



**MINUTES  
OF THE  
ORDINARY MEETING OF THE COUNCIL  
HELD ON  
TUESDAY 13 DECEMBER 2016  
AT 6.30PM IN THE COUNCIL CHAMBERS  
MELVILLE CIVIC CENTRE**

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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON TUESDAY, 13 DECEMBER 2016.**

**1. OFFICIAL OPENING**

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

**Affirmation of Civic Duty and Responsibility**

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

**2. PRESENT**

His Worship the Mayor R Aubrey

**COUNCILLORS**

Cr R Aubrey (Deputy Mayor)  
Cr D Macphail  
Cr N Pazolli, Cr C Schuster  
Cr C Robartson  
Cr P Phelan,  
Cr L O'Malley(from 8.59pm)  
Cr T Barling, Cr N Foxtton  
Cr G Wieland, Cr J Barton

**WARD**

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

**IN ATTENDANCE**

Dr S Silcox  
Mr M Tieleman  
Mr J Christie  
Mr S Cope  
Ms C Young  
Mr L Hitchcock  
Mr P Prendergast (Until 9.40pm)

Chief Executive Officer  
Director Corporate Services  
Director Technical Services  
Director Urban Planning  
Director Community Development  
Executive Manager Legal Services  
Manager Statutory Planning

Mr G Ponton (Until 8.22pm)  
Mr T Cahoon (Until 10.05pm)  
Mr T Capabianco (Until 8.10pm)

Mr M Spencer (Until 9.37pm)  
Ms M Rea (Until 8.10pm)  
Mr J Clark

Mr N Fimmano  
Ms S Tranchita

Manager Strategic Urban Planning  
Manager Healthy Melville  
Manager Building & Environmental  
Health  
Senior Strategic Urban Planner  
Planning Officer  
Governance and Compliance Program  
Manager  
Governance and Property Officer  
Minute Secretary

At the commencement of the meeting there were 37 members of the public and two members from the Press representing the Melville Times and Fremantle Herald in the Public Gallery.

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

Cr L O'Malley – Palmyra/Melville/Willagee - For late arrival

**4.2 APPROVED LEAVE OF ABSENCE**

Cr M Woodall – Bull Creek/Leeming Ward

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

Nil

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

Nil

**6. QUESTION TIME**

Nil

**7. AWARDS AND PRESENTATIONS**

Nil

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY MEETING OF THE COUNCIL – 15 NOVEMBER 2016**  
**[Minutes 15 November 2016](#)****COUNCIL RESOLUTION**

At 6.38pm Cr Schuster moved, seconded Cr Aubrey–

**That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 15 November 2016, be confirmed as a true and accurate record.**

At 6.38pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (11/0)**

**8.2 NOTES OF AGENDA BRIEFING FORUM – 29 NOVEMBER 2016**  
[Notes 29 November 2016](#)**COUNCIL RESOLUTION**

At 6.39pm Cr Aubrey moved, seconded Cr Foxton–

**That the Notes of the Agenda Briefing Forum held on Tuesday, 29 November 2016, be received.**

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

**CARRIED UNANIMOUSLY (11/0)**

**8.3 SPECIAL MEETING OF THE COUNCIL – 28 NOVEMBER 2016**  
[Minutes 28 November 2016](#)**COUNCIL RESOLUTION**

At 6.39pm Cr Schuster moved, seconded Cr Aubrey–

**That the Minutes of the Ordinary Meeting of the Council held on Monday, 28 November 2016, be confirmed as a true and accurate record.**

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

**CARRIED UNANIMOUSLY (11/0)**

**9. DECLARATIONS OF INTEREST**

- Item P16/3736 – Cr Aubrey - Impartiality Interest
- Item P16/3736 - Cr Foxton – Impartiality Interest
- Item P16/3736 - Cr Barling – Impartiality Interest
- Item P16/3736 - Cr Schuster – Impartiality Interest
- Item P16/3729 – Cr Barton - Interest under the Code of Conduct
- Item T16/3737 - His Worship the Mayor - Interest under the Code of Conduct
- Item T16/3737 – Cr Barling - Impartiality Interest
- Item T16/3737 – Cr O'Malley - Impartiality Interest
- Item T16/3737 – Cr Aubrey – Impartiality Interest

**9.1 FINANCIAL INTERESTS**

Nil

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

Nil

**10. DEPUTATIONS**

P16/3736 – Ms F Stanton, Director MDS Legal on behalf of owners at 23 Kishorn Road  
P16/3736 – Mr R Underwood, Senior Planner at Planning Solutions and Ms Belinda Moharich, Moharich & More

At 6.45pm Mr Prendergast left the meeting and returned at 6.47pm.

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

Nil

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

Nil

**13. PETITIONS**

**13.1 Road Closure Bombard Street and Ardross Street Intersection**

A petition signed by 28 residents was received by the City of Melville on Tuesday, 29 November 2016. The petition reads as follows –

*“We, the undersigned, all being Electors of the City of Melville, do humbly pray that the Council would address a road closure at the Bombard Street and Ardross Street intersection in Mount Pleasant. Our request would be to dead end Bombard Street to east side of Ardross Street.*

*As most are aware Bombard Street is used as a “Ratrun” to bypass congestion on Canning Highway and Reynolds Road in both morning and afternoon peak hour times. The proposed new round about at this intersection will only promote increased traffic plus higher average speed on Bombard Street east and west which is a safety concern to residents.”*

**The Director Technical Services tabled an Advice Note at the meeting advising that unless otherwise instructed, the construction of a roundabout at the intersection of Bombard Street and Ardross Street, Mount Pleasant, as approved by Council, will commence in Mid January 2017.**

**COUNCIL RESOLUTION**

At 6.48pm Cr Schuster moved, seconded Cr Pazolli -

**That the petition bearing 28 signatures be received and acknowledged in writing to the lead petitioner.**

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

**CARRIED UNANIMOUSLY (11/0)**

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

At 6.49pm, the Mayor requested that Item P16/3736 be brought forward for discussion.

At 6.49pm Cr Aubrey, Cr Barling, Cr Foxtan and Cr Schuster having declared an interest in item P16/3736 left the meeting.

From 6.49pm until 7.16pm a deputation was heard from Ms Moharich, Mr Underwood and Mr Gorjy.

From 7.18pm until 7.39pm a deputation was heard from Ms Stanton

From 7.40pm until 8.02pm a presentation was given by Mr P Prendergast in conjunction with Mr M Spencer and Ms M Rea.

#### **P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPECROSS (REC) (ATTACHMENT)**

##### Disclosure of Interest

Item No.	P16/3736
Member	Cr R Aubrey
Type of Interest	Impartiality Interest
Nature of Interest	Participated in the original JDAP decision and may be required to participate again
Request	Leave
Decision of Council	Leave

##### Disclosure of Interest

Item No.	P16/3736
Member	Cr T Barling
Type of Interest	Impartiality Interest
Nature of Interest	Deputy Mayor of the Metro Central JDAP
Request	Leave
Decision of Council	Leave

##### Disclosure of Interest

Item No.	P16/3736
Member	Cr N Foxtan
Type of Interest	Impartiality Interest
Nature of Interest	Member of the Metro Central JDAP
Request	Leave
Decision of Council	Leave

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPECROSS (REC)  
(ATTACHMENT)**

Disclosure of Interest

Item No.	P16/3736
Member	Cr C Schuster
Type of Interest	Impartiality Interest
Nature of Interest	Member of the Metro Central JDAP
Request	Leave
Decision of Council	Leave

Ward	: Applecross/Mt Pleasant
Category	: Operational
Application Number	: DA-2016-1134
Property	: Lot 270 (21) Kishorn Road, Applecross
Proposal	: 21 Multiple Dwellings
Applicant	: Yaran Property Group
Owner	: Kishorn 21 Pty Ltd
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Not Applicable
Responsible Officer	: Peter Prendergast Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPECROSS (REC)  
(ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- Development approval is sought for 21 multiple dwellings at Lot 270 (21 Kishorn Road, Applecross). The multiple dwellings are contained in a four storey (with basement and roof terrace) development.
- A separate but identical Development Application (DA) was lodged in July 2016 for consideration by the Metro Central Joint Development Assessment Panel (JDAP). This was an opt-in DAP application, for which the City acted as Responsible Authority.
- The City assessed the proposed development and recommended to the JDAP that it be approved on the basis that the details of the proposal were fully compliant with the relevant provisions of Local Planning Scheme No. 6 (LPS6), the Canning Bridge Activity Centre Plan (CBACP) and council policies.
- The JDAP refused to grant consent for the development at its meeting held on 21 September 2016.
- In response, the applicant has lodged an appeal against the JDAP decision to the State Administrative Tribunal (SAT). In addition, the applicant has lodged a new and separate DA for the same development to the City, for which the City is the final decision maker.
- The details of the current subject DA are consistent with that previously recommended for approval to the JDAP. There are no changed policy circumstances, and on that basis it is recommended that the DA be approved subject to conditions.
- The application has been referred to Development Advisory Unit (DAU) and subsequently called up to Council under the provisions of Council Policy CP-056 Planning Process and Decision Making.



Figure 1 – Aerial photography

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPECROSS (REC)  
(ATTACHMENT)****BACKGROUND**

Prior to the City's consideration of the current subject DA, an application for an identical development proposal on the site was submitted on 4 July 2016. The applicant elected to have this application determined by the JDAP. The City, as Responsible Authority, assessed the DA in accordance with provisions of LPS6, the CBACP and Council Policies, and recommended to the JDAP in its Responsible Authority Report, that planning consent for the DA should be granted.

Despite the City's recommendation however, the application was refused by the JDAP for the following reasons:

1. The proposal is considered to be inconsistent with the objectives of the Structure Plan.
2. The building height of five storeys is inconsistent with height requirement at Element 3.
3. The proposal is considered to be inconsistent with Element 2 which requires site planning should avoid buildings which are likely to create excessively bulky elements both within a development site and as it relates to the surrounding development.
4. The proposal is inconsistent with Element 3 which requires that developments ensure that interfaces between zones are appropriately managed.
5. Insufficient information was available regarding the noise of the car stacker system to be satisfied as to its operation and the potential impact on the locality.

The applicant subsequently sought a review of this decision which is currently under consideration at the SAT. At the same time, the subject DA was lodged with the City.

The current DA is identical to that previously considered, but for the purposes of the Planning and Development Act 2005, it does constitute a new and separate chapter in the planning history of the subject site that is not fettered in any legal sense by the previous JDAP refusal for an identical development.

The current DA was referred to DAU and subsequently called up to Council under Council Policy CP-056.

