IMPLICATIONS

Retention of the conservation value trees positively impact the environment for the City, surrounding residents and businesses. Management of the native vegetation will also provide greater public access and use of the area. Retention of native vegetation will also provide visual screening towards the Scentre Group development proposal.

LEGISLATIVE AND POLICY ALIGNMENT

- Bushfire management must comply with State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7).
- *Planning and Development Act 2005*
- *Planning and Development (Local Planning Schemes) Regulations 2015 (The Regulations)*

FINANCIAL IMPLICATIONS

Preparation of an updated Bushfire Management Plan for the portion of native vegetation and the immediate and ongoing maintenance of the vegetation can be estimated at \$20,000 in year 1 and \$10,000 per annum thereafter. This can be absorbed within the City’s operational budget.

CONSEQUENCE

Based on the information provided, the following options are available to the Council.

Option 1: City retain the native vegetation on the Civic Site and implement a bushfire management plan to reduce the vegetation to a low threat vegetation status.

Balance of environmental outcomes by retaining the conservation value trees, whilst facilitating social and financial outcomes by enabling the redevelopment of the LCC and adjoining development sites which will contribute to the scale and vibrancy of the Melville City Centre. This option also provides the opportunity for the City to explore development of the remainder of the site

which could realise a financial return to offset the costs of LCC, as resolved at the Ordinary Meeting of Council 19 March 2024 (Ref Item CD24/12).

Option 2: City retain the native vegetation “as is”.

The vegetation is classified as bushfire prone which affects the viability of development of the LCC, future land swap site and adjoining development sites. This will result in a loss of income for the precinct by reducing the development parcels and the potential rates uplift. This option also does not support the implementation of the Melville City Centre vision and will impact the delivery of activation and place making for the high street.

Considering all the information presented, Option 1 is recommended.

C24/129 Investment Statements for February 2024

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

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <ul style="list-style-type: none"> This report presents the investment statements for the period ending 29 February 2024 and recommends that it be noted by the Council.

OFFICER RECOMMENDATION

That the Council notes the Investment Report for the period ending 29 February 2024.

PURPOSE

To report on the performance of the City’s investment portfolio for the month of February 2024.

The City’s investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 5.06% to 5.18%, which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 4.34%.

27% of the City’s investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 28% in January 2023.

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

STRATEGIC ALIGNMENT

Priority	5	Ensure long term financial sustainability
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	P5/2	Advocate at National and State levels to maximise funding.
	P5/3	Identify opportunities for appropriate alternative revenue streams.
Outcome Indicator	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience

BACKGROUND

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

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

CONSIDERATION

The following statement details the investments held by the City of Melville as at 29 February 2024.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 29 FEBRUARY 2024		
SUMMARY BY FUND		
Municipal		\$42,883,915
Reserve		\$155,028,668
Trust		\$-
Citizen Relief		\$228,246
TOTAL		\$198,140,829
SUMMARY BY INVESTMENT TYPE		
11AM		\$11,311,636
31Days at Call		\$-
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$168,229,194
TOTAL		\$198,140,829
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$117,568,011
A Category (A+ to A-)	A+	\$41,772,819
	A	
	A-	
BBB+ Category	BBB+	\$38,800,000
TOTAL		\$198,140,829

Exposure to an individual institution is limited according to Council Policy and in February 2024 the investments were within the acceptable limits except for investment holdings with Westpac Bank which slightly exceeded the policy threshold at 31.41%, compared with the limit of policy of 30.00%. This deviation arose due to lower-than-expected cash outflows for payments made during the month of February 2024.

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
ANZ	AA-	AA Category	\$ -	0.00%	30.00%	✓
AMP	BBB+	BBB+ Category	\$ -	0.00%	15.00%	✓
Bankwest	AA-	AA Category	\$ -	0.00%	30.00%	✓
Bank of Queensland	BBB+	BBB+ Category	\$ 25,800,000	13.02%	15.00%	✓
ING Bank	A-	A Category	\$ -	0.00%	25.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 13,000,000	6.56%	15.00%	✓
CBA	AA-	AA Category	\$ -	0.00%	30.00%	✓
Macquarie	A+	A Category	\$ 2,072,819	1.05%	25.00%	✓
NAB	AA-	AA Category	\$ 55,326,451	27.92%	30.00%	✓
St George	AA-	AA Category	\$ -	0.00%	30.00%	✓
Suncorp	A+	A Category	\$ 39,700,000	20.04%	25.00%	✓
Westpac	AA-	AA Category	\$ 62,241,560	31.41%	30.00%	✗
TOTAL			\$ 198,140,829	100%		

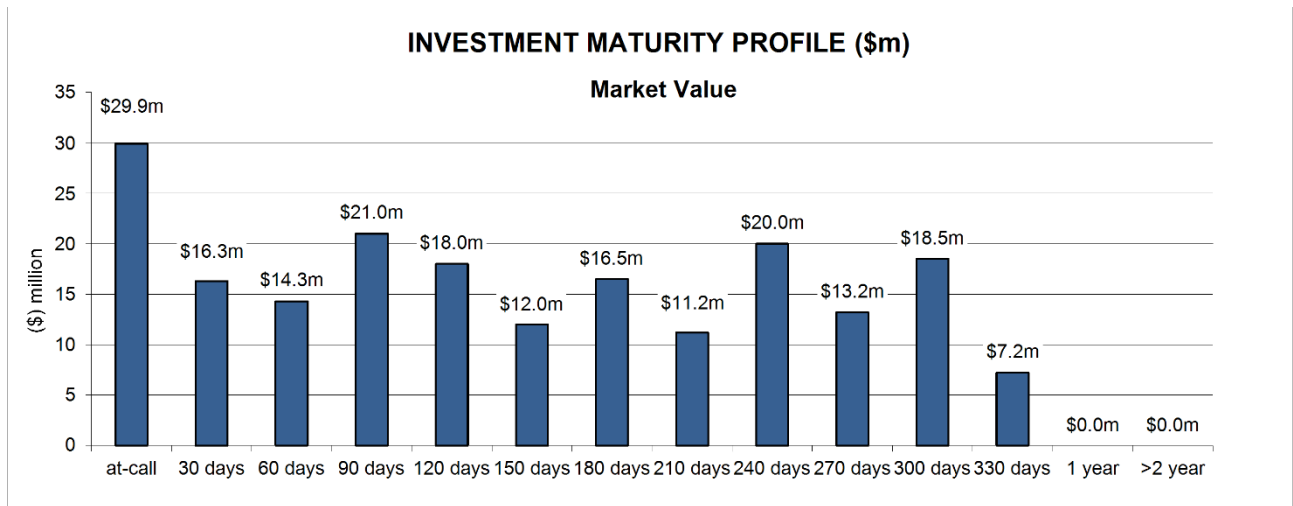
*Standard & Poor's ratings. Source: Policy No. CP-009: Investment of Funds

The City's investments were invested within the limits allowed within each category rating for February 2024.

Maximum Percentage of Average Investment Portfolio Balance				
Long Term Rating	Funds held at period end \$	Actual %	Limit Per Policy	
AAA Category	\$ -	0%	100%	✓
AA Category (AA+ to AA-)	\$ 117,568,011	59%	80%	✓
A Category (A+ to A-)	\$ 41,772,819	21%	50%	✓
BBB+ Category	\$ 38,800,000	20%	25%	✓
TOTAL	\$ 198,140,829	100%		

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

The below graph summarises the maturity profile of the City's investments at market value as at 29 February 2024. The immediacy of the demand for funds depends on the particular fund or reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.

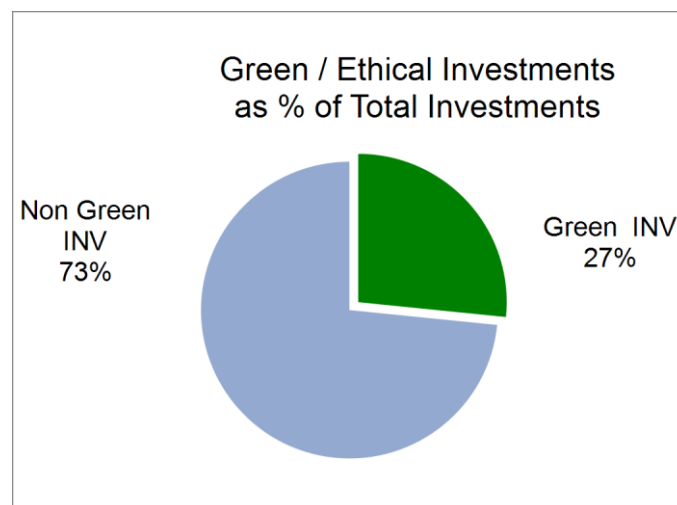


The City exercises a deliberative preference in favour of green/ethical investments. This preference will however only be exercised, after the foremost investment considerations of credit rating, comparable rate and risk diversification are fully satisfied.

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

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

The total investment in authorised institutions as at 29 February 2024 was \$52,700,000 or 27% of total investment holdings being in non-fossil fuels institutions, compared to \$57,200,000 (28%) in January 2023. The total investments holding for February and January were \$198,140,829 and \$206,023,597 respectively.



Green / Ethical Investment with financial institutions			
Institution	Credit Rating	Credit Rating Category	Funds held at period end
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 13,000,000
Suncorp	A+	A Category	\$ 39,700,000
TOTAL			\$ 52,700,000

Green investments are invested in the two banks listed above, in accordance with Council Policy. Suncorp have indicated that they are unable to accept new money or process rollovers of Green /Ethical Investments. Their product will be withdrawn in the future.

The City continues active discussions with financial institutions in relation to the availability of ESGTD products. Westpac is in the process of developing a new “green” investment product however no commitment has been made with regard to timing. There are currently no other ESGTD products available in the market that meet the City’s Investment Policy requirements.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

Strategic

The interest earned on invested funds assists in addressing the following key priority area identified in The City of Melville Corporate Business Plan 2020-2024.

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

Risk

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

Environmental

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

LEGISLATIVE AND POLICY ALIGNMENT

The following legislation is relevant to this report:

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

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

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

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

FINANCIAL IMPLICATIONS

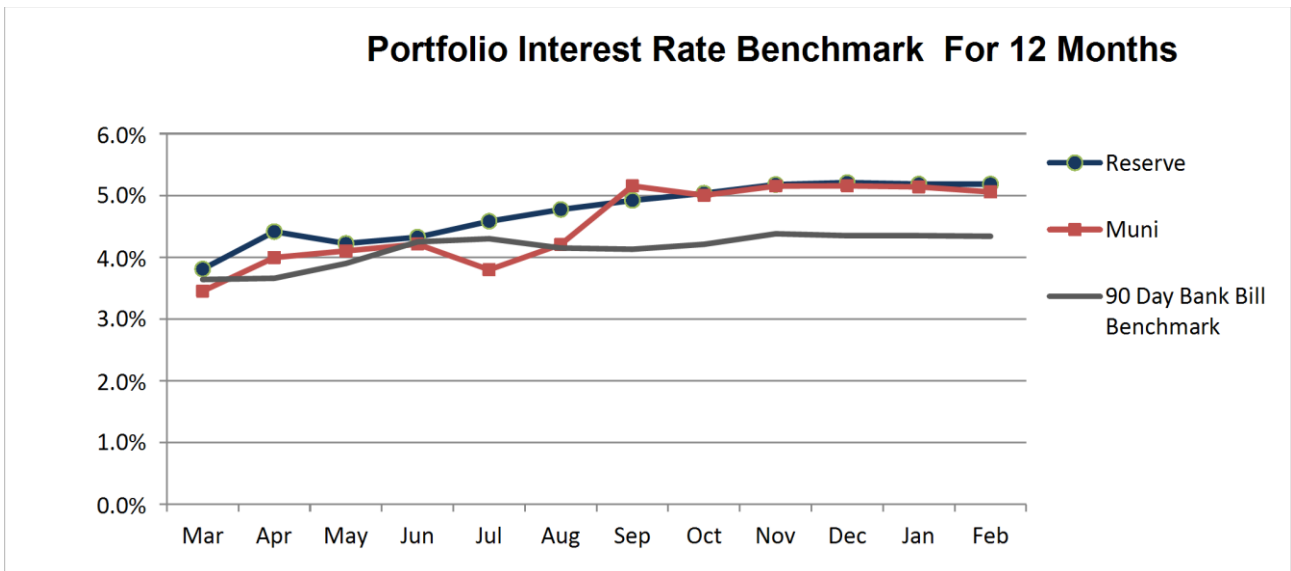
For the period ending 29 February 2024:

- Investment earnings on Municipal and Trust Funds were \$1,426,523 against a year to date budget of \$1,400,000 representing a positive variance of \$26,523.

The weighted average interest rate for Municipal and Trust Fund investments as at 29 February 2024 was 5.06% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 4.34%.

- Investment earnings on Reserve accounts were \$5,448,781 against a year-to-date budget of \$5,620,000 representing a negative variance of-\$171,219.

The weighted average interest rate for Reserve account investments as at 29 February 2024 was 5.18% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 4.34%.



CONSEQUENCE

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

C24/130 Common Seal April 2024

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

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <p>This report details the documents to which the City of Melville Common Seal has been applied for the period from Wednesday, 21 February 2024 up to and including Wednesday, 20 March 2024 for the Council’s noting.</p>
--

OFFICER RECOMMENDATION

That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from Wednesday, 21 February 2024 up to and including Wednesday, 20 March 2024 for the Council’s noting.

PURPOSE

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

The following documents were affixed with common seal during the period Wednesday, 21 February 2024 up to and including Wednesday, 20 March 2024.

Register Reference	Parties	Description	ECM Reference
CS2222	City of Melville and Landgate	Request from owners of no. 47 & 47A Bricknell Road, Attadale for City to sign Consent letter as a party with registered interest, for Cottage surveys to lodge documents with Landgate	7936644
CS2223	City of Melville and Meng Chen	Noise Notification Section 70A, DA-2023-1001 - Two Storey Grouped Dwelling & Retaining - 85A Riseley St, Ardross. Road and/or Rail Noise generated from Riseley Street.	DA-2023-1001

CONSEQUENCE

This is a standard report for the Elected Members’ that details the documents to which the City of Melville Common Seal has been applied for the period from Wednesday, 21 February 2024 up to and including Wednesday, 20 March 2024 for the Council’s noting.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.
Outcome Indicator	There are no applicable outcome indicators in relation to this report.

LEGISLATIVE AND POLICY ALIGNMENT

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

C24/131 Schedule of Accounts Paid for February 2024

File Number:	
Responsible Officer:	Acting Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	<ol style="list-style-type: none"> Payment Details February 2024 ↓ Card Payment Details February 2024 ↓

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <ul style="list-style-type: none"> This report presents the details of payments made under delegated authority (DA-035) to suppliers for the period of February 2024 and recommends that the Schedule of Accounts Paid be noted.

OFFICER RECOMMENDATION

That the Council notes the Schedule of Accounts paid for the period February 2024 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in the attachments to this report; Payment Details February 2024 (Attachment 1) and Card Payment Details February 2024 (Attachment 2).

PURPOSE

The Schedule of Payments for the month totals \$25,079,475. The report and the attached Schedule of Accounts Paid are presented for the Council’s information.

STRATEGIC ALIGNMENT

Priority	5	Ensure long term financial sustainability
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	P5/2	Advocate at National and State levels to maximise funding.
	P5/3	Identify opportunities for appropriate alternative revenue streams.
Outcome Indicator	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience

BACKGROUND

Delegated Authority DA-035 has been granted to the Chief Executive Officer to make payments from the Municipal and Trust Funds. This authority has then been on-delegated to the Director Corporate Services. In accordance with Regulation 13.2 and 13.3 of the *Local Government*

(Financial Management) Regulations 1996, where this power has been delegated, a list of payments for each month is to be compiled and presented to the Council.

A total of \$10,308,060 direct creditor payments were paid during the month, of which, 15% of payments were paid to suppliers located within the City of Melville and 29% to suppliers within the South West Metropolitan Region, compared to 19% and 28% of total of \$8,400,963 direct creditor payments made over January 2024 respectively.

The biggest payment of \$1,307,764 made during the month was the ESL payment to the Department of Fire and Emergency Services. Approximately 95% of supplier invoices are paid within 30 days of receipt of the invoices.

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

CONSIDERATION

The Schedule of Accounts Paid for February including Payment Register numbers, Cheques: 855-856, Electronic Funds Transfers batches: 878-883, Trust Payments, Card Payments and Payroll will be distributed to the Elected Members of the Council in April 2024.

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

SCHEDULE OF PAYMENTS MADE		
February 2024		
<i>Payments made under Delegated Authority DA-035</i>		
MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS		
Cheques	Chq Payment Register No. 855 and 856	\$926.00
	Chq Payment on Restricted Funds Register No.	
	Less Cancelled Chqs	-
Electronic Funds Transfers	EFT Payment Register No. 879, 880 and 883	\$10,003,590.21
	EFT Payment on Restricted Funds Register No. 878, 881, 882 and 141	\$206,520.92
	Less Cancelled EFTs	(\$38,254.25)
		\$10,172,782.88
Direct Debits	Bank Fees	\$18,682.06
	Ampol Fuel	\$115,088.01
Direct Payments		\$1,507.31
	Total Direct Creditor Payments	\$10,308,060.26
Payroll	Total Pay 17 and 18	\$4,189,760.86
	Total Payroll	\$4,189,760.86
Cards	Westpac Corporate Cards	\$10,004.13
	Westpac Purchase Cards	\$71,649.31
	Total Card Payments	\$81,653.44
Total Direct Creditor Payments from Municipal Account		\$14,579,474.56

Schedule of Payments Made continued.

INTERFUND & INVESTMENT TRANSACTIONS		
<i>Interfund Transfers</i>		
Loan		\$0.00
Citizen Relief Trust		\$0.00
Citizen Relief Operating		\$0.00
Municipal		(\$7,000,000.00)
Reserve		\$7,000,000.00
Trust		
<i>Total Interfund Transfers</i>		\$0.00
<i>New Municipal Investments</i>		
Westpac Bank	02/02/2024	\$1,500,000.00
Westpac Bank	06/02/2024	\$2,000,000.00
Westpac Bank	09/02/2024	\$1,000,000.00
Westpac Bank	16/02/2024	\$1,500,000.00
Westpac Bank	19/02/2024	\$1,500,000.00
Westpac Bank	23/02/2024	\$3,000,000.00
<i>Total New Investments</i>		\$10,500,000.00
Grand Total		\$25,079,474.56

Details of the payments are shown in Attachment 1. [Any payment over and above \\$25,000 has been highlighted under the Payment Amount column in Attachment 1.](#)

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

The list of payments made using purchase cards during January 2024 and settled in February 2024 is provided as an attachment to this report.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

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

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

FINANCIAL IMPLICATIONS

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

CONSEQUENCE

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

C24/132 Statements of Financial Activity February 2024

File Number:	
Responsible Officer:	Acting Director Corporate Services
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	<ol style="list-style-type: none"> 1. Statement Nature Type February 2024 ↓ 2. Rate Setting Program February 2024 ↓ 3. Rate Setting Nature Type February 2024 ↓ 4. Net Working Capital February 2024 ↓ 5. Reconciliation Net Working Capital February 2024 ↓ 6. Notes Rate Setting Statement February 2024 ↓ 7. Summary Rate Debtors February 2024 ↓ 8. Rates Collections Graph February 2024 ↓ 9. General Debtors Aged 90days February 2024 ↓ 10. Budget Amendments February 2024 ↓

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> • This report presents the Statements of Financial Activity or Type and Rate Setting Statement by Program and Nature or Type for the period ending 29 February 2024; and • Presents the variances for the month of February 2024; and • Recommends that they be noted by the Council.

OFFICER RECOMMENDATION

That the Council:

1. **Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 29 February 2024 as detailed in the following attachments:**
 - **Statement Nature Type February 2024 (Attachment 1); and**
 - **Rate Setting Program February 2024 (Attachment 2); and**
 - **Rates Setting Nature Type February 2024 (Attachment 3); and**
 - **Net Working Capital February 2024 (Attachment 4); and**
 - **Reconciliation Net Working Capital February 2024 (Attachment 5); and**
 - **Notes Rate Setting Statement February 2024 (Attachment 6); and**
 - **Summary Rate Debtors February 2024 (Attachment 7); and**
 - **Rates Collections Graph February 2024 (Attachment 8); and**
 - **General Debtors Aged 90 Days February 2024 (Attachment 9); and**
2. **By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for February 2024 (Attachment 10).**

PURPOSE

The attached financial reports reflect a positive financial position of the City of Melville as at 29 February 2024.

STRATEGIC ALIGNMENT

Priority	5	Ensure long term financial sustainability
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	P5/2	Advocate at National and State levels to maximise funding.
	P5/3	Identify opportunities for appropriate alternative revenue streams.
Outcome Indicator	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience

BACKGROUND

The Statements of Financial Activity for the period ending 29 February 2024 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

Overall Summary of the City’s Financial Position

- The City’s total investments holding for February 2024 were \$198.1m of which the Municipal cash balance at the end of the month was \$42.8m and \$155.0m was held in reserve accounts, which are restricted to the defined purpose for which the reserve account was established.

- The investment in green/ethical term deposits as at 29 February 2024 was \$52.7m or 27% of total investment holdings, compared to \$57.2m (28%) in January 2024. Green/Ethical investments are invested in two banks, in accordance with the council credit rating policy. Suncorp is unable to accept new term deposit or process rollovers of existing Green /Ethical Investments which will be withdrawn in future.
- Rates raised as at February were \$102.5m, compared to a year to date budget of \$102.7m. The negative variance of \$0.21m is due to interim adjustments in respect to both Commercial and Residential improved properties.
- Total debtor collections for February 2024 equalled \$6.2m. The Rates collection target was 86% and the actual collection is tracking slightly higher at 87%, compared to 86.6% for the same period in 2022-2023. The total outstanding debtors (including all rates and sundry debtors) is \$17.9m as of 29 February 2024.

CONSIDERATION

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

1. Statement of Financial Activity by Nature and Type
Provides details on the various categories of income and expenditure.
2. Rate Setting Statement by Program
Provides details on the Program classifications.
3. Rate Setting Statement by Nature or Type
Provides details on the Nature or Type classifications.

Variances

A detailed summary of variances and comments based on the Rate Setting Statement by Nature or Type is provided in attachments:

- (Attachment 1): Rate Setting Statement by Nature or Type
- (Attachment 6): Statement of Variances in Excess of \$100,000

Revenue

Rates raised as at February were \$102,503,422, compared to a year to date budget of \$102,715,058. The negative variance of \$(211,637) is due to slightly lower than budgeted interim adjustments in respect to both Commercial and Residential improved properties.

Rates Collection

SUMMARY OF RATE DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	4,487,816	4,487,816	0%	5,453,565	-18%
Debtors Raised	126,223,129	126,137,858	0%	120,152,851	5%
Payments Received	(113,599,931)	(107,865,318)	5%	(108,587,778)	5%
Closing Balance	17,111,013	22,760,357	-25%	17,018,638	1%

Total rate debtor collections for the month equalled \$5,734,614.