**Scheme Provisions**

MRS Zoning	: Urban
LPS Zoning	: District Centre – Canning Bridge Centre
R-Code	: R-AC0
Use Type	: Residential (Multiple Dwellings)
Use Class	: Preferred use

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPECROSS (REC)  
(ATTACHMENT)****Site Details**

Lot Area	:	1012m <sup>2</sup>
Street Tree(s)	:	2 to be retained 1 to be replaced
Street Furniture (drainage pits etc)	:	Not applicable
Site Details	:	Refer to figure 1 above

**[3736 21 Kishorn Rd Applecross Plans](#)****DETAIL**

Approval is sought for the construction of 21 Multiple Dwellings within a four storey (with basement and partially covered roof terrace) building. The development proposes a range of dwelling types, including a number of one bedroom dwellings with an associated mezzanine at the ground floor level, a mix of one and two bedroom dwellings on levels 1-4. Car parking on site is accommodated via the use of car stackers and communal open space is provided on the roof terrace.

The proposed development has been the subject of a rigorous design review process by the Canning Bridge Design Advisory Panel (the Panel). The Panel concluded that the design as presented for approval to the JDAP represented a high quality design outcome.

**[3736 21 Kishorn Acoustic Report and Mezzanine Legal Advice](#)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Advertising Required:	No
Neighbour's Comment Supplied:	No
Reason:	N/A
Support/Object:	N/A

Under the provisions of CP-056, a process of informal notification comprising letters to the owners/occupiers of adjoining residential properties was undertaken. This process was followed on the basis that the development proposal is consistent in all respects with the provisions of the CBACP.

It is noted that the purpose of informal notification is to inform, not consult, and as such, submissions are not required.

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPECROSS (REC)  
(ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**Canning Bridge Activity Centre Plan Design Review Panel

In dealing with the previous identical DAP application, the applicant engaged with the City's Canning Bridge Activity Centre Plan Design Review Panel (the Panel). The Panel considered the details of the DA on three occasions.

The Design Review process was a robust one which , highlighted a number of deficiencies and opportunities for design improvement, all of which were actioned by the applicant. The most recent rendition of plans incorporates the comments of the Design Review Panel (DRP), and the design of the development as now proposed is considered to represent an outcome which meets the Panel recommendations.

The RAR recommended approval of the proposal by the JDAP panel as it constituted a quality design outcome for the development, which was also fully consistent with the requirements and objectives of the CBACP.

**STATUTORY AND LEGAL IMPLICATIONS**

Should the City of Melville refuse the application for development approval, the Applicant will have the right to have the decision reviewed by the State Administrative Tribunal in accordance with part 14 of the *Planning and Development Act 2005*.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City relating to this proposal other than those that may accrue should the application be refused, and if there is a subsequent appeal to the SAT.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

The proposal satisfies all of the relevant provisions of Council's policies.

**COMMENT**

The proposed development is considered to be consistent with all the provisions of the CBACP and relevant Council policies. The following commentary is provided in response to the individual reasons for refusal cited in the JDAP refusal of the previous identical planning application.

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPLECROSS (REC)  
(ATTACHMENT)**

1. *The proposal is considered to be inconsistent with the objectives of the Structure Plan.*

The objectives of the CBACP are broadly to increase the density and diversity of dwellings and non-residential land uses within the boundaries of the precinct, to ensure the area provides sufficient intensity to support the high frequency public transport

The proposed development satisfies the objectives of the CBACP as it will clearly deliver density and diversity of housing, improve land efficiency, and provide housing variety and affordability whilst supporting the facilities in the area.

2. *The building height of 5 storeys is inconsistent with height requirement at Element 3.*

Height under the Canning Bridge Activity Centre Plan is defined as;

*In relation to a building, means the distance measured from the natural level of that part of land on which the building is erected to the highest point of any part of the building above it but does not include*

- (a) *Any lift plant, water tower or similar utility or services, not exceeding 3.0 metres in height; or*
- (b) *Any architectural feature or decoration, other than a free standing sign, not used for any form of accommodation, or any open roofed structures which may be developed to provide recreation and open space opportunities for building occupants which may be approved by the decision maker.*

The proposed development includes a roof space to be utilised as a communal outdoor living space, with dedicated facilities for occupiers and appropriate shade structures provided. The use of the roof in this manner is consistent with the provisions of the CBACP, and complies with the Design Requirements of building height and outlined by Element 3, as it is an open roofed structure providing recreation space for the occupants of the building.

The provision of a mezzanine within the ground floor apartments is enabled due to the generous floor to ceiling height of the ground floor as a result of the location of double height car stackers which are also sited on the ground floor of the development. The proposed mezzanines have been assessed in accordance with definitions contained within the CBACP.

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPLECROSS (REC)  
(ATTACHMENT)**

A storey under the CBACP is defined as;

*Has the same meaning as ‘Storey’ in the National Construction Code Series (Building Code of Australia Class 2 to Class 9 Buildings), and means a space within a building which is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but not –*

(a) *A space that contains only –*

- i. A lift shaft, stairway or meter room; or*
- ii. A bathroom shower room, laundry, water closet, or other sanitary compartment; or*
- iii. Accommodation intended for not more than 3 vehicles; or*
- iv. A combination of the above ; or*

(b) *A mezzanine*

A mezzanine floor is defined by the Building Codes of Australia (BCA) as;

*“An intermediate floor within a room”*

The above definition specifically excludes a mezzanine from the definition of ‘storey’. Legal advice has been sought by the City to determine whether its interpretation of the CBACP provisions and definitions, relative to the inclusion of mezzanines, is correct in this instance.

The legal advice concludes that the mezzanines proposed to be included within the proposed development do not constitute a storey for the purposes of the CBACP. On that basis, the height of the proposed building, at four storeys, is fully consistent with the Design Requirements of Element 3 of the CBACP.

- 3. The proposal is considered to be inconsistent with Element 2 which requires site planning should avoid buildings which are likely to create excessively bulky elements both within a development site and as it relates to the surrounding development.*

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPLECROSS (REC)  
(ATTACHMENT)**

The proposed development complies with the requirements of the CBACP and therefore is consistent with the Desired Outcome of Element 2 where site planning should avoid buildings which do not relate to the street, create excessively bulky single elements or comprise of overly repetitive elements both within the development site and as it relates to the surrounding development.

The external appearance of the development is well considered, with appropriate levels of articulation achieved so to avoid bulky single elements. This is further satisfied by the over height double storey entrance feature which provides a high quality entry statement towards the street frontage, with the ground level change showing innovative design and creating an attractive space.

4. *The proposal is inconsistent with Element 3 which requires that development ensure the interfaces between zones are appropriately managed*

The proposed development is a four storey building, and this complies with the building height requirements of Element 3 of the CBACP. The reference in this reason for refusal to the interface between the zones being managed inappropriately cannot apply in the context of the subject, or previous, DA, as the maximum building height is fully consistent with the CBACP.

5. *Insufficient information was available regarding the noise of the car stacker system to be satisfied as to its operation and potential impact on the locality.*

Car parking in the form of car stackers has been provided at ground floor level, screened from the street by the main building entrance and ground floor apartments. The car parking provisions are fully compliant with the Design Requirements of Element 18 of the CBACP.

In support of their development proposal, the applicant provided information regarding the noise levels associated with the operation of the car stacker system. This information suggests that the car stackers can be accommodated in a residential environment without any resultant adverse noise impact, as they are compliant with the *Environmental Protection Act 1986* section 31(d).

The queuing of vehicles within the dual access driveway is unlikely to result in an adverse impact on the amenity of the adjoining residents. Noise associated with car vehicles is common place within urban residential environments such as this.

#### Street Setbacks

In accordance with Element 4 of the CBACP, all development within H4 zones in Q1 and Q2 shall have a minimum three metre setback to street boundaries. A minimum setback of three metres to the street boundary has been provided in this case, and the proposed development may be supported on that basis.

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPLECROSS (REC)  
(ATTACHMENT)**Side and Rear setbacks

Element 5 of the CBACP requires side and rear setbacks for all development within the H4 zones to be a minimum of four metres for any lot which is equal to or greater than 16 metres in width, noting that setbacks do not apply to eaves and sun shading devices. Lot 270 (21) Kishorn Road has a lot width of 20.1 metres.

The required setback of four metres has been applied to the side boundaries and rear boundary of the proposed dwelling. The proposed development may be supported on that basis.

Privacy and Solar Access

In accordance with Element 5 of CBACP, provisions of privacy and solar access and overshadowing do not apply within the CBACP area. The CBACP area is to undergo a significant change. New acceptable development parameters have been established by the CBACP, and it is acknowledged that this will result in new development sitting somewhat uncomfortably alongside existing development. Over time, as the precinct is developed, this balance will shift.

**CONCLUSION**

The development in this case is designed to meet the requirements of LPS6, the CBACP and Council policies. On that basis it is recommended that conditional planning approval be granted.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3736)                      APPROVAL**

At 8.03pm Cr Macphail moved, seconded Cr Wieland –

**That the Council provides planning approval only subject to the following conditions and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.**

- 1. All stormwater generated on site is to be retained on site.**
- 2. Prior to the initial occupation of the development, bicycle parking facilities for 21 bicycles shall be provided in accordance with Australian Standard AS 2890.3 to the satisfaction of the City. The facilities shall thereafter be retained for the life of the development.**
- 3. Prior to the initial occupation of the development, all unused crossover(s) shall be removed and the kerbing and road verge reinstated at the owners cost to the satisfaction of the City.**

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPECROSS (REC)  
(ATTACHMENT)**

4. The development shall be serviced by a concrete or brick paved vehicle crossover with a minimum width of 6m and located a minimum of 1.5m away from the outside of the trunk of any street tree. The crossover is to be constructed prior to the initial occupation of the development in accordance with the City's specifications to the satisfaction of the City.
5. Fencing and all structures within the front setback area are to comply with Council Policy CP-078 Residential Development to the satisfaction of the City
6. Any roof mounted or freestanding plant or equipment shall be located and/or screened so as not to be visible from the surrounding street(s) to the satisfaction of the City.
7. Prior to the commencement of works, the street tree/s to be retained within the verge are to be protected through the installation of a Tree Protection Zone (TPZ). Each TPZ is to be installed as per Australian Standard AS4970-2009 and in accordance with the following criteria to the satisfaction of the City:
  - A free-standing mesh fence erected around each street tree with a minimum height of 1.8m and a 2m minimum radius measured from the outside of the trunk of each tree.
  - If an approved crossover, front fence, footpath, road or similar is located within the 2m radius, the TPZ fencing shall be amended to be the minimum distance necessary to allow the works to be completed.
  - Fixed signs are to be provided on all visible sides of the TPZ fencing clearly stating 'Tree Protection Zone – No Entry'.
  - The following actions shall not be undertaken within any TPZ:
    - Storage of materials, equipment fuel, oil dumps or chemicals
    - Servicing and refuelling of equipment and vehicles
    - Attachment of any device to any tree (including signage, temporary service wires, nails, screws, winches or any other fixing device)
    - Open-cut trenching or excavation works (whether or not for laying of services)
    - Changes to the natural ground level of the verge
    - Location of any temporary buildings including portable toilets
    - The unauthorised entry by any person, vehicle or machinery
  - No unauthorised pruning of the canopy or roots of any Street Tree is permissible under the City of Melville's Street Tree Policy CP-029. Pruning may only be undertaken by the City's approved contractors following a written submission to and approval by the City.