Sundry Debtor Movement

SUMMARY OF SUNDRY DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	901,439	901,439	0%	642,878	40%
Invoices Raised	4,156,117	3,630,355	14%	5,168,768	-20%
Receipts	(4,254,408)	(3,769,362)	13%	(5,118,322)	-17%
Prepayments	1,743	4,742	-63%	9,877	-82%
Closing Balance	804,891	767,174	5%	703,200	14%

Sundry debtor balances increased by \$37,717 over the course of February from \$767,174 to \$804,891 of which total 90 day sundry debtors for the month is \$234,115, representing 29% of total sundry debtors.

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for February 2024.

Budget Amendments

Details of Budget Amendments requested for the month of February 2024 that reflect effective changes to budgets are shown in Attachment 10. Budget amendments that are purely administrative and detail movements between budget responsible officers are not included in the attachment. This reporting is aligned with legislative requirements.

Variances greater than \$100,000 processed in February 2024 are highlighted in the attachment.

Granting of concession or writing off debts owed to the City

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

this to the Directors to write off debts or grant concessions to a value of \$5,000 and the Manager Financial Services to a value of \$1,000.

There were no debts written off for the month of February 2024.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

The City of Melville (the City) has well developed business continuity plans in place and an Incident Response Team (IRT) to coordinate and plan the City's response to the significant situations as was the case with the COVID-19 crisis.

LEGISLATIVE AND POLICY ALIGNMENT

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

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

34. Financial activity statement report — s. 6.4

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

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

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

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

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

(a) according to nature and type classification; or

(b) by program; or

(c) by business unit.

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

(a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and

(b) recorded in the minutes of the meeting at which it is presented.

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

The variance adopted by the Council is 10% or \$100,000 whichever is greater.

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

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

FINANCIAL IMPLICATIONS

Variances

Variances are detailed and explained in the attachment Notes Rate Setting Statement February 2024 (Attachment 6): Notes on Statement of Variances in excess of \$100,000 by Nature or Type.

CONSEQUENCE

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

C24/137 Proposed Elected Member Communication Agreement

File Number:	
Responsible Officer:	Acting Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	Nil
Attachments:	1. Draft Elected Member Communication Agreement ↴

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> The Local Government Amendment Bill 2023 will require the implementation of Communication Agreements for Elected Members. The City of Melville Governance Framework adopted at the Ordinary Meeting of Council held 19 March 2024, identified the introduction of a Communication Agreement between Elected Members and the Administration as a priority project. This report presents a draft Elected Member Communication Agreement to the Council for consideration and adoption.
--

OFFICER RECOMMENDATION

That the Council adopt the Elected Member Communication Agreement and that the Elected Member Communication Agreement be reviewed when the Local Government Reform process mandates the implementation of such Agreements and a report be presented to the Council.

PURPOSE

To present to the Council the draft Elected Member Communication Agreement for consideration and adoption. This document seeks to provide structure, process, and clarity to ensure consistent, responsive, and professional support to Elected Members to assist them in carrying out their roles, whilst maintain the separation of roles between the Council and the Administration.

STRATEGIC ALIGNMENT

Priority	3	Empower the voices of our diverse community by strengthening engagement
	P3/2	Improve the mechanisms to make information flow easier to access and share, including optimising digital communications.
Outcome Indicator	5	Sense of Community
	Goal 5	Social Connectedness and Belonging

BACKGROUND

At the Ordinary Meeting of Council held 19 March 2024 the Council resolved to adopt the City of Melville Governance Framework 2024 and noted three priority projects for 2024/2025, including the development of an Elected Member Communication Agreement to ensure consistency and responsiveness to Elected Members, which maintaining the appropriate separation of powers.

It is also noted that the *Local Government Amendment Bill 2023*, will require local governments to adopt a Communication Agreement for Elected Members at some point in the near future.

CONSIDERATION

In May 2023 the Local Government Amendment Bill passed through Parliament, to allow for key changes to the *Local Government Act 1995*. The Local Government Reform process will require adoption of a Communication Agreement for Elected Members. Whilst the legislative requirements of the Communication Agreement are unknown at the stage, the City is proactively looking to ensure consistency and responsiveness to Elected Members whilst maintaining the appropriate separation of powers.

The application of a Communication Agreement will provide clarity in the appropriate interactions between Elected Members and staff to provide more efficient and effective communication channels.

A draft Elected Member Communication Agreement has been developed and was provided to the Elected Members via the Elected Member Portal and the Elected Member Engagement Session held 2 April 2024, with a copy attached to this report.

The purpose of the Communication Agreement is to provide structure and process to ensure consistent, responsive, and professional support to Elected Members and providing guidance to ensure the separation of roles between the Elected Member Group and the Administration team.

The Objectives of the Communications Agreement includes:

- Ensuring professional interactions;
- An environment that directs Elected Members to the most appropriate member of staff to assist them;
- Empowering staff to provide professional advice to facilitate informed decision making;
- Foster goodwill and professional interactions; and
- Ensure compliance with the Local Government Act and Regulations – in particular the Model Code of Conduct Regulations.

The Communication Agreement covers a range of areas, but has the overall intention of providing clarity on how the Elected Members and the City Administration can work together, respecting each other's roles as set out in the Local Government Act and what can be expected in terms of service responsiveness and standards and seeks to harmonising operating environments for both the Elected Member Group and the Administration.

ENGAGEMENT

There has been no engagement with the community in relation to this matter. Elected Members have received the draft Elected Members Communication Agreement in advance for comment.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

LEGISLATIVE AND POLICY ALIGNMENT

The *Local Government Act 1995*, s2.10(c), requires councillors in their role to:

“(c) facilitates communication between the community and the council;”

The Local Government Reform will seek to formalise communication agreements between the Council and the CEO similar to those in State Government between a Minister and the agency that assists them. The intention is to set standards for how information and advice will be provided. The legislation is not in place at the time of this report, the objective of the new legislation is documented and this information has been applied in the development of the draft Communications Agreement.

FINANCIAL IMPLICATIONS

There are no specific financial implications associated with this report.

CONSEQUENCE

The Council could choose not to implement the Elected Member Communication Agreement at this time and wait for the Local Government Reform process to impose this requirement. This would mean that the status quo would remain and the City would not benefit from a formally adopted document to provide clarity on the interactions between the Elected Member Group and the Administration.

C24/134 City of Melville Parking Local Law 2023 - Undertakings

File Number:	
Responsible Officer:	Head of Governance
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	<ol style="list-style-type: none"> City of Melville Parking Local Law 2023 Amendments ↓ Correspondence from the Joint Standing Committee on Delegated Legislation (confidential) (under separate cover)

COUNCIL'S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> At the Ordinary Meeting of Council held 12 December 2023, the Council resolved to make the City of Melville Parking Local Law 2023. The local law was subsequently gazetted and came into effect on 2 January 2024. As required under the <i>Local Government Act 1995</i>, the City of Melville provided all required documentation to the Joint Standing Committee on Delegated Legislation, on 21 December 2023. On the 13 March 2024, the Joint Standing Committee on Delegated Legislation wrote to the City of Melville Mayor, requesting minor amendments be made to the Parking Local Law 2023 when next reviewed, in form of an undertaking. The Joint Standing Committee on Delegated Legislation has requested that the Council makes minor amendments to the Parking Local Law and adopts an undertaking to do this at its 16 April 2024 Ordinary Meeting of Council and provide a copy of the undertakings to the Committee by 23 April 2024.

OFFICER RECOMMENDATION

That the Council resolves to provide an undertaking to the Joint Standing Committee on Delegated Legislation that:

1. When the City of Melville Parking Local Law 2023 is next reviewed the following amendments will be made;
 - a. Either delete the definition of *disability parking permit* in clause 1.5 or include the WALGA template clauses 2.3(3) and 3.1(2) and/or other provisions for the City; and
 - b. Insert a semi colon at the end of subclause 2.3(1)(b); and
 - c. Move the last two lines of subclause 2.3(1)(d) into a new subclause 2.3(1)(d)(iv); and
 - d. Renumber subclause 4.6(2)(e) and (f) as 4.62(2)(a) and (b).
2. The City will not enforce the City of Melville Parking Local Law 2023 to the contrary before it is amended in accordance with undertaking 1;
3. Ensures all consequential amendments arising from the undertakings will be made;
4. Where the City of Melville Parking Local Law 2023 is made publicly available by the City, whether in hard copy or electronic form, ensure that it is accompanied by a copy of the undertaking; and
5. Provide the undertakings to the Joint Standing Committee on Delegated Legislation in the form of a letter signed by the Mayor, with evidence of the undertakings being adopted by Council, by 23 April 2024.

PURPOSE

The purpose of this report is for Council to consider the undertakings required to be made to the Joint Standing Committee on Delegated Legislation in regard to the City of Melville Parking Local Law 2023.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.
Outcome Indicator	There are no applicable outcome indicators in relation to this report.

BACKGROUND

The Council resolved to make the City of Melville Parking Local Law 2023 (local law), at its Ordinary Meeting held on 12 December 2023. The local law was gazetted on 19 December 2023 and came into effect on 2 January 2024.

In accordance with section 3.12(7) of the *Local Government Act 1995*, a copy of the local law was provided to the Joint Standing Committee on Delegated Legislation (Committee) for scrutiny. The Committee has considered the local law and determined that four minor amendments are required to be made.

The Committee has requested that the Council provide an undertaking that these amendments will be made when the local law is next amended or reviewed.

CONSIDERATION

The Joint Standing Committee on Delegated Legislation is the body responsible for the scrutiny of all delegated legislation made by Local Governments, which includes local laws. The Committee is able to disallow a local law and/or require that amendments be made to a local law where it is deemed appropriate. Where the amendments are inconsequential, an undertaking from the Local Government that the amendments will be made in the future is required.

Should a Local Government fail to make an undertaking as required by the Committee, in the required timeframe, the local law will be disallowed.

The amendments requested by the Committee are minor in nature and deal with correcting typographical errors and ambiguity within the local law, as follows:

- The first amendment requires either deleting the definition of *disability parking permit* in clause 1.5 or including the WALGA template clauses 2.3(3) and 3.1(2) and/or other provisions relevant for the City. This is because it is defined in clause 1.5 but is not otherwise referred to in the local law which could create confusion.
- The second amendment requires a semi colon to be inserted at the end of clause 2.3(1)(b).
- The third amendment requires the last two lines of subclause 2.3(1)(d), being redefined to form a new subclause 2.3(1)(d)(iv).
- The fourth amendment requires that subclause 4.6(2)(e) and (f) being renumbered as 4.6(2)(a) and (b) respectively.

At this time the City is required to provide written correspondence by the 23 April 2024 that the Council has resolved it will undertake the requested amendments in the future. It should be noted that amending a local law is a lengthy process, similar process required to make a local law. The amendment process includes the opportunity for the community to comment on the proposed amendments and for gazettal of the amendments once they have been adopted by the Council.

ENGAGEMENT

Community engagement, by way of public submissions, is part of the legislative process for reviewing or creating a local law and was undertaken in the creation of the City of Melville Parking Local Law 2023. No further engagement is required.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

LEGISLATIVE AND POLICY ALIGNMENT

The *Local Government Act 1995* sets out the process for making local laws, including the provision of copies of the local law and associated documents to the Minister for review.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

CONSEQUENCE

The Council could choose not to make the undertaking to amend the Parking Local Law in the future, which is likely to result in the local law, in its entirety, being disallowed by the Joint Standing Committee on Delegated Legislation.

C24/135 Proposed City of Melville Cat Local Law 2024

File Number:	
Responsible Officer:	Head of Governance
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	
Attachments:	1. City of Melville Proposed Cat Local Law 2024 ↓

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> • The City of Melville currently does not have a Cat Local Law. • In response to historical Council resolutions, the City has undertaken extensive internal consultation, which has resulted in producing a draft City of Melville Cat Local Law 2024. • This report seeks the Council approval to invite public comment on the proposed Cat Local Law 2024, for a six-week period, in accordance with section 3.12 of the <i>Local Government Act 1995</i>. • The purpose of the proposed City of Melville Cat Local Law 2024 is to promote responsible cat ownership and develop a coordinated approach in the management of cates within the City of Melville. • The effect of the proposed City of Melville Cat Local Law 2024 is to establish provisions to reduce the impact domestic cats have in the community by specifying placing within the district where cats are prohibited absolutely. • Following consultation, a report on the community submissions, as well as the final proposed Cat Local law 2024, will be presented back to Council for consideration.

OFFICER RECOMMENDATION

That the Council by absolute majority decision:

- 1. Proposes to make a Cat Local Law with the following purpose and effect:**
 - a. The purpose of the proposed local law is to promote responsible cat ownership and develop a coordinated approach in the management of cats within the City of Melville.**
 - b. The effect of the proposed local law is to establish provisions to reduce the impact domestic cats have in the community by specifying places within the district where cats are prohibited absolutely.**
- 2. Authorises the CEO to commence the local law making procedure under section 3.12 of the *Local Government Act 1995* by:**
 - a. Giving local public notice and inviting public submissions in accordance with section 3.12(3)(a) of the Act for a minimum six-week period;**
 - b. Giving a copy of the public notice and proposed local law to the Minister for Local Government in accordance with section 3.12(3)(b) of the Act; and**
 - c. After the last day of submissions, preparing and presenting a report for Council to consider and determine whether to make the local law in accordance with section 3.12(4) of the Act.**

PURPOSE

To present the proposed Draft City of Melville Cat Local Law 2024 to the Council, in order to commence the six-week community consultation process pursuant to section 3.12 of the *Local Government Act 1995*.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.
Outcome Indicator	There are no applicable outcome indicators in relation to this report.

BACKGROUND

The City of Melville currently does not have a Cat Local Law. At the Ordinary Meeting of Council held 16 February 2021, the Council resolved:

“That the Council directs the CEO to commence extensive community engagement for a period of not less than 6 weeks prior to the preparation of a draft strategy for consideration by Council, which encourages and enables responsible cat ownership in order to address wildlife predation, nuisance cat behaviour and other associated cat-management issues.”

At the Ordinary Meeting of Council held 15 March 2022, the Council endorsed the [2022 – 2026 Cat Management Plan](#), which included investigating the introduction of a Cat Local Law in response to an objective to “reduce predation of feral, owned, un-owned and semi-owned cats on native wildlife.”

A such, the City is proposing the introduction of a Cat Local Law to meet the contemporary needs of the City, with respect to responsible cat ownership and associated provisions.

The process for making a local law is prescribed in section 3.12 of the *Local Government Act 1995*, with the first step being to give notice of the purpose and effect of the proposed local law, as well as commencing a six-week public consultation process.

CONSIDERATION

The proposed new Cat Local Law, as attached, is based on the Western Australian Local Government Association (WALGA) Model Cat Local Law, with the following modifications based on extensive internal collaboration and consultation:

- Definition and reference to 'foreshore area', to reflect the unique City of Melville local government jurisdiction;
- Addition of Schedule 2- Cat Prohibited Areas, to reflect the contemporary needs, in order to protect City of Melville reserves; and
- The addition of a clause in the definition of 'nuisance', stating, "behaviour that includes an act that is likely to be injurious or dangerous to the health of any native fauna or flora", to reflect the City's commitment to the protection of the natural areas and reserves within the City, in line with the City's environmental commitments.

The purpose of the proposed City of Melville Cat Local Law 2024 is to promote responsible cat ownership and develop a coordinated approach in the management of cates within the City of Melville.

The effect of the proposed City of Melville Cat Local Law 2024 is to establish provisions to reduce the impact domestic cats have in the community by specifying placing within the district where cats are prohibited absolutely.

This report seeks the endorsement of the Council, by absolute majority decision, to commence the process to make a new local law, commencing with a minimum, six-week public consultation process as required by section 3.12 of the *Local Government Act 1995*.

ENGAGEMENT

Extensive internal consultation has been undertaken in the development of the proposed Draft City of Melville Cat Local Law. Community consultation will be undertaken as the first phase of making the proposed new local law.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with this report.

LEGISLATIVE AND POLICY ALIGNMENT

To make a local law, the local government must follow the procedure detailed in section 3.12, in the sequence in which it is described. These steps, in order, are:

- (a) At a council meeting the person presiding must give notice to the meeting of the purpose and effect of the proposed local law by ensuring that the purpose and effect of the proposed local law is included in the agenda for that meeting and that the minutes of the meeting include the purpose and effect of the proposed local law.
- (b) The local government must then give local public notice that the local government proposes to make a local law, with the notice specifying the purpose and effect of the local law, where the local law can be inspected or obtained, and that submissions are invited for a period of six weeks.
- (c) As soon as the local public notice is given, a copy of the proposed local law and of the notice must be given to the Minister administering the *Local Government Act 1995*, and the Minister administering the Act under which the local law is proposed to be made (if the local law is not one that is made under the *Local Government Act 1995*).
- (d) After submissions have closed, the local government must consider any submissions made, and may, by absolute majority, make the local law as proposed or a local law not significantly different from what was proposed. If the local law is significantly different to what was proposed, the local government must recommence this procedure from the beginning.
- (e) After the local law is made, the local law must be published in *Government Gazette*.
- (f) Once the local law has been published in the *Government Gazette*:
 - a. a copy of the local law must be given to the Minister administering the *Local Government Act 1995*, and the Minister administering the Act under which the local law is proposed to be made (if the local law is not one that is made under the *Local Government Act 1995*); and
 - b. local public notice must be given of the title, purpose, effect and commencement date of the local law, and that a copy is published on the website and may be inspected or obtained from the local government's office.
- (g) Once the local public notice has been given, a copy of the local law, the notice and other required explanatory material must be given to the Joint Standing Committee for Delegated Legislation.

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

FINANCIAL IMPLICATIONS

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

CONSEQUENCE

Should the Council decide not to endorse the process to commence making a new Cat Local Law, the City will not have a Cat Local Law which provides the relevant mechanisms to assist the City in promoting responsible cat ownership and reducing the impact domestic cats have in the community.

C24/136 Motions Carried at the Annual General Meeting of Electors and Special Meeting of Electors Held 25 March 2024

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

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> On Monday, 25 March 2024 the City of Melville (the City) held its Annual General Meeting of Electors (AGME), for the purpose of the community receiving the Community Annual Report 2022-2023. Following the AGME, the City held a Special Meeting of Electors (SME) for the purpose of considering the withdrawn Recission Motion, the Canning Bridge Activity Centre Plan (CBACP) and Public Open Space at 13-15 the Esplanade and 64 Kishorn Road, Mount Pleasant, and 50-52 Kishorn Road and 23, 29 and 31 Moreau Mews, Applecross. One motion was received and carried at the AGME, and three motions were received and carried at the SME. This report is provided to present the four motions received in addition to officers’ comments and recommendations, for the consideration of the Council.

OFFICER RECOMMENDATION**AGME Motion 1**

That the Council note:

1. Motion 1 carried at the Annual General Meeting of Electors held on 25 March 2024,
“That the Council adopt the WALGA Local Planning Tree Retention policy, released March 2024 with the purpose of:
 - 1) *Clarifying whether tree removal, or tree damaging activity, is works that requires developmental approval and*
 - 2) *Supports consistency across councils within the Perth metropolitan areas in relation to protecting trees on private property.”*
2. that consideration of adoption of the WALGA Model Local Planning Policy - Tree Retention is part of current investigation of tree protection options associated with previous Council resolutions and that the results of these investigations will be subject to a future report to Council.

SME Motion 1

That the Council:

1. note Motion 1 carried at the Special Meeting of Electors held on 25 March 2024:
“That the Council approves the officer’s recommendations for the budget and concept plan for the Public Open Space at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant at the May 2024 Ordinary Meeting of Council.”
2. note that the deferred report (Item E24/29 Public Open Space – The Esplanade, Mount Pleasant) will be presented to the 21 May 2024 Ordinary Meeting of Council; and
3. takes no further action in relation to Motion 1.

SME Motion 2

That the Council:

1. note Motion 2 carried at the Special Meeting of Electors held on 25 March 2024:
“That the Council proceed to implement the April and July 2023 resolutions to convert the land at 23, 29 and 31 Moreau Mews and 50-52 Kishorn Road, Applecross into public open space.”
2. acknowledge that a report on this matter is required to prepared for consideration at the 15 October 2024 Ordinary Meeting of Council

SME Motion 3

That the Council note Motion 3 carried at the Special Meeting of Electors held on 25 March 2024:

“That the Council note that the rescission motion has caused significant distress and confusion in the Melville Community, leading to reduced community trust in the public engagement processes of the City and in the decisions of Council.”

PURPOSE

At the City of Melville (the City) Annual General Meeting of Electors (AGME) held on Monday, 25 March 2024 one motion was received and carried. Following the AGME, a Special Meeting of Electors (SME) was held, where three motions were received and carried.

This report presents the four motions, along with officer comment, to the Council for consideration.

STRATEGIC ALIGNMENT

Priority	<p>3 Empower the voices of our diverse community by strengthening engagement</p> <p>P3/1 Increase co-design approaches that engage stakeholders in upfront designs and support issue resolution activities.</p> <p>P3/2 Improve the mechanisms to make information flow easier to access and share, including optimising digital communications.</p> <p>P3/3 Improve engagement with the business community.</p> <p>P3/4 Enhance opportunities for civic engagement and building community capacity.</p>
Outcome Indicator	<p>5 Sense of Community</p> <p>Goal 2 Participation and Inclusion</p> <p>Goal 5 Social Connectedness and Belonging</p>

BACKGROUND

Annual General Meeting of Electors (AGME)

The Community Annual Report 2022-2023 was presented to and endorsed by the Council at the Ordinary Meeting of Council held on Tuesday, 20 February 2024.

Following the Council meeting, the AGME was held on 25 March 2024, in accordance with section 5.27 of the *Local Government Act 1995* which requires that:

- “(1) A general meeting of the electors of a district is to be held once every financial year.
- (2) A general meeting is to be held on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.
- (3) The matters to be discussed at general electors’ meeting are to be those prescribed.”

Additionally, the meeting was held in accordance with the *Local Government (Administration) Regulations 1996 – Regulation 15 Matters to be discussed at general meeting*, which prescribes that:

“For the purposes of section 5.27(3), the matters to be discussed at a general electors meeting are, firstly, the contents of the annual report for the previous financial year and then any other general business.”

The [Annual General Meeting of Electors 25 March 2024 Minutes](#) are available on the City of Melville website.

Special Meeting of Electors (SME)

On Monday, 26 February 2024, the City of Melville (the City) received a request for a Special Meeting of Electors (Form 1) from Mr I Peacock of Myaree. This request was signed by 377 residents of the City and 4 non-residents.