Once erected to the required standard, the TPZ shall be maintained in good condition to the satisfaction of the City and may only be removed upon occupation of the development.

8. All external clothes drying facilities shall be screened from view of the primary and secondary street to the satisfaction of the City.

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPECROSS (REC)  
(ATTACHMENT)**

9. Prior to the commencement of works, a detailed landscaping and reticulation plan for the subject site and the road verge adjacent to the site shall be submitted to and approved in writing by the City. The landscaping plan is to include details of (but not limited to):
- (a) The location, number and type of proposed trees and shrubs including planter size and planting density;
  - (b) Any lawns to be established;
  - (c) Any existing vegetation and/or landscaped areas to be retained;
  - (d) Any verge treatments; and
  - (e) The landscaping treatment to be applied to the drive way access leg boundary

The approved landscaping and reticulation plan shall be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter to the satisfaction of the City. Any species which fail to establish within the first two planting seasons following implementation shall be replaced in accordance with the City's requirements.

10. Prior to the initial occupation of the development, a Waste Management Plan shall be prepared in accordance with Council Policy – Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments and submitted in writing for the approval of the Manager Statutory Planning. Once approved, the development is to be constructed and operated in accordance with the Waste Management Plan to the satisfaction of the City.
11. Prior to the commencement of works, details of the exterior colours, materials and finishes are to be submitted to and approved in writing by the City. Once approved, the development is to be constructed in accordance with those details.
12. No development (including fencing, letter boxes or any other structure) or landscaping over 0.6m in height is to be located within the 1.5m x 1.5m sightline truncation where the vehicle access point meets the road reserve.
13. Prior to the initial occupation of the development, the surface finish of the boundary wall(s) are to be finished externally to the same standard as the rest of the development to the satisfaction of the City.
14. Lighting is to be provided to all car parking areas and the exterior entrances to all buildings in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting to be hooded and oriented so that the light source is not directly visible to the travelling public or abutting development.

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPLECROSS (REC)  
(ATTACHMENT)**

15. A Construction Management Plan is to be prepared by the Applicant and submitted to the City for approval at least 30 days prior to the commencement of works. The Construction Management Plan shall detail how the construction of the development will be managed including the following:

- public safety and site security;
- hours of operation,
- noise and vibration controls;
- air and dust management;
- stormwater, groundwater and sediment control;
- waste and material disposal;
- Traffic Management Plans prepared by an accredited personnel for the various phases of the construction, including any proposed road closures;
- the parking arrangements for contractors and sub-contractors;
- on-site delivery times and access arrangements;
- the storage of materials and equipment on site (no storage of materials on the verge will be permitted) ; and
- any other matters likely to impact upon the surrounding properties or road reserve.

Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City.

16. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures must not obstruct vehicle sight lines Temporary structures are to be removed prior to initial occupation of the development.
17. Prior to the commencement of works, a scheme for the provision of Public Art shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the Public Art shall be provided in accordance with Council Policy – 085: Provision of Art in Development Proposals and the Canning Bridge Structure Plan prior to the initial occupation of the development to the satisfaction of the City. Alternatively, the public art contribution may be satisfied by a cash-in-lieu payment at the same rate, made prior to the commencement of works.

**P16/3736 - 21 MULTIPLE DWELLINGS – 21 KISHORN ROAD, APPECROSS (REC)  
(ATTACHMENT)**

**Procedural Motion**

At 8.04pm Cr Pazolli moved, seconded Cr Phelan, the following Procedural Motion in accordance with Clause 11.1(b) of Standing Orders Local Law 2003 -

**That Council defers consideration of the 21 Kishorn Road, Applecross application to the next Ordinary or Special Meeting of Council, until after the decision of the State Administrative Tribunal on the current appeal against the Joint Development Assessment Panel (JDAP) refusal for 21 Kishorn Road, Applecross.**

At 8.10pm the Mayor submitted the procedural motion, which was declared

**CARRIED (6/1)**

<b>Vote Result Summary</b>	
Yes	6
No	1

<b>Vote Result Detailed</b>	
Cr Barton	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Mayor Aubrey	Yes
Cr Macphail	No

At 8.11pm, the meeting was adjourned

At 8.22pm, the meeting resumed

At 8:22pm Cr's Foxton, Aubrey, Barling and Schuster returned to the meeting

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**

Disclosure of Interest

Item No.	P16/3729
Member	Cr J Barton
Type of Interest	Interest under the code of conduct
Nature of Interest	Daughter owns a property there
Request	Stay, discuss and vote
Decision of Council	Stay, discuss and vote
Ward	: Applecross/Mt Pleasant
Category	: Strategic
Application Number	: Not Applicable
Property	: Not Applicable
Proposal	: Report on Review of H4 Areas of Kintail and Ogilvie Quarters in the Canning Bridge Activity Centre.
Applicant	: City of Melville
Owner	: N/A
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P15/3607 Canning Bridge Structure Plan: Report on submissions and final adoption – Ordinary Meeting of Council - March 2015
Responsible Officer	: Gavin Ponton Manager Strategic Urban Planning

**AUTHORITY / DISCRETION**

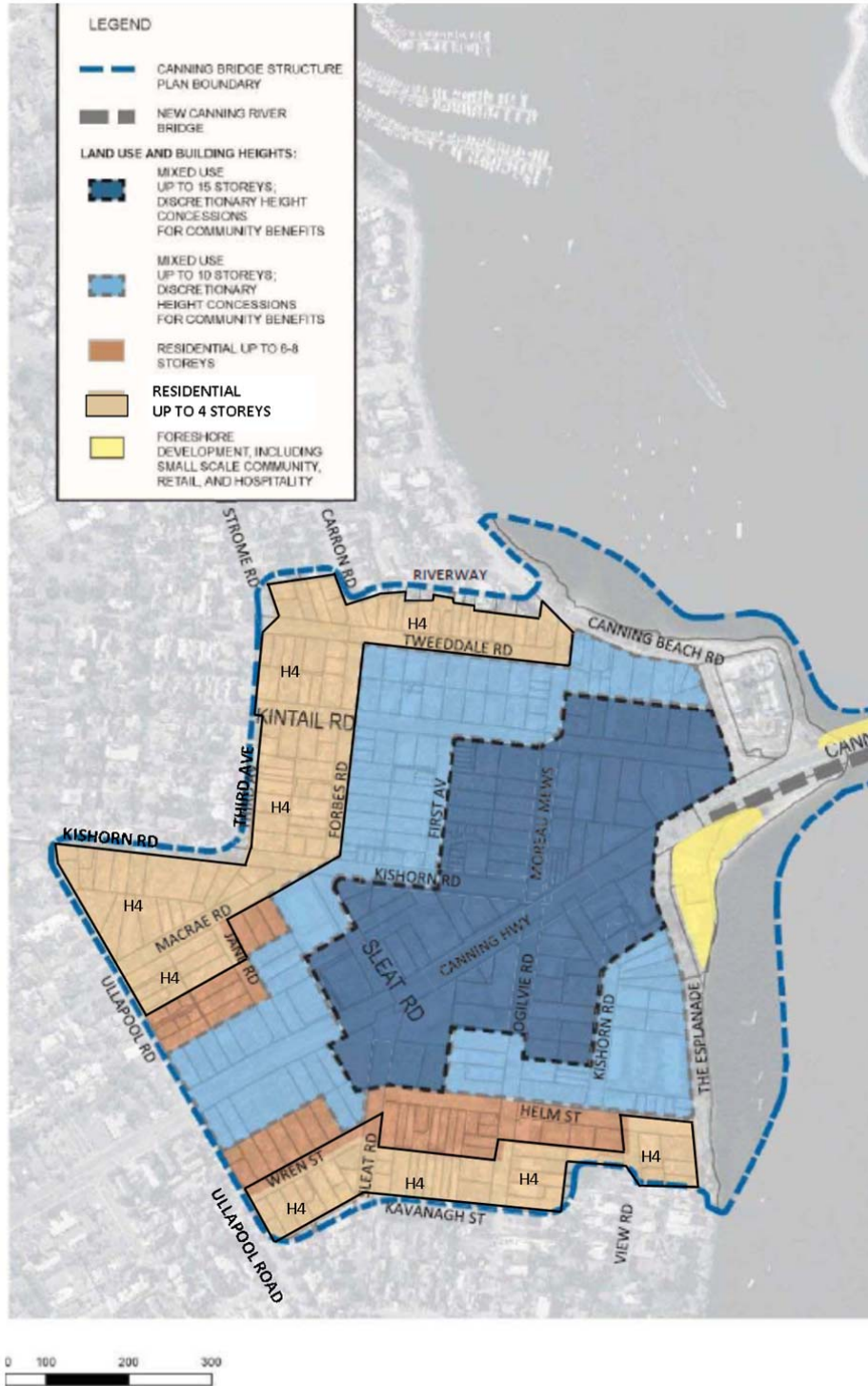
**DEFINITION**

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

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The Canning Bridge Activity Centre Plan (CBACP) was adopted by the Council in March 2015.
- Part 10 of the March 2015 resolution of the Council requested initiation by the City of a public consultation process with respect to the H4 zone within 12 months of formal inclusion by gazettal of the CBACP within Community Planning Scheme 5 (CPS5).
- A Consultant was appointed to undertake a review of the H4 zone, assist in the consultation process, report on the response to consultation and to consider and recommend any modifications to the H4 zone controls within the CBACP as may be determined to be required.
- Consultation occurred via letters sent to over 1200 landowners and residents in the Canning Bridge area plus one street block outside the area,
- Issues covered in submissions received included:
  - Reduction in height
  - Increase in height
  - Land uses
  - Setbacks
  - Roof top terraces
  - Parking
  - Traffic congestion and
  - Amenity
- This report makes recommendations for minor modifications to the Canning Bridge Activity Centre Plan.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**



**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)****BACKGROUND**

The Canning Bridge Activity Centre Plan (CBACP) was adopted by Council in March 2015. Part 10 of that Council resolution included the following:

10. *Incorporate a new Clause 10 in the Officer Recommendation as follows “ Within 12 months of the formal inclusion by gazettal of the Canning Bridge Structure Plan in the City of Melville Community Planning Scheme No 5, that the City initiate a public consultation process to determine community views on whether the properties west of Forbes Road between Kishorn and Kintail Roads and all residential zones in the structure plan area with height limits up to four storeys should be treated differently than in the current plan with respect to land use and building heights. Any such consultation process will not commit the City to any particular course of action as a result of the process.”*

**Scheme Provisions**

MRS Zoning	:	Urban
LPS Zoning	:	Residential
R-Code	:	R-AC0
Use Type	:	N/A
Use Class	:	N/A

**Site Details**

Lot Area	:	N/A
Street Tree(s)	:	N/A
Street Furniture (drainage pits etc)	:	N/A
Site Details	:	N/A

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**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)****DETAIL**

A consultant (Shape Urban) was appointed in April 2016 to assist the City with a review of the H4 area of the Ogilvie and Kishorn Quarters of the CBACP including;

- Consideration of development applications received in this location
- Consultation with key State and local government stakeholders
- Consultation with community members including residents and landowners in proximity to the areas being considered.