In accordance with this request, the City of Melville held an SME on Monday, 25 March 2024. The purpose of the meeting was to consider:

- “(A) The February 2024 Rescission Motion signed by the Mayor and 4 other Councillors to rescind Council’s April and July 2023 decisions to convert 100% of the City-owned land at 13-15 The Esplanade and 64 Kishorn Road, Mt Pleasant; and 50-52 Kishorn Rd and 23, 29 and 31 Moreau Mews, Applecross (“Sites”) into public open space.*
- (B) Whether the Mayor and Councillors who signed the said Rescission Motion lodged by Cr Scott Green for decision at the 20 February 2024 Ordinary Meeting of Council, and subsequently withdrawn, acted with due care and diligence to ensure that the reasons cited in the Rescission Motion were true and accurate, and would not bring the City into disrepute; and whether the Mayor considered that the late publication of the Rescission Motion in the Agenda late on Friday 16 February 2024 would prejudice the wider community in being able to engage with the City as to their views.*
- (C) Whether to conversion of the Sites to parks are an integral part of the Canning Bridge Activity Centre Plan (“CBCAP”) and Vision; a vital component of the Review of the CBACP submitted to the WACP in 2023; and would contribute towards to the goal of providing walkable public open space within 400 metres or 5 minute walk of every dwelling; and provide green linkages for the community to mitigate against the urban heat island effect of high rise development; and numerous other social, health and economic benefits.”*

The [Special Meeting of Electors 25 March 2024 Minutes](#) are available on the City of Melville website.

CONSIDERATION

Annual General Meeting of Electors (AGME)

The Annual General Meeting of Electors (AGME) was held at 6:00pm on Monday 25 March 2024 in the Kambarang Room at the City of Melville Civic Centre. At the commencement of the AGME, 13 members of the public were in attendance in the Kambarang (Conference) Room, and 11 members of the public were in attendance electronically, via a Zoom live stream.

One motion was presented to the meeting and was carried. This motion is now presented for the consideration of Council as below:

AGME Motion 1

That the Council adopt the WALGA Local Planning Tree Retention policy, released March 2024 with the purpose of:

- 1. Clarifying whether tree removal, or tree damaging activity, is works that requires developmental approval and**
- 2. Supports consistency across councils within the Perth metropolitan areas in relation to protecting trees on private property.**

Officer Comment

At the [Ordinary Meeting of Council held on 16 May 2023](#), the Council considered item UP23/4030 Opportunities for Further Protection on Private Property.

The item was presented in response to a motion adopted in December 2022, requiring the CEO to report on:

- Opportunities for further protection of mature trees in light of the City of Nedlands and City of South Perth's proposed amendments to their Local Planning Strategy requiring development approval for removal of mature trees; and
- A realistic target for tree canopy coverage across the City, with specific targets for City controlled and private land; and
- Any other appropriate strategies or measures to ensure preservation of tree canopy coverage across the City of Melville.

Taking the above into account, the report contained an options paper that outlined possible actions that are available to the City of Melville to protect existing trees on private land, including matters that can be considered to augment the local planning framework.

The options paper:

1. Outlined the existing measures that the City is taking to increase/protect the Urban Forest and included an overview of the existing provisions in the local planning framework.
2. Discussed the manner in which a number of other councils have or are proposing to implement a tree retention regime on private property, each having taken a different approach to tackling the issue. The options paper was supported by an addendum that included links to the policies/scheme provisions for each council and commentary on each approach.
3. Provided a high-level summary of the options available when developing a tree retention regime.
4. Summarised the actions that the City of Melville needs to take to increase its urban tree canopy.

At that meeting the Council resolved:

“That the Council:

- 1. Notes the report on available options to provide additional protection of trees on private property*
- 2. Commits to progressing further consideration of the actions outlined in section 4 of the Options Paper to increase its urban tree canopy.*
- 3. The available options to provide protection of trees on private property be the subject of a workshop at a future Elected Member Engagement Session*
- 4. Investigates further provision of public open space where there is an identified deficiency.*
- 5. Requests the CEO to continue to prioritise the provision, installation and maintenance of suitable trees on public verges and parks throughout the City of Melville to improve the City’s urban tree canopy.”*

To increase the urban tree canopy, the Council has committed to giving further consideration to the actions outlined in Section 4 of the options paper. The paper outlined the actions that the Council was to undertake prior considering a tree protection regime.

In March 2024 the Western Australian Local Government Association (WALGA) [released a new Model Local Planning Policy \(LPP\)](#) to support local governments in managing the loss in tree canopy cover in urban areas. The WALGA Model Local Planning Policy Tree Protection is available on the [WALGA website](#).

As required by the May 2023 OMC resolution, an Elected Member Engagement Session was held on Tuesday, 2 April 2024 that included:

- A discussion about the loss of trees on land in the City of Melville: and
- Ad discussion on the work WALGA has done with regards to tree retention; and
- A discussion about the draft WALGA Local Planning Policy template.

The City will now look to engage with the Melville community to discuss the growing issue around tree canopy loss and understand the views of the community with regards limiting further loss into the future.

Officers recommend that the Council notes Motion 1 from the Annual General Meeting of Electors and that consideration of the adoption of the WALGA Model Local Planning Policy – Tree Retention be considered as part of the current investigations of tree protection options associated with previous resolutions of the Council and that a report on the outcome of this project be presented to the Council.

Reason for the Recommendation

Consideration of the WALGA Model Local Planning Policy (LPP) is part of current investigations responding to tree protection on private land as required by earlier Council resolutions. Findings of these investigations will be subject of a future report to the Council.

Special Meeting of Electors (SME)

The Special Meeting of Electors (SME) was held at 7:30pm on Monday 25 March 2024 in the Kambarang Room at the City of Melville Civic Centre. At the commencement of the AGME, 73 members of the public were in attendance in the Kambarang (Conference) Room, and 29 members of the public were in attendance electronically, via the Zoom live stream.

Three motions were presented to the meeting and were carried. The motions carried are now presented for the consideration of Council as below:

SME Motion 1

That the Council approves the officer's recommendations for the budget and concept plan for the Public Open Space at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant at the May 2024 Ordinary Meeting of Council.

Officer Comment

Motion 1 refers to item E24/29 Public Open Space – The Esplanade, Mount Pleasant, which was considered by the Council at the [Ordinary Meeting of Council \(OMC\) held on 20 February 2024](#). At the OMC, the Council resolved to defer the item to the Ordinary Meeting of Council to be held on 21 May 2024.

Officers recommend that the Council notes Motion 1 from the Special Meeting of Electors and that a report relating to this motion was deferred from the February 2024 Ordinary Meeting of Council to the 21 May 2024 Meeting and that no further action is required.

Reason for the Recommendation

In accordance with the resolution of the Council at the 20 February OMC, the deferred report will be included in the agenda for the Ordinary Meeting of Council to be held on 21 May 2024.

SME Motion 2

That the Council proceed to implement the April and July 2023 resolutions to convert the land at 23, 29 and 31 Moreau Mews and 50-52 Kishorn Road, Applecross into public open space.

Officer Comment

Motion 2 refers to a matter raised in item E23/11 Public Open Space – The Esplanade, Mount Pleasant and Moreau Mews, Applecross, which was considered by the Council at the [Ordinary Meeting of Council \(OMC\) held on 18 July 2023](#).

In relation to this item, the Council resolved to:

- “3. *Adopt the following consultation, development and completion timeline for the site at 50-52 Kishorn Road and 23,29 and 31 Moreau Mews, Applecross. Public consultation, concept plans, report and recommendation to be presented to Council at the October 2024 Ordinary Meeting of Council and to provide funding for construction to commence immediately on approval with a proposed completion date by 30 June 2026.*”

In accordance with this resolution, the City must report back to Council on this matter at the October 2024 OMC.

Officers recommend that the Council notes Motion 2 from the Special Meeting of Electors and that a report relating to this motion will be presented to the 15 October 2024 Ordinary Meeting of Council and that no further action is required.

Reason for the Recommendation

As per the resolution of the Council at the Ordinary Meeting of Council held on 18 July 2023, a report will be presented at the October 2024 OMC regarding the Moreau Mews and Kishorn Road POS sites.

SME Motion 3

That the Council note that the rescission motion has caused significant distress and confusion in the Melville Community, leading to reduced community trust in the public engagement processes of the City and in the decisions of Council

Officer Comment

This motion is made with reference to a proposed rescission motion for the Ordinary Meeting of Council (OMC) held on 20 February 2024. Although the motion was included in the agenda for the February OMC, the motion was not considered by the Council as it was withdrawn by the Councillor on Tuesday, 20 February prior to the meeting commencing.

Following the February OMC, no further motions have been raised regarding this issue, and no resolutions have been made or actions taken regarding the rescission motion.

Officers recommend that the Council notes Motion 3 from the Special Meeting of Electors.

Reason for the Recommendation

The purpose of Motion 3 is only to request that the Council note the content of the motion.

ENGAGEMENT

In accordance with the requirements of the *Local Government Act 1995*, the date, time, location, and purpose of the Annual General Meeting of Electors and the Special Meeting of Electors was advertised:

- on the City's website; and
- on public notice boards at the Civic Centre and all the City of Melville libraries; and
- in Fremantle Herald on Saturday, 9 March 2024; and
- in the City's electronic newsletter; and
- via the City's social media platforms.

The advertising and holding of both meetings gave members of the community the opportunity to participate in the discussion, question time and voting on the motions. There has been no specific consultation or engagement with the community in preparing this report.

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

This report is presented in accordance with to section 5.33 of the *Local Government Act 1995*:

- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable -*
 - (a) *at the first ordinary council meeting after that meetings; or*
 - (b) *at a specially meeting called for that purpose,**whichever happens first.*
- (2) *If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

FINANCIAL IMPLICATIONS

No funding has been provided in the current year budget to implement or undertake any actions in relation to the motions carried. If the Council resolves for a future report to be prepared regarding any of the issues contained in the motions, any funding requirements will be considered in that report.

CONSEQUENCE

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

Community Development

CD24/13 National General Assembly of Local Government Motion

File Number:	
Responsible Officer:	Senior Executive Support Officer
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	Nil
Attachments:	1. National General Assembly of Local Government Motion ↓

COUNCIL’S ROLE

Advocacy: When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

<p>SUMMARY</p> <p>The City of Melville will present a motion at the 30th National General Assembly of Local Government (NGA), to be held in Canberra from 2-4 July 2024, that calls on the Australian Government to invest in the sustainability of the arts and cultural sector.</p>
--

OFFICER RECOMMENDATION

That the Council endorses the proposed motion to the 30th National General Assembly of Local Government which calls for increased funding of arts and cultural infrastructure in cooperation with Federal, State and Local Governments.

PURPOSE

The National General Assembly (NGA) is a national gathering of local governments that provides the opportunity to come together, share ideas, debate motions, and build relationships between local government and the Australian Government. The Australia Local Government Association (ALGA) has called for proposals to be debated at the NGA and the attached proposal is submitted as a draft motion for this purpose.

STRATEGIC ALIGNMENT

Priority	3	Empower the voices of our diverse community by strengthening engagement
	P3/4	Enhance opportunities for civic engagement and building community capacity.
Outcome Indicator	5	Sense of Community
	Goal 1	Life Long Learning and Creativity
	Goal 2	Participation and Inclusion
	Goal 3	Place Activation and Liveability
	Goal 4	Sense of Identity through Collective Memory

Goal 5 Social Connectedness and Belonging

BACKGROUND

Access to arts and culture promotes social cohesion, mental well-being and educational benefits for communities. The arts sector also drives growth through tourism and economic activity that is critical to communities. Arts and cultural infrastructure (including libraries, cultural centres, galleries and museums) allow our communities to access and celebrate their stories, connecting people to one another and to place.

The City of Melville bears a disproportionate cost in funding arts and cultural infrastructure in our community. This is true of other local governments, especially in the regions, where a low rate-base diminishes resources. There are currently no funding programs targeted at reducing costs for local governments that own and operate cultural and / or arts centres. At the same time, over 78% of the WA population participated in an arts and cultural activity from April 2022 to April 2023.

The NGA is an opportunity for local government to advocate for new or expanded programs and key policy initiatives that could strengthen local government capacity to deliver services and infrastructure to local communities across the nation. The NGA will be held in Canberra 2-4 July 2024 with the theme 'Building Community Trust', "*which acknowledges the critical importance of trust in our democracy's different level of government, its institutions, and amongst its citizens.*"

The City of Melville proposes to submit a motion to the NGA in July 2024 which calls for significant changes in the way arts and cultural infrastructure is funded. The motion proposes:

1. Establishment of Community Arts and Cultural Facilities Fund for the development, renewal and maintenance of arts and cultural infrastructure;
2. Capacity building for community arts organisations; and
3. Creation of an innovation fund for re-orienting core services.

CONSIDERATION

At the Ordinary Meeting of Council held on 19 March 2024, in relation to CD24/12 Cultural Heart – Learning & Cultural Centre the Council resolved:

"3. Requests that the Chief Executive Officer:

- (a) investigates and seeks to maximise external funding opportunities for the Library and Cultural Centre;**
- (b) undertakes a review of the Melville City Centre Structure Plan to ensure it remains relevant and fit for purpose, in particular around zoning and height limits; and**
- (c) progresses with options for achieving a financial return from sites 4 and 5, to offset the costs of the Library and Cultural Centre."**

As per point 3(a) of the March resolution, the Council resolved to investigate and seek to maximise external funding opportunities for the Library and Cultural Centre. As part of the motion proposed for NGA, the City proposes the establishment of a Community Arts and Cultural Facilities fund for the development, renewal and maintenance of arts and cultural infrastructure.

The 2024 NGA has called for motions from local governments that address 12 priority areas. The proposed motion speaks to one of these - Community Services – outlining strategies that could improve the sustainability of the arts and cultural sectors in local communities across Australia.

The proposed motion from the City of Melville outlines three priority areas that could address the financial burden on local governments in funding arts and cultural infrastructure and services, calling for:

1. Establishment of Community Arts and Cultural Facilities Fund for the development, renewal and maintenance of arts and cultural infrastructure; and
2. Capacity building for community arts organisations; and
3. Creation of an innovation fund for re-orienting core services.

If endorsed by the Council, the motion will be lodged with ALGA. If accepted, there is an expectation that a council representative will be present at the 2024 NGA to move and speak to that motion if required.

While resolutions of the National General Assembly do not automatically become ALGA's national policy positions, the resolutions are used by the ALGA Board to inform policies, priorities, and strategies to advance local governments within the national agenda. Implementation of the proposed approaches to funding arts and cultural infrastructure could have positive impacts for the City of Melville through increased federal and state resource funding for development and maintenance of cultural facilities.

ENGAGEMENT

Direct stakeholder engagement has not been undertaken with regards to this motion.

SUSTAINABILITY IMPLICATIONS

There are minor sustainability implications around the carbon emissions from flights for a council representative to attend the NGA in Canberra.

LEGISLATIVE AND POLICY ALIGNMENT

There are no direct legislative or policy alignments to be considered in relation to this report. The Federal Government of Australia released the *National Cultural Policy – Revive a place for every story, a story for every place in 2022*, this motion aligns to the pillars set out in the plan to revive arts in Australia.

FINANCIAL IMPLICATIONS

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

CONSEQUENCE

There are no direct consequences if the Council does not adopt the officer recommendation. The motion presents an opportunity for long term advocacy for better community outcomes.

CD24/14 Parking Availability in Vicinity of 13 The Esplanade and 64 Kishorn Road Proposed POS, Mount Pleasant

File Number:	
Responsible Officer:	Director Environment & Infrastructure
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	Nil

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <ul style="list-style-type: none"> In response to a Notice of Motion and subsequent Advice Note regarding report item E24/29 Public Open Space – The Esplanade at the 20 February 2024 Ordinary Meeting of Council, a number of questions were received on the availability of car parking in the vicinity of 13 The Esplanade and 64 Kishorn Road, Mount Pleasant. This report identifies the number of publicly accessible parking within the Mount Pleasant area of the Canning Bridge Activity Centre Precinct. A total of 217 designated and publicly accessible parking spaces (including 4 ACROD bays) were identified in the study area, noting 5 bays in Ogilvie Road are currently not available due to use for construction purposes.

OFFICER RECOMMENDATION

That the Council note the information provided relating to parking capacity of current public car parking in the Mount Pleasant area of Canning Bridge Activity Precinct in proximity of the proposed Public Open Space site at 13 The Esplanade and 64 Kishorn Road, Mount Pleasant.

PURPOSE

This report is to inform the Council on the number of designated car parking in the Mount Pleasant area of the Canning Bridge Activity Centre Precinct in proximity of the proposed Public Open Space site at 13 The Esplanade and 64 Kishorn Road, Mount Pleasant for their noting.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.
Outcome Indicator	There are no applicable outcome indicators in relation to this report.

BACKGROUND

In response to a Notice of Motion and subsequent Advice Note regarding report item E24/29 Public Open Space – The Esplanade at the 20 February 2024 Ordinary Meeting of Council, a number of

questions and public enquiries were received on the availability of car parking in the vicinity of 13 The Esplanade and 64 Kishorn Road, Mount Pleasant.

CONSIDERATION

A review of parking availability has been undertaken by the City and the information is presented to provide clarification of the current public car parking capacity in the Mount Pleasant area of Canning Bridge in the proximity of the proposed Public Open Space at 13 The Esplanade and 64 Kishorn Road, Mount Pleasant.

A review survey of the area bounded by Canning Highway, The Esplanade, Sleaford Road and Rookwood Street, Mount Pleasant confirmed that the public are able to access four off street parking areas as well as on designated street parking bays along The Esplanade, Kishorn Road and Ogilvie Road, Mount Pleasant.

The study area was based on a 400 metre distance (five minute walk) from the proposed POS area to the south of Canning Highway, noting that the designated parking bays are within the red dotted boundary within the study area (refer to plan below).

A breakdown of car parking bays, locations and restrictions are as follows:

Off Street Parking

Location	Number of Bays	Restrictions / Requirements
Apex Parking Station	32 bays plus 2 ACROD bays	Paid parking. First hour free, then \$1.70 per hour or \$8.50 all day. Fees applicable Monday to Friday, 8am to 6pm.
13 The Esplanade (Former Senior Citizens, proposed POS site)	15 bays	Paid parking. First hour free, then \$1.70 per hour or \$8.50 all day. Fees applicable Monday to Friday, 8am to 6pm.
The Precinct, 893 Canning Highway, Mount Pleasant (accessible from Ogilvie Road)	46 bays plus 2 ACROD bays (The total bays equal 56, with eight reserved bays that are not publicly accessible)	Paid parking. First hour free, then \$1.70 per hour or \$8.50 all day. Fees applicable Monday to Sunday, 8am to 6pm.
Wilson Carpark, 15 Ogilvie Road Mount Pleasant	21 bays	Privately owned and managed, not under the City of Melville control. 7 level carpark, all bays on levels 1 to 5 are reserved to tenant parking only. Levels 6 and 7 available for public use. Paid parking via Mobile App. Open 6am to 7pm, Monday to Friday, closed Saturdays, Sundays and Public Holidays.
Cirque Apartments, 63 Kishorn Road, Mount Pleasant	0 bays	No public parking available. Site gated and only available to tenants and users of the facility.

On Street Parking

Location	Number of Bays	Restrictions / Requirements
The Esplanade, Mount Pleasant (Canning Highway to Helm St)	15 bays	Paid parking. First hour free then \$2.20 per hour thereafter.
The Esplanade, Mount Pleasant (Helm St to Rookwood St)	23 bays	Free on street parking. Restricted to maximum 3 hour parking limit.
Kishorn Road, Mount Pleasant	34 bays plus additional verge parking for 5 vehicles at 64 Kishorn Road (noting these are not officially marked bays)	Paid parking. First hour free, then \$2.20 per hour thereafter.
Ogilvie Road, Mount Pleasant	27 bays (5 bays currently unavailable due to construction works)	First hour free, then \$3.00 per hour thereafter.
Sleat Road, Mount Pleasant	No marked bays	No marked bays on street. No Parking and No Standing restrictions between Canning Highway and Rookwood Street.
Helm Street, Mount Pleasant	No marked bays	<p>No marked bays on street. No Parking restrictions between Sleat and Ogilvie Roads.</p> <p>No Parking on Northern side of Helm Street from Ogilvie to Kishorn Roads, 7am to 6pm, Monday to Friday and 7am to 12pm Saturdays.</p> <p>No Parking northern side of Helm Street from Kishorn Road to The Esplanade, 8am to 6pm Saturday, Sunday and public holidays.</p> <p>No Parking on southern side of Helm Street.</p>
View Road, Mount Pleasant	No marked bays	<p>No marked bays on street.</p> <p>Street parking available on west side of View Road with maximum time limit of 2 hours.</p> <p>No Parking on eastern side of View Road between 8am and 5pm, Monday to Sunday.</p>
Kavanagh Street, Mount Pleasant	No marked bays	No marked bays on street. Street parking available with maximum allowable period of 2 hours between 8am and 6pm, Monday to Friday.
Rookwood Street, Mount Pleasant	No marked bays	<p>No marked bays on street. Street parking available with no restrictions between The Esplanade and Kavanagh Street.</p> <p>2 hour restricted parking on street 8am to 6pm, Monday to Friday on southern side.</p> <p>No parking on northern side between Kavanagh Street and Ogilvie Road.</p> <p>2 hour restricted parking on street 8am to 6pm, Monday to Friday on both sides of the road between Ogilvie and Sleat Roads.</p>

A total of 217 designated parking spaces (including 4 ACROD bays) were identified in the study area related to the four parking areas (shaded orange in plan below) and Ogilvie Road, Kishorn Road and The Esplanade (shaded purple in plan below), noting 5 bays in Ogilvie Road are currently not available to the public due to use for construction purposes.

MARCH 2024

EXISTING PARKING

LOCATED WITHIN 400M FROM 13 THE ESPLANADE AND SOUTH OF CANNING HIGHWAY



NTS

- KEY**
- OFF STREET PARKING
 - PAID ON STREET PARKING
 - UNPAID ON STREET PARKING
 - DESIGNATED, PUBLICLY ACCESSIBLE PARKING BAYS

Map of surveyed area bounded by Canning Highway, The Esplanade, Sleaford Road and Rookwood Street, Mount Pleasant.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY IMPLICATIONS

There are no legislative or policy implications presented as part of this report.

FINANCIAL IMPLICATIONS

There are financial implications presented as part of this report.

CONSEQUENCE

As this report is presented for the Council's noting, there are no consequences or alternative options to be considered in relation to this report.

CD24/15 Deferral of Consideration of Disability Access and Inclusion Plan 2024-2029

File Number:	
Responsible Officer:	Senior Executive Support Officer
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this item has a declarable interest in the matter.
Attachments:	Nil

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> At the Ordinary Meeting of Council (OMC) held on 12 December 2023, the Council resolved to “conduct a minor review of the 2017-2022 Disability Access and Inclusion Plan, suggesting minimal changes and taking into account recent community feedback where possible, for consideration by Council by April 2024.” This report seeks to defer this matter for consideration at the May 2024 OMC.
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OFFICER RECOMMENDATION

That the Council notes that the Disability Access and Inclusion Plan 2024-2029 will be presented to the May 2024 Ordinary Meeting of Council.