**[3729 Attachment 1 CBACP Review H4 Areas](#)**

A community forum for the CBACP H4 review was held at the City of Melville Main Hall on 23 May 2016. Invitations to this event were sent to 1,200 owners and occupiers in the H4 zone and surrounding areas. As well the community forum was widely advertised via local newspapers, the City of Melville website and social media.

A total of 76 people registered for the forum in advance and actual attendance was estimated to be over 90 people representing a response rate of approximately 7.5% of those invited.

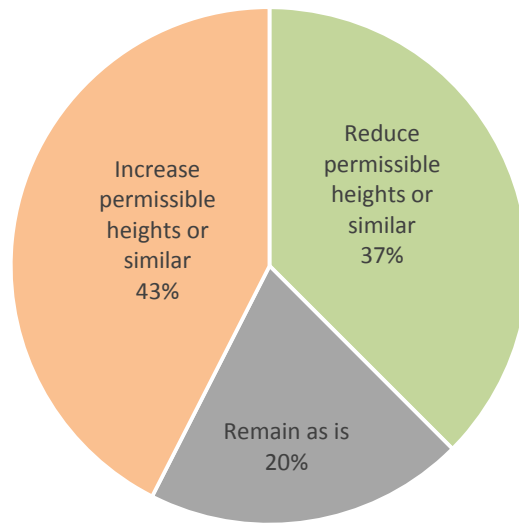
**STAKEHOLDER ENGAGEMENT**

Duration of Advertising Determined to be required: 30 Days

A total of 38 submissions were received. All of these submissions contained individual comments that is there were no pro-forma or similar type of submissions received.

Overall, the feedback was varied, with 15 submissions requesting a reduction of heights in the H4 area of the CBACP, eight submissions recommending that the CBACP remain as it is or simply stating their support for the CBACP and 17 submissions requesting an increase in heights in the H4 area.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**



Below is a summary of the issues raised in submissions.

**Reduction in height**

*15 submissions*

The primary reason for requesting a reduction in height was traffic and congestion issues, with 100% of these submissions commenting that traffic congestion was a key concern.

Other issues related to the submissions received mentioning height included:

- How development would look in the streetscape or how heights may affect properties at their boundary (for example where a single storey house may be adjacent to a four storey house). *(12 submissions)*
- Privacy,
- Access to sunlight,
- Parking,
- Safety and security
- Amenity.
- Reduction in the H8 area
- Impact on properties outside the CBACP area

**Remain the Same** (eight Submissions) **or Increase in Height** (17 Submissions)

For those submissions that requested that the CBACP remain the same or an increase in height in the H4 area, the reasons provided were just as diverse.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**

The primary reason for requesting an increase in height was related to improving the CBACP interface, predominantly in the Kintail Quarter and significantly in relation to the properties on Forbes Road. A number of submissions commented that earlier plans (referring to the Canning Bridge Precinct Vision) showed the area west of Forbes Road as taller development, (to a maximum of five storeys) and were supportive of the CBACP returning to this building height.

Reasons provided and issues raised included:

- support for the CBACP generally as a result of increased amenity and vitality in the area,
- employment opportunities
- access to public transport
- continuity of streetscape
- impact on areas outside

**Preferred Land Uses**

Submissions received expressed general support for the preferred land uses with some individual suggestions for increasing intensive commercial uses that would be more suited to the M10 and M15 areas.

**Forbes Road**

The most significant feedback received was from the Forbes Road west area requesting increased heights between Kintail and Kishorn Roads. This is consistent with the deputation that was made to Council when the CBACP was approved.

**I. COMMUNITY**

The level of communication for the H4 review process in relation to the Stakeholder Engagement Policy CP-002 is to consult with the community. This is consistent with the significant engagement process during the development of the Canning Bridge Vision and Structure Plan. The consultation process was an opportunity to consider the effectiveness of the operation of the Canning Bridge Activity Centre Plan in the H4 area after 12 months.

**II. OTHER AGENCIES / CONSULTANTS**

The consultant engaged with City of South Perth, Public Transport Authority (PTA), Main Roads WA, Department of Planning and Department of Transport to invite and consider any feedback on the implementation of the CBACP. General comment was received that there were no major issues arising at this stage of implementation.

**STATUTORY AND LEGAL IMPLICATIONS**

If the event that any changes are proposed to the CBACP the process of amendment is regulated through the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)***Clause 45. Amendment of activity centre plan*

- (1) *An activity centre plan may be amended by the Commission at the request of the local government or a person who owns land in the area covered by the plan.*
- (2) *The procedures for making an activity centre plan set out in this Part, with any necessary changes, are to be followed in relation to an amendment to an activity centre plan.*
- (3) *Despite subclause (2), the local government may decide not to advertise an amendment to an activity centre plan if, in the opinion of the local government and the Commission, the amendment is of a minor nature.*
- (4) *An amendment to an activity centre plan does not extend the period of approval of the plan unless, at the time the amendment is approved, the Commission agrees to extend the period*

**FINANCIAL IMPLICATIONS**

There are not considered to be financial implications associated with this report.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are not considered to be strategic, risk or environmental management implications associated with this report.

**POLICY IMPLICATIONS**

There are no policy implications associated with this report.

**COMMENT**

The review of the H4 areas of the CBACP concludes that, although only a small number of development applications have been proposed, the intent of the activity centre plan is being met and no major unexpected consequences have been identified. Some minor modifications are recommended however that would provide clarification of some interpretations of the CBACP which in turn may assist to allay some of the concerns expressed by residents in submissions received.

**Land uses**

The current preferred land uses for the H4 area are consistent with land uses that would be considered at the discretion of the Council in the adjoining residential neighbourhood, and thus would not conflict with the general residential character of the neighbourhood. An anomaly was identified, however, where the requirements do not specifically provide for ground floor uses in the H4 or H8 area. This could lead to some confusion in interpretation.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**

Some discussion at the community forum suggested high intensity commercial uses being allowed for the H4 and H8 areas. These uses are not considered to be suitable for this predominantly residential area, but would in general terms be considered appropriate to be located in the M10 and M15 areas. Uses such as 'Corner Store' and 'Convenience Store' although unlikely to locate in the H4 area, could be sought. In order to ensure the primacy of the M10 and M15 area for commercial purposes within the CBACP, it is suggested that the 'Corner Store' and 'Convenience Store' uses be removed from the preferred uses list in this the H4 and H8 areas. No other uses are recommended to be added to the preferred uses.

A single house is not mentioned as a preferred use in the Ogilvie or Kishorn Quarters whereas it is mentioned in Q3, Q4 and Q5. Requirement 1.14 states that 'any use not listed in the relevant Clause pertaining to the relevant Quarter is not permitted unless the Council is satisfied that the use is consistent with the relevant Desired Outcomes for that Quarter'. This does not prohibit a Single House but the proposed development would need to be considered in context of location, future development potential and other matters.

**Height**

The four storey height attracted significant comment. As stated above 12 submissions requested height reduction and 20 submissions supported the height remaining the same or increasing. This is consistent with the feedback received throughout the preparation of the CBACP.

In general the H4 height is not significantly higher than was previously suggested in the Canning Bridge Precinct Vision. Submissions seeking a reduction height largely raised concerns regarding the interface between four storey development and existing one and two storey dwellings. The feedback is not regarded as being strongly weighted one way or another. In the circumstances it is recommended that the heights in the H4 zone remain at four storeys. Further enhancement of Desired Outcomes in Elements three and five is recommended however to underpin the importance of good design and the protection of neighbourhood amenity whilst also clarifying the preliminary design review process as an important part of the application process.

The submissions included significant feedback from Forbes Road West landowners between Kishorn and Kintail Roads requesting an increase in height. It was stated in these submissions that this would allow a better buffer with the M10 and M15 areas on the opposite side of the road.

In reviewing the feedback, the request to increase the height in this location is considered to have some merit. This type of consistent interface treatment has been commonly applied throughout the CBACP but has not been applied to the properties west of Forbes Road.

However, the heights proposed in this location were the subject of many years of community engagement.

It is considered that to seek to amend the CBACP in this location would require a focused community engagement exercise, involving all properties affected (adjacent, rear boundary and across the road), and that this may not result in a conclusive outcome in the short term.

As such, it is not recommended that the height in this area be considered for modification at this time. It is recommended that the City of Melville reconsiders this specific area after an appropriate period of time to consider the interface issues that are present at that time. A suitable length of time is considered to be five years.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)****Side setbacks**

Side setbacks were identified as an issue relevant mostly to privacy and overlooking. The side setbacks in the activity centre plan are quite onerous compared to similar acceptable setback provisions in adjacent development governed by the Residential Design Codes of WA. Therefore only minor clarification is suggested.

Concern was expressed about privacy on the boundary of the CBACP, where the adjoining property would ordinarily be afforded privacy protection under the Residential Design Codes of WA. It is recommended that this be addressed by amending Requirement 5.7 to consider the properties outside of the CBACP as well as adjacent properties. Additional guidance may be appropriate regarding overlooking from elevated outdoor areas, only where properties directly adjoin the boundary of the CBACP, and only where the boundary is not a road. Interim screening may also be encouraged to minimise overlooking of existing private areas without inhibiting development potential. In these circumstances, the setback or screening requirement should be limited to a six metre distance, consistent with the higher density provisions of the Residential Design Codes of WA.

Another comment of note is the provision of boundary fencing at the ground floor, relative to apartments that interface with their private open space at ground level. It would be suitable to clarify that the intention of the CBACP is to reduce building bulk on property boundaries and provide adequate air and light penetration through the neighbourhood. It should not be construed that dividing fences between courtyards would be considered to intrude in the setback, in the way that a solid structure would do.

Finally, it is noted that some submissions raised concerns about four storey buildings located with nil setbacks to boundaries. This concern can be easily dispelled by the preparation of fact sheets that explain key requirements of the CBACP.

**Open Space**

Some concern was expressed about the use of roof top spaces for gatherings that may cause a noise nuisance. It is considered that it should not be assumed that a rooftop space would be any different in use to a backyard space and further, that any noise can be dealt with through normal environmental legislation.

**Parking**

Several submissions questioned the lower parking provisions in the H4 area, and expressed concern for the amount of parking that would occur within the street, causing potential safety issues. Whilst parking is recognised as a matter of concern to a number of people, it is also recognised that future planning of inner city precincts will increasingly encourage reduced on-site car parking provision, in line with their accessibility to services and public transport. It should be noted that in 2011 36% of Dwellings in the City of Melville had one car or less (ABS Census, 2011). The CBACP currently includes car parking requirements that represent a progressive approach to private car demand-reduction. This also reflects the relatively large number of residents within the precinct that currently identify as using public transport and/or walking/cycling for their regular journeys, and also with the relatively large number of residents within the precinct that currently identify as not owning a car.

It is recommended that parking requirements in the H4 area remain unchanged.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)****Traffic and Congestion**

A significant number of submissions raised the issue of traffic congestion as a reason to reduce the heights in the H4 area.

Traffic congestion has continued to increase across the metropolitan area as a direct correlation to the increase in the number of residents/road users. It should be noted that the majority of road users that contribute to congestion on Canning Highway and in the Canning Bridge area originate from significant distances from the precinct, and this will continue with or without urban infill within this precinct.

It is seen as inevitable that the Canning Bridge area will experience increased traffic volume in the future. In these circumstances, the relative density of the CBACP area serves not to remove that congestion, but to provide a large number of residents with the opportunity to choose between the desire for private vehicle travel or using the existing and excellent public transport available in the area.

This is supported by ABS statistics that already provide very encouraging 'journey to work' data measurement for the CBACP area where more than 13% of daily trips are taken by public transport compared to the metropolitan average of just over 7% (ABS 2011).

Detailed design of local streets is being undertaken by the City at present to manage the space for all users including pedestrians, cyclists, public transport and private vehicles.

**Amenity**

A number of submissions referred to the potential future amenity of the area once development occurs, and commented that the CBACP has potential to negatively impact neighbourhood amenity. It is recognised that not all elements that the plan promotes may be considered desirable to all members of the community, however it is considered that amenity is also subject to the context of a place over time.

The CBACP promotes good quality design and it is considered that over a period of time a number of progressive and innovative design outcomes will contribute to a slowly changing precinct. Amenity will continue to be an important consideration in design assessment for applications and will also be an important consideration for upgrade and improvement to the public realm.

As outlined above, planning consultants were engaged to assist in the H4 review. The findings of the consultant and the City's response are summarised below:

1. In Figure 4 (Planning Approval Process), amend the process flowchart to reflect the mandatory requirement of presentation of the proposed development to the Design Review Panel both prior to (as a preliminary review) and after a formal development application is made.

*Officers Response:* Agreed

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**

2. Amend the table on Page 19 of Part One of the CBACP to further enhance the principles underpinning the nexus between height limits in storeys and metres. The table heading 'Height applied in metres' should be amended to 'Maximum height applied in metres' with each cell in the column amended to read 'Mixed Use or Residential Use up to a maximum of 'x' metres in height'.  
*Officers Response: Agreed*
3. In Element 1, amend the requirements to enable the preferred uses for the H4 and H8 area to be included as uses preferred for the Ground Floor. This will require the renumbering of current Requirement 1.2.3 to 1.3, with the subsequent renumbering of all numbers from 1.3 onwards including the renumbering of 1.4.3.  
*Officers Response: Agreed*
4. In Element 1, amend Requirement 1.2.3 and 1.4.3 (in its renumbered format) to remove the uses 'Convenience Store' and 'Corner Store'.  
*Officers Response: Agreed*
5. In Element 3, Desired Outcome 3, amend the reference to Element 20 and 21 to read Element 21 and Element 22.  
*Officers Response: Agreed. Requirement 3.4 should also be amended accordingly.*
6. It is recommended that the City of Melville reconsiders the Forbes Road west area between Kintail and Kishorn Roads after an appropriate period of time (five years) to consider the interface issues that are present at that time, with a view to considering if additional height is appropriate on the properties fronting Forbes Road (i.e. reconsider if H8 is appropriate for this area).  
*Officers Response: Agreed*
7. Amend the text of Desired Outcome 3 from; 'to ensure that the interface between Zones is appropriately managed', to; 'to ensure that the interface between Zones is appropriately managed and the amenity of property both within and adjacent to the CBACP is adequately considered.'  
*Officers Response: Agreed.*
8. Amend the text of Desired Outcome 5 from; 'Developers should minimise overlooking and overshadowing of adjacent and adjoining properties', to; 'Developers should consider the amenity of the precinct by minimising overlooking and overshadowing of adjacent and adjoining properties'.  
*Officers Response: Agreed*
9. Amend Requirement 18.5 to refer to 'the relevant operative local planning scheme' rather than the scheme names to avoid any confusion regarding cash-in-lieu requirements.  
*Officers Response: Agreed*

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The review into the H4 areas recommends a number of minor changes to the CBACP to enhance its interpretation and operation. The Council may choose to not proceed with the recommended changes. The recommended changes are aimed at enhancing the operation of the CBACP and providing additional control in relation to protection of the visual privacy of residents. Not proceeding with these changes is likely to detract from these objectives.

With respect to building heights, an option exists to undertake a more detailed process of for properties on the west of Forbes Road between Kintail Road and Kishorn Road. Although this report recommends that this be reconsidered after five years. It is noted however that such a review could be initiated earlier with an inclusive engagement process. It is considered that an important aspect of such a process would be to consider and determine a strategy to manage any impact on the adjoining properties on Third Avenue

**CONCLUSION**

The CBACP has been in operation for 18 months since March 2015. In that time there have not been any development applications approved under the applicable guidelines in the H4 area. The two applications received in the H4 area have created discussion about interpretation of various elements of the CBACP.

The consultation process with respect to the H4 zone and the associated review of the H4 zones by the appointed consultant has proposed some minor modifications to the CBACP. It is expected that the proposed modifications, if adopted, would assist the interpretation and application of standards to make for a smoother transition from the current low density environment to the planned higher density neighbourhood.

**OFFICER RECOMMENDATION (3729)****APPROVAL**

At 8.23pm Cr Robartson moved, seconded Cr Aubrey –

1. **That the Council;**
  - a) **Endorses the report on the review of H4 areas of Kintail and Ogilvie quarters in the Canning Bridge Activity Centre; and**
  - b) **Requests that the Western Australian Planning Commission considers an amendment to the Canning Bridge Activity Centre Plan according to Clause 45 (1) and (3) of the *Planning and Development (Local Planning Schemes) Regulations 2005* as the City of Melville considers the amendments to be of a minor nature.**

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**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**

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2. That the Council requests the Western Australian Planning Commission to amend the Canning Bridge Activity Centre Plan by:
  - a) Amending the process flowchart in Figure 4 (Planning Approval Process) to reflect the mandatory requirement of a Design Advisory Group review both prior to (as a preliminary review) and after a formal application is made.
  - b) Amending the table heading on Page 19 of Part One of the Canning Bridge Activity Centre Plan from 'Height applied in metres' to 'Maximum height applied in metres' with each cell in the column amended to read 'Mixed Use or Residential Use up to a maximum of 'x' metres in height'.
  - c) Amending Element 1 by adding Requirement '1.1.3 H4 and H8 Zone – Multiple Dwelling, Grouped Dwelling, Aged or Dependant Person's Dwelling, Single Bedroom Dwelling, Residential Building, Recreation - Private, Recreation – Public, Home Occupation, Home Office'
  - d) Amending Element 1, requirement 1.2.3 to read 'H4 and H8 - Multiple Dwelling, Grouped Dwelling, Aged or Dependant Person's Dwelling, Single Bedroom Dwelling, Residential Building, Recreation - Private, Recreation – Public, Home Occupation, Home Office'
  - e) Amending the reference in the text of Element 3, Desired Outcome 3 and Requirement 3.4, to Element 20 and 21 to read Element 21 and Element 22.
  - f) Amending the text of Element 3, Desired Outcome 3 from; 'to ensure that the interface between Zones is appropriately managed', to "to ensure that the interface between zones is appropriately managed and the amenity of property both within and adjacent to the CBACP is adequately considered".
  - g) Amending the text of Element 5, Desired Outcome 5 from 'Developers should minimise overlooking and overshadowing of adjacent and adjoining properties' to "*Developers should consider the amenity of the precinct by minimising overlooking and overshadowing of adjacent and adjoining properties*"
  - h) Amending Element 18, Requirement 18.5 from ...*'The cash payment shall be in accordance with the relevant clause relating to cash-in-lieu in the City of Melville Local Planning Scheme No. 6 for those developments in the City of Melville, and in accordance with the relevant clause relating to cash-in-lieu in the City of South Perth Town Planning Scheme No. 6 for those developments in the City of South Perth..', to, 'cash payment shall be in accordance with the relevant clause relating to cash-in-lieu in the relevant operative local planning scheme in each City...'*
3. That the Council notes the opportunity to reconsider building height controls for properties in the Forbes Road west area between Kintail and Kishorn roads and agrees to commence such a review after an appropriate period of time (within two years). The review will consider the interface issues that are present at that time, with a view to considering if additional height is appropriate on the properties fronting Forbes Road and specifically to reconsider if a H6 or H8 classification is appropriate for this area.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**

**Amendment 1**

At 8.24pm Cr Schuster moved, seconded Cr Wieland–

*That the Council amends the Recommendation in Item P16/3729 by:*

1. *Deleting the words “five years” in brackets in Recommendation 3, and replacing those words with the words “within two years” in the same brackets; and,*
2. *after the words “present at that time,” in Recommendation 3 add the words “on all sides of these Forbes Road properties,”, and before the word “H8” add the words “H6 or”.*

At 8.44pm the Mayor submitted the Amendment 1, which was declared

**CARRIED (10/1)**

<b>Vote Result Summary</b>	
Yes	10
No	1

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

Reasons for Amendment 1

Cr Schuster provided the following reasons in support of Amendment 1 –

1. This issue has been on the agenda of the Canning Bridge Activity Centre process for several years and most, if not all the ten Forbes Road property owners involved, are in favour of the issue being considered so that they can get on with their lives and plans. It seems that 5 years to commence what will be a lengthy process in itself is too long for all the parties to this issue to wait for the Council and the Western Australian Planning Commission to decide what the outcome will be;
2. The time chosen (within) two years, is to allow the process to commence at a time that offers some flexibility to the CEO, but still gives these owners, and neighbouring owners, some reasonable time frame to settle the issue; and,
3. The additional words “on all sides of these Forbes Road properties,” simply are intended to make it clear to any interested party that all views will be countenanced when the review is underway.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**

At 8.58pm Mr Clark left the meeting and returned at 8.59pm.

At 8.59pm Cr O'Malley entered the meeting.