PURPOSE

The purpose of this report is to advise the Council of a delay in presenting the Disability Access and Inclusion Plan (DAIP). A Council resolution intended this matter to be considered at the April 2024 Ordinary Meeting of Council. This report advises the Council that this matter will be presented to the May 2024 Ordinary Meeting of Council.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.
Outcome Indicator	There are no applicable outcome indicators in relation to this report.

BACKGROUND

At the 12 December 2023 Ordinary Meeting of Council, the Council resolved that:

- Retains the Disability Access and Inclusion Policy CP-084;***
- Considers the community feedback in the review of the Strategic Community Plan***

3. ***Directs the CEO to conduct a minor review of the 2017-2022 Disability Access and Inclusion Plan, suggesting minimal changes and taking into account recent community feedback where possible, for consideration by Council by April 2024. Updates should be consistent with the intent of the WA Disability Services Act which is to endorse a plan that ensures people with disabilities have equal access to facilities and services.***

In accordance with the resolution of Council, the Disability Access and Inclusion Plan was intended to be presented to Council by April 2024. However, the administration is seeking to delay the consideration of this matter to the May 2024 Ordinary Meeting of Council to enable officers additional time to undertake the review requested by the Council.

CONSIDERATION

Officers had planned to present the DAIP report at the April 2024 OMC. However, further work is required to be undertaken prior to presenting this item to the Council.

ENGAGEMENT

No engagement with the community is required in regard to this matter.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications associated with the deferral of this item.

LEGISLATIVE AND POLICY ALIGNMENT

There are no legislative or policy implications associated with the deferral of this item.

FINANCIAL IMPLICATIONS

There are no financial implications associated with the deferral of this item.

CONSEQUENCE

There are no consequences or alternative options associated with this item.

Environment and Infrastructure

E24/34 Environment and Infrastructure Policy Review

File Number:	
Responsible Officer:	Director Environment & Infrastructure
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	<ol style="list-style-type: none"> 1. CP-036 Resource Recovery and Waste Minimisation Policy ↓ 2. CP-120 Climate Action Policy ↓ 3. CP-057 Sustainability Policy 2024 ↓

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> • The policies within the responsibility of the Environment and Infrastructure Services directorate have been reviewed and brought forward with amendments for consideration and adoption. • Policies that are defined as Council Policy require the approval of the Council, whereas Operational Policies are approved by the Chief Executive Officer. • It is recommended that the three policies as amended be approved.

OFFICER RECOMMENDATION

That the Council approves the three Environment and Infrastructure Services policies as amended and contained in the following attachments:

- **CP-057 Sustainability Policy**
- **CP-120 Climate Action Policy**
- **CP-036 Resource Recovery and Waste Minimisation Policy**

PURPOSE

A two-year review cycle is implemented to ensure all Council Policies remain current.

The existing Environment and Infrastructure services policies presented in this report have been reviewed by staff and the Director Environment and Infrastructure with significant and minor changes undertaken to reflect updated information, standards, or changes in legislation. All changes are shown in the marked-up policies that form attachments to this report.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.
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Outcome Indicator	There are no applicable outcome indicators in relation to this report.
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BACKGROUND

All policies established in the City of Melville relate to one of two categories being Council Policies or Operational Policies. Council policies that are required to be approved by Council relate to:

- Strategic Positioning of Council;
- Executive Functions;
- Legislative Functions;
- Chief Executive Officer and Senior Officer Appointments; and
- Termination payments in excess of contracts of employment or Award provisions.

All other policies are considered to be operational in nature and have therefore been designated as Operational Policies relating to the functions of the Chief Executive Officer (CEO) as prescribed by Section 5.41 of the *Local Government Act 1995* (The Act) as follows:

Management of the day-to-day operations of the local government likely to be covered by Operational Policies include:

- The employment, management supervision, direction, and dismissal of other employees (subject to Section 5.37(2) of The Act) in relation to senior employees;
- Ensuring that records and documents of the Local Government are properly kept for the purposes of The Act and any other written law; and
- Policy on powers and duties delegated by the Council within the limitations as set by Section 5.43 of The Act.

This report provides comment on the Council Policies from the area of responsibility of the Director Environment and Infrastructure and includes:

- CP-057 Sustainability Policy
- CP-120 Climate Action Policy
- CP-036 Resource Recovery and Waste Minimisation Policy

The proposed changes and additions to existing Policies are outlined below:

CP-057- Sustainability Policy

Several changes to the wording and formatting of the Policy were made to improve clarity and readability.

Changes to the Policy Objectives have been included to reflect changes in the Local Government Act 1995 (WA) Section 3.1 (1A). These include the following wording:

The Local Government Act 1995 (WA) Section 3.1(1A):
Without limiting subsection (1), the general function of a local government must be performed having regard to the following —

- (a) *the need—*
- (i) *to promote the economic, social and environmental sustainability of district; and*
 - (ii) *to plan for, and to plan for mitigating, risks associated with climate change; and*
 - (iii) *in making decisions, to consider potential long term consequences and impacts on future generations;*

Changes to the definition of Sustainability to include climate adaptation have been proposed.

Clarification in the Policy Statement section that use of funds for sustainability initiatives be funded from the Organisational Environment Sustainability Initiatives Reserve and be aligned to actions detailed within the City's Climate Action Plans.

CP-120- Climate Action Policy

Several changes to the wording and formatting of the Policy were made to improve clarity and readability. It should be noted that this policy will likely need to be reviewed further when the City develops a clear position on the procurement of green power and carbon offset strategy in Financial Year 2024-2025.

Clause 2 of the Policy Statement include the wording "direct emissions" in relation to the emissions inventory. The capture of indirect emissions will be an onerous process requiring more time and resourcing. As a result, this will be considered at a future policy review.

Responsibility for this policy has shifted from the Chief Sustainability Officer to the Director Environment and Infrastructure.

CP-036 Resource Recovery and Waste Minimisation Policy

Several changes to the wording and formatting of the Policy were made to improve clarity, readability and to provide additional and updated information.

Policy Owner has been amended to reflect a change in Manager title from Resource Recovery & Waste to Resource Recovery & Fleet Services.

Changes to the Definitions / Abbreviations used in Policy to include the Western Australian Local Government (WALGA) and the Department of Water and Environment Regulation (DWER).

Changes to the Policy Statement include the expansion of collaborative resource recovery and waste minimisation programs with WALGA, DWER and other local governments. Further amendments to this section include the acronym changes from SMRC (Southern Metropolitan Regional Council) to the RRG (Resource Recovery Group) and DWER and correction of a grammatical error. The waste management hierarchy has also been updated and the final update to the Policy wording of "new" to "modern" in relation industry technologies.

Other Policies related to the Environment and Infrastructure directorate will be progressively presented to Council based on priorities and extent of stakeholder engagement as determined through the proposed Policy Framework. The City will work with Elected Members to identify those

Policies to be prioritised for presenting to Council at a later date and those that may be best dealt with through the proposed Policy Framework.

CONSIDERATION

Changes to the three Policies were undertaken to reflect updated information and clarification to standards, or the changes in legislation. There were no major changes to the scope or objectives of the Policies therefore, no changes to the strategic direction or the position of Council.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

Impacts on environmental and social sustainability these items may have on the City, residents or businesses may include impacts on or consideration of:

- Consumption of energy, water, waste or carbon emissions of the City or community;
- Travel or movement of staff or community around the City;
- Local biodiversity in the City and wider regions;
- Health and wellbeing and education on sustainability, waste management and climate change adaptation.

LEGISLATIVE AND POLICY ALIGNMENT

The policies are consistent with the current *Local Government Act 1995* and relevant Regulations.

FINANCIAL IMPLICATIONS

Policies set out various strategic positions of the Council. The commitments of the Council as identified in Council Policies will be reflected in future Capital and Operational Programs, which will be presented as part of the formal budget setting process and the Long Term Financial Plan.

CONSEQUENCE

If the Council resolve not to adopt a policy, subject to any amendments, then the existing policy would remain in place until a review of the policy is finalised and adopted.

Urban Planning

UP24/36 Lot 68 (No. 13) Hislop Road, Attadale - Mixed Use Development

File Number:	
Responsible Officer:	Director Planning
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	DAP-2023-8
Application Number:	DAP-2023-8
Applicant:	Developed Property Pty Ltd
Owner:	Goldlight Asset Pty Ltd
Proposal:	Mixed Use Development
Attachments:	<ol style="list-style-type: none"> 1. Planning Report ↓ 2. Development Plans ↓ 3. Traffic Impact Statement ↓ 4. Waste Management Plan ↓ 5. Landscape Plan ↓ 6. Sustainability Report ↓ 7. Acoustic Report ↓ 8. Design Review Panel Minutes - September 2023 ↓ 9. Design Review Panel Minutes - December 2023 ↓ 10. Responsible Authority Report (RAR) ↓

COUNCIL’S ROLE

Advocacy: When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

<p>SUMMARY</p> <ul style="list-style-type: none"> • A Joint Development Assessment Panel (JDAP) application was received by the City of Melville on 4 December 2023 for a Mixed Use Development at 13 Hislop Road, Attadale. • The City is required to provide a Responsible Authority Report to the Metro Inner Joint Development Assessment Panel by 19th April 2024. • It is recommended that the application be approved, subject to conditions as the proposal is consistent with the prevailing planning framework and, based on the information available, is unlikely to have an adverse amenity impact.
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OFFICER RECOMMENDATION

That the Council endorse the officer recommendation of the RAR to be submitted to the Metro Inner South Joint Development Assessment Panel and accompanying conditions and advice notes.

PURPOSE

The purpose of this report is for Council to consider the Responsible Authority Report (RAR) to be provided to the Joint Development Assessment Panel (JDAP) (the decision maker) as part of the Development Assessment Panel consideration process.

The report has been presented to Council for consideration at the request of Cr J Edinger. Council has the following options available to it in relation to considering the report:

1. Endorse the RAR as recommended.
2. Substitute the recommendation for an alternative with reasons.
3. Decide not to consider the RAR.

Option 1 is recommended as the proposal is consistent with the prevailing planning framework and, based on the information available, is unlikely to have an adverse amenity impact.

STRATEGIC ALIGNMENT

Priority	6	Encourage local economic development
	P6/1	Encourage opportunities for increased private sector commercial and residential development in strategic locations.
Outcome Indicator		There are no applicable outcome indicators in relation to this report.
	2	Growth and Prosperity
	Goal 3	Location of Choice for A Diverse Range of Businesses

BACKGROUND

The proposal comprises of 3 storeys, 5 apartments, 2 commercial tenancies, basement level car parking and landscaping on site and within the adjacent verges. The cost of the proposed development is \$6.25 million and is an opt-in Development Assessment Panel application which will be determined by the Metro Inner Development Assessment Panel (DAP).

The application has been assessed against the relevant planning framework including Local Planning Scheme No.6, the Residential Design Codes (Volume 1 and 2) and the applicable state and local planning policies. Whilst there are items requiring the exercise of discretion, the overall design has been considered appropriate for the context and impact on the streetscape and neighbouring properties able to be appropriately managed/mitigated.

CONSIDERATION

This information is contained in the attached RAR (Attachment 10).

ENGAGEMENT

The community consultation conducted by the City of Melville is detailed in the attached RAR (Attachment 10).

SUSTAINABILITY IMPLICATIONS

The sustainability measures to be implemented as part of this development are detailed in the attached Sustainability Report (Attachment 6).