**Amendment 2**

At 8.53pm Cr Schuster moved, seconded Cr Wieland –

- 4** *That the Council requests the Chief Executive Officer to report back to Council on the feasibility of a suitable amendment or some other policy related solutions to achieve the following objective:*

*a) In the H4 areas single residential housing is not a preferred use, but where an existing single residential house occupies a lot of less than 800 m2 in area, and has on at least two boundaries single residential houses less than 20 years old, the Council can, if in its opinion there is no reasonable prospect of redevelopment to H4 standards being viable for at least 15 years, approve a single residential house be built (to replace the existing house), using the setback and building height controls in place for developments in areas zoned R 20 within the City of Melville's Community Planning Scheme. This approval power will be exercised by the Council of the City of Melville and if used will include a Condition on the approvals advising the proponent that the properties on the lot boundaries can all be developed to H4 standards.*

*b) the response is to be provided to the March 2017 Ordinary Meeting of the Council if possible.*

At 9.11pm the Mayor submitted the amendment, which was declared

**CARRIED (8/4)**

<b>Vote Result Summary</b>	
Yes	8
No	4

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

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**Reasons for Amendment 2

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

1. Advice has been received that a situation in Ullapool Road where a 1950's house on the front section of a battle axe lot is being refused discretion to redevelop because single residential houses, while not unable to be approved lawfully in the H4 area, are not a Preferred Use in the H4 area. The owner's father presented at the ABF on 29<sup>th</sup> November;
2. After hearing the story a quick drive around the H4 area of Canning Bridge revealed at least 5 or 6 houses dating from the 1950's (or small unit style housing from the 1980's that could eventually be implicated). Even if the owners eventually gained approval through an appeal, redevelopment is not viable because the Canning Bridge setback requirements apply (in the case brought to my attention a lot 14.2 m wide and 28 metres deep, requires 3.5 metre setbacks to the side and rear –if built, such a tall narrow building would hardly add to the amenity of the locale);
3. In this case the owner (a person moving cities who has owned the property since 2001) wishes to sell, but of course the potential price is severely depressed because the next owner will not logically be able to re develop the lot either. This particular lot has two boundaries (one a battle axe lot) and the adjoining houses are all only 15 to 20 years of age, and hence are nowhere near the end of their useful life, meaning this aged property on a small lot will very likely have to remain as is for at least 25 years;
4. This is clearly a legacy issue as no more single residential properties will be created under the H4 requirements, but we have now one (and potentially several other) landowners being severely disadvantaged because the properties adjoining their properties have all been redeveloped with large new houses. This is not their doing, and this Amendment is the only way to assist them in this transition phase of planning schemes such as at Canning Bridge; and,
5. At the ABF many questions explored the ways in which a single residential development could be approved on sites like this (with reasonable set back and development controls) –my reading of the responses is that discretion, if ever applied, would be very limited and the H4 setback provisions would apply in any event –one of the precepts of democracy is that everyone should be able to be heard; in this case I will do what I can to help this small group of owners, most of whom I think probably don't understand the constraint they are under.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**

**Amendment 3**

At 9.13pm Cr Schuster moved, seconded Cr Pazolli –

**That the Council amend the Officers Recommendation as follows:**

**Add a new Recommendation numbered 5 as follows:**

**“5 The Chief Executive Officer is requested to prepare an amendment to the definition of “Height” on page 42 of the CBACP that has the effect, in the H4 areas only, of restricting the height of a building to a maximum of 16 metres including any open roof structure as currently described in 1 (b) of the height definition, but which still allows the structures defined in 1 (a) of the definition [lift plant, water tower, or similar utility or services not exceeding 3 metres in height] to exceed the 16 metres total height limit”**

At 9.34pm the Mayor submitted the amendment, which was declared

**Lost (5/7)**

<b>Vote Result Summary</b>	
Yes	5
No	7

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

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)****COUNCIL RESOLUTION (3729)****APPROVAL**

1. That the Council;
  - a) Endorses the report on the review of H4 areas of Kintail and Ogilvie quarters in the Canning Bridge Activity Centre; and
  - b) Requests that the Western Australian Planning Commission considers an amendment to the Canning Bridge Activity Centre Plan according to Clause 45 (1) and (3) of the *Planning and Development (Local Planning Schemes) Regulations 2005* as the City of Melville considers the amendments to be of a minor nature.
  
2. That the Council requests the Western Australian Planning Commission to amend the Canning Bridge Activity Centre Plan by:
  - a) Amending the process flowchart in Figure 4 (Planning Approval Process) to reflect the mandatory requirement of a Design Advisory Group review both prior to (as a preliminary review) and after a formal application is made.
  - b) Amending the table heading on Page 19 of Part One of the Canning Bridge Activity Centre Plan from 'Height applied in metres' to 'Maximum height applied in metres' with each cell in the column amended to read 'Mixed Use or Residential Use up to a maximum of 'x' metres in height'.
  - c) Amending Element 1 by adding Requirement '1.1.3 H4 and H8 Zone – Multiple Dwelling, Grouped Dwelling, Aged or Dependant Person's Dwelling, Single Bedroom Dwelling, Residential Building, Recreation - Private, Recreation – Public, Home Occupation, Home Office'
  - d) Amending Element 1, requirement 1.2.3 to read 'H4 and H8 - Multiple Dwelling, Grouped Dwelling, Aged or Dependant Person's Dwelling, Single Bedroom Dwelling, Residential Building, Recreation - Private, Recreation – Public, Home Occupation, Home Office'
  - e) Amending the reference in the text of Element 3, Desired Outcome 3 and Requirement 3.4, to Element 20 and 21 to read Element 21 and Element 22.
  - f) Amending the text of Element 3, Desired Outcome 3 from; 'to ensure that the interface between Zones is appropriately managed', to "to ensure that the interface between zones is appropriately managed and the amenity of property both within and adjacent to the CBACP is adequately considered".
  - g) Amending the text of Element 5, Desired Outcome 5 from 'Developers should minimise overlooking and overshadowing of adjacent and adjoining properties' to "*Developers should consider the amenity of the precinct by minimising overlooking and overshadowing of adjacent and adjoining properties*"
  - h) Amending Element 18, Requirement 18.5 from ...*'The cash payment shall be in accordance with the relevant clause relating to cash-in-lieu in the City of Melville Local Planning Scheme No. 6 for those developments in the City of Melville, and in accordance with the relevant clause relating to cash-in-lieu in the City of South Perth Town Planning Scheme No. 6 for those developments in the City of South Perth..',to, 'cash payment shall be in accordance with the relevant clause relating to cash-in-lieu in the relevant operative local planning scheme in each City...'*

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**

3. That the Council notes the opportunity to reconsider building height controls for properties in the Forbes Road west area between Kintail and Kishorn roads and agrees to commence such a review after an appropriate period of time (*within two years*). The review will consider the interface issues that are present at that time *on all sides of these Forbes Road properties*, with a view to considering if additional height is appropriate on the properties fronting Forbes Road and specifically to reconsider if a H6 or H8 classification is appropriate for this area.

Amended by  
resolution of the  
Council 16 May  
2017 (P17/5547)  
Page 51

4. That the Council requests the Chief Executive Officer to report back to Council on the feasibility of a suitable amendment or some other policy related solutions to achieve the following objective:

- a) In the H4 areas single residential housing is not a preferred use, but where an existing single residential house occupies a lot of less than 800 m<sup>2</sup> in area, and has on at least two boundaries single residential houses less than 20 years old, the Council can, if in its opinion there is no reasonable prospect of redevelopment to H4 standards being viable for at least 15 years, approve a single residential house be built (to replace the existing house), using the setback and building height controls in place for developments in areas zoned R 20 within the City of Melville's Community Planning Scheme. This approval power will be exercised by the Council of the City of Melville and if used will include a Condition on the approvals advising the proponent that the properties on the lot boundaries can all be developed to H4 standards."
- b) Provide a response to the March 2017 Ordinary Meeting of the Council if possible.

**P16/3729 - REPORT ON REVIEW OF H4 AREAS OF KINTAIL AND OGILVIE QUARTERS  
IN THE CANNING BRIDGE ACTIVITY CENTRE (REC) (ATTACHMENT)**

At 9.37pm the Mayor submitted the motion, as amended, which was declared

**CARRIED (11/1)**

<b>Vote Result Summary</b>	
Yes	11
No	1

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

At 9.37pm Mr Spencer left the meeting

**P16/3732 - LOCAL PLANNING POLICY 4.4 MURDOCH HEALTH AND KNOWLEDGE  
PRECINCT (REC) (ATTACHMENT)**

Ward	: All
Category	: Policy
Application Number	: Not Applicable
Property	: Not Applicable
Proposal	: Local Planning Policy 4.4 Murdoch Health and Knowledge Precinct
Applicant	: Not Applicable
Owner	: Not Applicable
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P16/3691 Murdoch Mixed Use Precinct Activity Centre Structure Plan (March 2016)
Responsible Officer	: Peter Prendergast Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P16/3732 - LOCAL PLANNING POLICY 4.4 MURDOCH HEALTH AND KNOWLEDGE  
PRECINCT (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The Murdoch Mixed Use Precinct Activity Centre Plan (the Centre Plan) was approved by the Western Australian Planning Commission in September this year.
- The Centre Plan notes that design guidelines will be prepared for the Murdoch Mixed Use precinct, covering matters such as land use, building height, setbacks and the form of buildings.
- LPP4.4 is proposed to be the statutory 'design guidelines' for the precinct. It details the approval process, design requirements including land use, setbacks, podium height and maximum building height and will become the primary development control for the Murdoch Health and Knowledge Precinct.
- The provisions LPP4.4 will be further strengthened by a set of non-statutory design guidelines to be administered by the developer as well as a mandatory pre-lodgement design review process.
- The Murdoch Mixed Use precinct is now being described as the Murdoch Health and Knowledge Precinct and the proposed planning policy reflects this name change.
- It is proposed that Local Planning Policy 4.4 'Murdoch Health and Knowledge Precinct' (LPP4.4) be adopted in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).
- It is recommended that the Council endorse LPP4.4 for advertising as required by the Regulations.

**BACKGROUND**

The Murdoch Mixed Use Precinct Activity Centre Plan (the Centre Plan) was endorsed by Council in March 2016 and approved by the Western Australian Planning Commission in September this year. The Centre Plan recognises that detailed design guidelines are required to guide future development and ensure high quality design outcomes are achieved. The LPP4.4 will form the statutory 'design guidelines' for the precinct. The development of the Murdoch Health and Knowledge Precinct (formerly referred to as the Murdoch Mixed Use Precinct) is being led by Landcorp, the State Government's development agency.

**Scheme Provisions**

MRS Zoning	:	Urban
LPS Zoning	:	Urban Development
R-Code	:	Not Applicable

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**P16/3732 - LOCAL PLANNING POLICY 4.4 MURDOCH HEALTH AND KNOWLEDGE  
PRECINCT (REC) (ATTACHMENT)****DETAIL**

The development controls contained in proposed LPP4.4 'Murdoch Health and Knowledge Precinct' will guide the quality of development within the precinct. It will ensure the precinct is developed to the intensity required for land within close proximity to important transport, education and health facilities and with an appropriate built form.

[3732 City of Melville Local Planning Policy 4.4](#)

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

The *Planning and Development (Local Planning Schemes) Regulations 2015* came into effect on 19 October 2015. Under the provisions of the Regulations the City of Melville must advertise the proposed policy in the local newspaper for a minimum of 21 days.

In this case the City will also place a notice on its website.

**II. OTHER AGENCIES / CONSULTANTS**

It is not proposed to consult other agencies/consultants in relation to this Local Planning Policy.

**STATUTORY AND LEGAL IMPLICATIONS**

The City will follow the requirements of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

It is considered that there are no other statutory or legal implications in relation to this report.

**FINANCIAL IMPLICATIONS**

It is considered that there are no financial implications associated with this report.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

It is considered that there are no strategic, risk or environmental management implications associated with this report.

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**P16/3732 - LOCAL PLANNING POLICY 4.4 MURDOCH HEALTH AND KNOWLEDGE  
PRECINCT (REC) (ATTACHMENT)****POLICY IMPLICATIONS**

LPP4.4 will form the primary development control within the Murdoch Health and Knowledge Precinct (the Precinct), it will ensure that the area develops to an intensity that is appropriate for an area well serviced by public transport, regional road links and existing medical and educational facilities.

**COMMENT**

LPP4.4 provides detailed guidance with regard to the future built form of the precinct, and provides an overview of the project including development objectives, the design requirements, and site specific controls.

LPP4.4 sets out the approval process for development within the precinct. A Design Review Panel (DRP) specific to the Precinct will be set up and applicants will be required to participate in a mandatory pre-lodgement process to ensure the design is of a high quality before being submitted to the City for determination. The DRP will consist of representatives from Landcorp, the City of Melville, the Office of the Government Architect, the Project Architect and other members where required

In terms of built form, LPP4.4 envisages a tower and podium style of development, with active land uses on ground levels along the main pedestrian and vehicle routes. Podium levels will generally be required to provide a nil setback to the street, while towers above will be setback a minimum of five metres from the property boundary. The development controls ensure that vehicle access and car parking does not dominate the design by limiting crossovers to secondary or tertiary frontages and requiring car parking bays to be sleeved by active land uses or screened from view. A cap on total car parking bays for non-residential land uses is proposed in accordance with the Centre Plan provisions.

Pedestrians are given priority in the precinct with a requirement for a colonnade to be incorporated into the design at the ground floor level, providing an added level of protection from the elements.

LPP4.4 sets out a minimum level of intensity of development within the precinct by providing a minimum tower height of six storeys to be achieved by each site. This minimum level of intensity is required to take advantage of the precinct's strategic location, with good public and private transport links and in close proximity to existing educational and employment opportunities. It is noted that there is no maximum height set within LPP4.4 however development must have regard to the Jandakot Airport, Fiona Stanley Hospital Helipad and overshadowing of the adjoining public open space.

It is noted that the site specific requirements set out in LPP4.4 cover only seven lots in stage 1 of the precinct. Stage 2 is located on the land currently occupied by the Public Transport Association park and ride car park on the eastern (freeway) side of the precinct. The LPP4.4 will be updated to include site specific development controls for this area in due course.

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**P16/3732 - LOCAL PLANNING POLICY 4.4 MURDOCH HEALTH AND KNOWLEDGE  
PRECINCT (REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

No alternative options are outlined in this report. In the event the Council chooses not to endorse the proposed LPP4.4 for advertising, a void in development controls would exist, inhibiting future development.

**CONCLUSION**

It is recommended that Local Planning Policy 4.4 be endorsed by the Council for advertising. The proposed LPP4.4 is a detailed document, designed to ensure built form in the precinct is consistent with the vision for the area and appropriate for this location. The provisions of the policy will be augmented by the Landcorp administered design guidelines and Design Review Panel and is considered likely to result in high quality development in Stage 1 of this project.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3732)****APPROVAL****That the Council resolves:**

- 1. Pursuant to Clause 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, to adopt the proposed [Local Planning Policy 4.4 'Murdoch Health and Knowledge Precinct'](#) for the purposes of public consultation for a period of not less than 21 calendar days.**
- 2. That where no submissions in objection are received in response to the consultation undertaken, the final adoption of Local Planning Policy 4.4 'Murdoch Health and Knowledge Precinct' shall be authorised by the Chief Executive Officer.**

At 11.15pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (12/0)**

**P16/3733 - APPOINTMENT OF AUTHORISED OFFICERS UNDER PUBLIC HEALTH ACT 2016 (AMREC) (ATTACHMENT)**

Ward	: All
Category	: Operational
Subject Index	: Public Health
Customer Index	: Environmental Health Services
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Not applicable
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Graeme Blakey Coordinator Environmental Health

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P16/3733 - APPOINTMENT OF AUTHORISED OFFICERS UNDER PUBLIC HEALTH ACT  
2016 (AMREC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The new *Public Health Act 2016* is now law in Western Australia. The Act represents a comprehensive reform of public health legislation in WA and replaces the outdated *Health Act 1911*.
- Environmental Health Officers appointed under the Health Act will need to be appointed as authorised officers under the Public Health Act to enforce the provisions of the new Act.
- Council can delegate authority to appoint authorised officers to the Chief Executive Officers.

**BACKGROUND**

The *Public Health Act 2016* received Royal Assent on 25 July 2016. The *Health Act 1911* (the old Act) will be phased out over a period of three to five years through a staged process and replaced by the *Public Health Act 2016*. This report informs the Council of the commencement of the *Public Health Act 2016*, and request the Chief Executive Officer be provided with the appropriate delegation to designate Environmental Health Officers.

Under the provisions of the old Act, Environmental Health Officers employed by Local Governments were “approved” through the powers conferred to the Executive Director Public Health from the Department of Health WA. Under the provisions of Section 21 of the *Public Health Act 2016*, the Local Government, also referred to as an enforcement agency, has the power to delegate the duty conferred or imposed on it, to the Chief Executive Officer.

**DETAIL**

The new *Public Health Act 2016* provides modern legislation to regulate public health in Western Australia. The Act will repeal much of the outdated *Health Act 1911* and is designed to better protect and promote the health of all Western Australians.

The *Public Health Act 2016* provides a flexible and proactive framework for the regulation of public health. Key features of the Act include:

- Promoting public health and wellbeing in the community
- Help prevent disease, injury, disability and premature death
- Inform individuals and communities about public health risks
- Encourage individuals and their communities to plan for, create and maintain a healthy environment
- Support programs and campaigns intended to improve public health
- Collect information about the incidence and prevalence of diseases and other public health risks for research purposes
- Reduce the health inequalities in public health of disadvantaged communities.

**P16/3733 - APPOINTMENT OF AUTHORISED OFFICERS UNDER PUBLIC HEALTH ACT 2016 (AMREC) (ATTACHMENT)**

Local governments will enforce the *Public Health Act 2016*. Authorised officers (previously known as Environmental Health Officers) are responsible for investigating any public health matter within their local government boundaries.

Traditionally, under the provisions of the *Health Act 1911*, all Environmental Health Officers (EHOs) were “approved” by the Executive Director Public Health (EDPH) to perform specified functions of the Act. The EDPH was a specified role within the *Health Act 1911* and the person assigned to that role was an employee of the Department of Health WA.

Each time a Local Government appointed an EHO, it had to seek “approval” from the EDPH for that EHO to undertake the duties of the *Health Act 1911*. This application process can take several weeks with the EHO being ultimately issued with an authority card through the Department of Health.

The introduction of the *Public Health Act 2016* will see EHOs be referred to as Authorised Officers and as such are to be designated and authorised by the Local Government that employs them, and no longer relies on “approvals” from the Department of Health WA. The Local Government may delegate the function of authorising officers to the Chief Executive Officer.

This will streamline the appointment of Authorised Officers and enable newly employed officers who have the necessary qualifications to begin enforcing the provisions of the Public Health Act in a shorter time period

**STAKEHOLDER ENGAGEMENT**

Not Applicable

**STATUTORY AND LEGAL IMPLICATIONS**

Under Section 312 of the *Public Health Act 2016* Environmental Health Officers currently appointed by the City of Melville will be taken to have been designated as an Authorised Officer under section 24(1).

However, any new officer appointed will require to be authorised by the Local Government under section 24(1).

**FINANCIAL IMPLICATIONS**

None

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The Department of Health WA has recommended that local governments take steps to ensure relevant delegated authorities are in place, in order to minimise the impact on local governments. There is a risk that if the steps recommended by the Department of Health WA are not taken near the time the new Act comes into effect the City will not have all the authority it needs to enforce the legislation. This could mean that the responsible officers will not have the authority for investigating any public health matter within the City of Melville.

**P16/3733 - APPOINTMENT OF AUTHORISED OFFICERS UNDER PUBLIC HEALTH ACT  
2016 (AMREC) (ATTACHMENT)****POLICY IMPLICATIONS**

Not Applicable

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

That the Council does not delegate authority to the Chief Executive Officer but appoints Authorised Officers through Council resolution. This is likely to still be a shorter process than currently exists under the existing Health Act, but will still lead to delays in newly employed Environmental Health Officers from beginning enforcement duties.

**CONCLUSION**

Under the Public Health Act the administrative process for issuing approvals for Authorised Officers can be taken with minimum delay and officers can be given authority to perform their functions almost immediately after they are employed through the delegation of that duty to the Chief Executive Officer.

Section 30 of the *Public Health Act 2016* specifies that an Authorised Officer must be issued a certificate of authority card by the Local Government. It is envisaged that this certificate of authority card would be signed or approved by the delegate of the Council who it is recommended, would be the Chief Executive Officer.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3733)  
ABSOLUTE MAJORITY**

At 9.37pm Cr Robartson moved, seconded Cr Aubrey –

**That the Council delegates to the Chief Executive Officer by absolute majority decision the authority to designate Authorised Officers in accordance with section 21 (1) (b) (i) of the *Public Health Act 2016* and the amended delegation Appointment of Authorised Persons [DA – 055 Appointment of Authorised Persons](#)**

At 9.37pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (12/0)**

**CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)**

Ward	:	Applecross/Mt Pleasant
Category	:	Strategic
Subject Index	:	Shirley Strickland
Customer Index	:	City of Melville
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Motion 16.2 - 21 April 2015 - Ordinary Meeting of the Council
Works Programme	:	Not Applicable
Funding	:	\$6,264,000
Responsible Officer	:	Todd Cahoon Manager Healthy Melville

**AUTHORITY / DISCRETION**

**DEFINITION**

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

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**CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The City's sporting reserves are nearing capacity with some reserves being heavily overused.
- A key strategy for the City to accommodate future demand on sporting reserves is to review the type of sports and field placement on individual reserves to optimise usage, whilst also accommodating non sporting use.
- The change room facilities at Shirley Strickland Reserve are at end of their useful life and require replacing.
- A Council motion in April 2015 requested the Chief Executive Officer to commence the planning process for the redevelopment of facilities at the reserve.
- The City engaged A Balanced View Leisure Consultancy Services to investigate future uses and develop a concept plan for the reserve.
- This report seeks Council approval of the Concept Plan and the funding (to be included in the Long Term Financial Plan) for the implementation of the plan as detailed in the report.

**BACKGROUND**

In 2011, the City developed the Strategic Provisions of Active Reserves Report (SPARS). The report highlighted the potential demand and resulting shortfall of sports playing fields to 2031.