LEGISLATIVE AND POLICY ALIGNMENT

Legislative and policy alignment implications are provided in the attached RAR (Attachment 10).

FINANCIAL IMPLICATIONS

There are no financial implications if the recommendations of this report are adopted.

CONSEQUENCE

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

15 MOTIONS WITH PREVIOUS NOTICE

15.1 Notice of Motion - Trees for Bus Stops

File Number:	
Related to Item:	Nil
Elected Member:	Cr Jane Edinger
Attachments	1. Officer Advice Note ↓

MOTION

That the Council directs the CEO to ensure that throughout the City, as part of the City’s annual tree planting efforts, bus stops that do not already have either an in-situ built protective structure or a large tree or trees nearby, are prioritized for tree planting including:

- **That preferably, 2 trees are planted at each bus stop; and**
- **That the species selected will grow to a large enough size so as to provide shade to bus stop users; and**
- **That the furthest distance tree(s) are planted is 6 metres either side from the centre of the bus stop**

OBJECTIVE, BENEFIT AND POTENTIAL RISKS TO BE CONSIDERED

Objective

- To provide public transport users with shade from the sun and protection from the rain when no shade protection is currently available.
- To increase green canopy.
- To contribute to biodiversity, habitat and the urban forest throughout the City.
- To reinstate lost canopy within the public realm.

Benefit

- Increase in our green canopy.
- Increased biodiversity due to increased habitat for birds, insects and, potentially, small mammals.
- Support of climate change goals.
- Provision of shade for walkers and bus stop users.

Potential risks

- Increased costs due to need to water new trees.
- Increased costs due to need to manage trees as they grow larger.

REASONS FOR THE MOTION

- As I drive around the City I have noticed there are many bus stops that have no shelter.
- We have just endured a number of hot spells and having to stand at a bus stop in the boiling sun waiting to catch the bus is, quite possibly, a disincentive to catching public transport.
- By providing two trees that will grow into large, shady trees at every unprotected bus stop in the City we can make catching public transport in summer a less daunting task.
- Two trees will provide a range of shade options depending on the location of the sun.
- The City has previously given away trees that have not been able to be planted on verges at the end of the planting season. By specifically targeting bus stops then there will be more tree planting opportunities.
- The City can address planting at bus stops in a orderly manner.
- We need to increase our green canopy.

15.2 Notice of Motion - Grants for Native Planted Verges

File Number:	
Related to Item:	Nil
Elected Member:	Cr Jane Edinger
Attachments	1. Officer Advice Note ↓

MOTION

That the Council directs the CEO to prepare a report on providing residents with \$500 redeemable grants for works done to transition verges from monoculture (grass) to biodiverse native planted verges.

OBJECTIVE, BENEFIT AND POTENTIAL RISKS TO BE CONSIDERED

Objective

- To support residents who wish to transform their front verges into native gardens.

Benefit

- Increased biodiversity and habitat within the City.
- The changes will contribute to the City’s climate change commitments.
- The changes will demonstrate to the wider community the benefits of installing native verges.

Potential risk

- Changes from grass to native verges may occur and then be left to their own devices (rather than being watered as many verges are currently reticulated) and so die.
- Larger than anticipated take-up on grants

REASONS FOR THE MOTION

- The City already provides a range of grants to our community.
- Many verges in our city consist of monoculture (i.e. grass). By providing redeemable grants (i.e. the work has to be done, the costs for which are claimed back from the City, then residents can undertake works to transform their verges into diverse biohabitat for a wide range of birds, reptiles and small mammals.
- The changes to verges can help to contribute to the revegetation of the City, and to the City’s climate response goals.
- Claims could, potentially, be made in stages to suit resident’s financial situation or if works are staged.

15.3 Notice of Motion - 2024 NGA - Call For Motions - Product Stewardship for Priority Materials

File Number:	
Related to Item:	Nil
Elected Member:	Cr Karen Wheatland
Attachments	<ol style="list-style-type: none"> 1. 2024 NGA - Call for Motions - Product Stewardship for Priority Materials ↓ 2. Officer Advice Note - 15-3 NGA Call For Motions - Product Stewardship for Priority Materials ↓

MOTION

That the Council endorses the proposed motion (Attachment 1) to the 30th National General Assembly of Local Government which calls for product stewardship for priority materials (electronic waste, tyres, mattresses, and packaging).

To be presented to the Ordinary Meeting of Council to be held Tuesday, 16 April 2024.

OBJECTIVE, BENEFIT AND POTENTIAL RISKS TO BE CONSIDERED

This motion is presented to seek endorsement from Council to submit the proposed motion to the National General Assembly of Local Government, to reduce the costs associated with waste management to Local Governments, and increase the resource recovery for priority material types.

REASONS FOR THE MOTION

- Product Stewardship ensures that the producers of products have financial or physical responsibility for their products at end of life.
- Without effective product stewardship Local Government, and their communities, will face increasing costs for waste management.
- Product Stewardship is a key mechanism to ensure that products are designed to reduce waste generation and to facilitate end of product life recovery. This facilitates the transition to a more circular economy.
- The priority materials for action are electronic waste, tyres, mattresses, and packaging.
- For all these materials, the voluntary or co-regulatory product stewardship schemes in place are not covering the costs associated with recycling. This is particularly significant for regional areas, where there are also transport costs.
- Some materials, such as tyres and mattresses, are frequently being illegally dumped, which has an environment, social and economic impact.
- Effective product stewardship, which covers all of the costs associated with recycling, will assist in reducing costs to Local Government and the community and achieving better environmental outcomes.

16 MOTIONS WITHOUT PREVIOUS NOTICE (APPROVAL BY ABSOLUTE MAJORITY)

17 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC

RECOMMENDATION

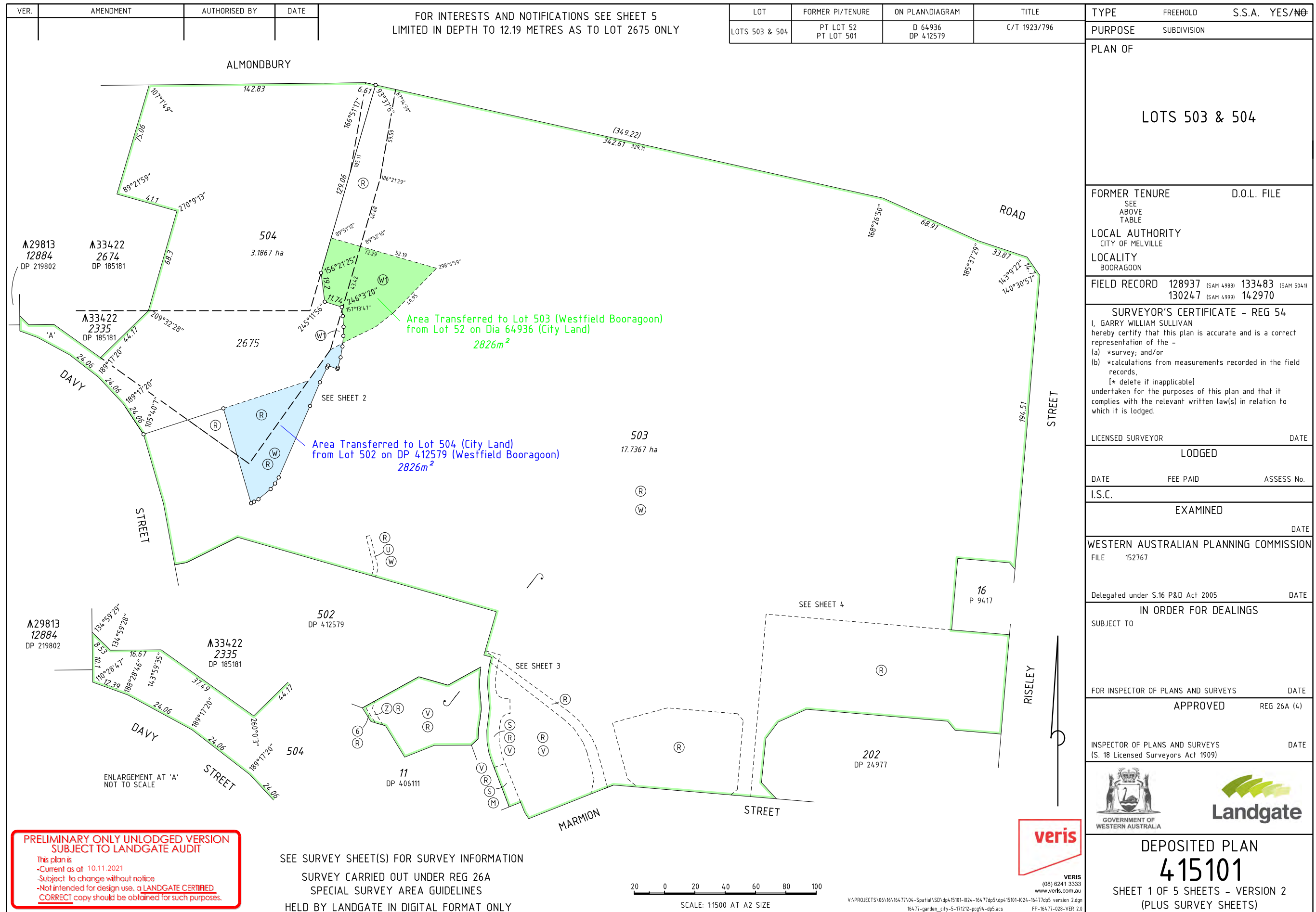
That the Council considers the confidential report(s) listed below behind closed doors in accordance with Section 5.23(2) of the Local Government Act 1995:

C24/138 CEO Contract - Probation Review

This matter is considered to be confidential under Section 5.23(2) - (a) and (c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees and a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

18 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

19 CLOSURE



FIELD RECORD	128937 (SAM 4988)	133483 (SAM 5041)
	130247 (SAM 4999)	142970
SURVEYOR'S CERTIFICATE - REG 54 I, GARRY WILLIAM SULLIVAN hereby certify that this plan is accurate and is a correct representation of the - (a) *survey; and/or (b) *calculations from measurements recorded in the field records, [* delete if inapplicable] undertaken for the purposes of this plan and that it complies with the relevant written law(s) in relation to which it is lodged.		
LICENSED SURVEYOR	DATE	
LODGED		
DATE	FEE PAID	ASSESS No.
I.S.C.		
EXAMINED		
DATE		
WESTERN AUSTRALIAN PLANNING COMMISSION		
FILE	152767	
Delegated under S.16 P&D Act 2005		
DATE		
IN ORDER FOR DEALINGS		
SUBJECT TO		
FOR INSPECTOR OF PLANS AND SURVEYS		
DATE		
APPROVED		
REG 26A (4)		
INSPECTOR OF PLANS AND SURVEYS		
DATE		
(S. 18 Licensed Surveyors Act 1909)		
DEPOSITED PLAN 415101 SHEET 1 OF 5 SHEETS - VERSION 2 (PLUS SURVEY SHEETS)		

PRELIMINARY ONLY UNLODGED VERSION SUBJECT TO LANDGATE AUDIT

This plan is
 -Current as at 10.11.2021
 -Subject to change without notice
 -Not intended for design use, a **LANDGATE CERTIFIED**
CORRECT copy should be obtained for such purposes.



Location Plan

14/03/2024

1:2173

DISCLAIMER - Whilst the City of Melville makes every effort to ensure the information contained herein is up-to-date and accurate it accepts no liability for any loss or damage howsoever caused as a result of reliance upon information contained in this document.