A number of long term strategies were developed in response to the key findings of the SPARS report. These are:

- Review sports currently played at each reserve, with the intent of optimising utilisation and capacity.
- Improve infrastructure on sports reserves that support participation, such as flood lighting and change room facilities.
- Investigate alternative sports field surfaces to improve participation capacity and reduce water usage.
- Develop existing passive open space into sports reserves when and if required.

A key objective to be considered in the delivery of the strategies is balancing access and amenity for the non sport related use of the reserves while addressing the future growth of sports.

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**CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)**

At the April 2015 Ordinary Meeting of the Council, the following motion was approved:

***That the Council:***

- 1. Request the Chief Executive Officer to commence the planning process for the redevelopment of the existing facilities, and the possible addition of new facilities at Shirley Strickland Reserve.***
- 2. Further request the Chief Executive Officer to engage with current and potential new user groups regarding their future needs to inform the appropriate mix of activities that could be accommodated at the reserve.***
- 3. Notes that the current registered user groups with a membership of the Applecross –Mount Pleasant Sporting Association are the Fremantle Rebels Softball Club; the Applecross Cricket Club; and the Melville City Touch Football Association (acting under the membership of the Mount Pleasant Rugby Club). Current additional users and proposed future users might include the Ardross Junior Cricket Club; the Applecross Junior Football Club; the Southern Districts Gaelic Football Club and the Mount Pleasant Bowls Club. There is also a great deal of personal use of the Reserve for dog walking, running and organised fitness programs that should also be considered in this process;***
- 4. Request the Chief Executive Officer to consider including an allowance in the 2015 - 2016 budget to fund this activity; and,***
- 5. Request the Chief Executive Officer to report to the Elected Members at a Briefing Session on the outcomes of these initial discussions and how a potential redevelopment and expansion of users could be arranged and funded prior to a formal report to the Council for approval to initiate a formal process.***

Following this directive from the Council, the City of Melville engaged A Balanced View (ABV) Leisure Consultancy Services to conduct the 'development of the Shirley Strickland Reserve (SSR) Concept Plan on its behalf. The aim of this study was to identify the current and future facility needs of the community and SSR user groups identify opportunities that improve sustainability and enhance the reserve as a community and sporting hub.

## **DETAIL**

The attached report from ABV Consultancy Service (ABV) provides an in-depth analysis of the local community and sporting clubs current and potential future needs for recreation at Shirley Strickland Reserve.

[8093 Shirley Strickland Reserve Concept Plan Report](#)

[8093 Appendix 1 User Group Consultation Notes](#)

[8093 Appendix 2 Concept Plans](#)

[8093 Appendix 3 SSR Sketch Feedback](#)

[8093 Appendix 4 Construction Cost Estimate](#)

[8093 Appendix 5 Life Cycle Costs](#)

**CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)**

Through completing a review of relevant documentation, a demographics analysis, a review of relevant industry trends and participation, a facility review and extensive stakeholder consultation, ABV highlighted the following key findings:

*Shirley Strickland Reserve is a much loved community facility with many people valuing the green open spaces and the trees and vegetation coursing around and through the reserve. With a senior size football/cricket/softball oval and two rectangular fields, it is also significant piece of the City's sporting infrastructure and home to diverse range of organised sports including Softball, Cricket, Australian Rules Football, Touch Football and Gaelic Football.*

*Shirley Strickland Reserve (SSR) is located in the suburb of Ardross, towards the north east of the City of Melville. The population in the suburbs surrounding SSR is forecast to grow by more than 40% over the next 20 years and thus the formal and informal sport and recreation demands placed upon this reserve can be expected to grow considerably. This highlights the need for a master plan for SSR to ensure the reserve is developed effectively, equitably and sustainably to ensure it remains a valued recreation venue for the whole community.*

*A number of issues affect SSR's ability to adequately cater for user groups and informal users alike have been identified. Issues include inadequate club facilities (change rooms, storage, toilets), a lack of family friendly passive recreation features and poor accessibility including no disabled toilets and limited pathway connectivity.*

*The greatest strength of SSR has been identified as its overall ambience as a large green space that is open to all types of users (including casual, sports and dog owners), qualities that the local community values very highly. The community has largely expressed the view of wanting to avoid over development and to protect and improve the vegetation and large trees found around the reserve as a natural setting in light of increasing dwelling density.*

In respect to the investigations for the possible relocation of Mount Pleasant Bowling Club (MPBC) to SSR, the key finding was highlighted in the report:

*The MPBC relocation feasibility investigation found that it was possible for a bowls facility to be accommodated at SSR and utilise a new shared use facility, however, there would be challenges in ensuring minimal impact to the amenity of the reserve. There was also considerable local resident opposition to the move expressed within community surveys and at the SSR drop in session.*

During the course of the SSR Concept Plan project, the City of Melville Bowls Strategy was completed, which identified Tompkins Park as the site for any future development in the north of the City for Lawn Bowls. Subsequently, the Melville Bowling Club and the Mount Pleasant Bowling Club have agreed to merge and relocate to a new facility at Tompkins Park.

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**CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)****Concept Plan**

A concept site plan and a pavilion concept plan have been prepared by Avoca Design in collaboration with ABV Leisure Consultancy Services and can be seen attached as Appendix 2 of the Concept Plan Report.

The design principles for these concept plans include:

- Retain and enhance the unique natural setting (mature trees and contiguous area);
- Enhance connectivity within and around the reserve (pathway development, positioning of pavilions / storage to playing fields);
- Provide contemporary fit for purpose built facilities;
- Design buildings for shared use;
- Design buildings for flexibility and adaptability for future use;
- Build with Environmental Sustainable Design principles;
- Optimise land utilisation; and
- Provide adequate parking opportunities for users.

Key elements of the SSR concept plans include:

- New pavilion to replace the existing, including social facilities, change rooms, public toilets, storage and spectator viewing areas;
- Sports field lighting upgrade to meet Australian Standards for training;
- New picnic and playground facilities;
- A fitness path looping around the reserve;
- A slight expansion of the lower rectangular field in order to accommodate a new cricket wicket with 50m radius;
- Outdoor fitness equipment;
- Protection and improvements to the vegetation; and
- Parking upgrades on the perimeter of the reserve.

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

A detailed and extensive community engagement process was undertaken as part of the project, which is outlined in the Concept Plan report. The initial engagement process was independently audited against the International Association of Public Participation engagement framework to ascertain how the City was meeting international engagement standards. The audit was very positive with the City meeting most of the standards.

**CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)**

In summary, the engagement process enabled the community, including residents and sporting clubs and user of the reserve, to provide initial suggestions and information on usage that was used in the development of a concept sketch. The concept sketch was then released to the community for feedback and comments to enable further refinement of the plan if required.

The Sporting Clubs / Community Groups included in the engagement process were:

- Applecross Mount Pleasant Sportsman's Association
- Applecross Junior Football Club
- Applecross Cricket Club
- Ardross Junior Cricket Club
- Fremantle Rebels Softball Club
- Melville City Touch Association
- Southern Districts Gaelic Football Club
- St Benedict's Primary School

A Resident Group named 'Strickland Oval Action Group' was formed and City officers met with the group at key stages during the concept planning process.

**II. OTHER AGENCIES / CONSULTANTS**

- Department of Sport and Recreation WA
- Nature Play WA
- Softball WA
- WA Football Commission
- Touch WA
- Bowls WA
- WA Cricket Association
- NRL (Rugby League) WA

**STATUTORY AND LEGAL IMPLICATIONS**

Nil.

**FINANCIAL IMPLICATIONS****Construction Cost Estimates**

Construction cost estimates for the proposed developments contained within the Shirley Strickland Concept Plan have been prepared by Neil Butler Quantity Surveying Services and totals \$6,638,154 ex GST inclusive of a \$250,000 budget for an adventure/nature playground or \$7,143,154 ex GST inclusive of a \$750,000 budget for an adventure/nature playground. The full Construction Cost Estimate Report can be seen attached as Appendix 4 to the Concept Plan report.

**CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)**

The main cost item is the new pavilion with a total construction cost estimate of \$4.9 million. The other major cost items are the adventure/nature playground (\$250,000 – \$750,000), the fitness path (\$586,000) and the sports field lighting (\$548,000).

Given the significant cost estimates of the new pavilion a further cost estimate was sourced from two modular building construction companies. Both quotes highlighted a potential construction cost \$900,000 lower than the Quantity Surveyor's estimate (including contingencies and fees). This highlights a potential saving to the project if high quality modular construction was used for the new pavilion.

There is also a cost provision of \$244,490 for solar lighting of the fitness path. This is not seen as a priority and has been removed from the proposed funding requirement.

As a result of these investigations, it has been concluded the total construction cost is estimated to be between \$5,500,000 and \$6,400,000.

The draft long term financial plan has an allocation of \$5,000,000 towards the development of facilities at Shirley Strickland Reserve with a \$3,000,000 off set from future land development income.

The 2016-2017 budget has \$100,000 allocated towards progressing the concept plan to detailed design.

It is proposed that in order to provide for the future construction costs of the project, the following funding requirements be identified in the City's Long Term Financial Plan in the 2018-2019 financial year for eventual submission to the Council for funding in the 2018-2019 Annual Budget.

Total Shirley Strickland Reserve Redevelopment Project Costs \$6,264,000 funded by transfers from the following specific purpose Reserve Accounts:

Community Facilities Reserve	\$5,346,000
Public Open Space Reserve	<u>\$ 918,000</u>
Total	<u>\$6,264,000</u>

The City will apply for up to \$2,000,000 from the Department of Sport and Recreation Community Sport and Recreation Facilities Fund in September 2017.

**Note:** Any money attained through external grants would reduce the funds required allowing for an equal reduction in the amounts to be transferred from the relevant specific purpose Reserve Account.

**Life Cycle Costs**

The life cycle costs for the proposed developments have been prepared by Neil Butler Quantity Surveying Services. The total annual life cycle cost for the listed developments is \$241,617 p.a. excluding GST. However this would be reduced by around \$34,000 p.a. by removing the solar lighting around the fitness path and if the \$900,000 saving is achieved in the building of the pavilion. The full Life Cycle Cost Report can be seen attached as Appendix 5 to the Concept report.

**CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)**

It should be noted that the lifecycle cost of the project does not result in an equal increase in renewal costs as elements of the project are renewal of existing infrastructure.

Due to the increase in change room provision, there would be an increase in lifecycle cost to what is existing of approximately \$70,000 per annum. The fitness path (excluding the solar lighting) and other non renewal elements would add an additional \$30,000 per annum to asset renewal. The total asset renewal estimate of \$100,000 would need to be considered in future asset management and the City's Long Term Financial Plans.

There will be some increase in the Operating Expenditure as a result of the implementation of the project, which has been included in the lifecycle estimate.

**Potential External Funding Options****Community Sport and Recreation Facilities Fund (CSRFF)**

The CSRFF program aims to increase participation in sport and recreation, with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities. The types of projects which will be considered for funding include:

- Upgrades and additions to existing facilities where they will lead to an increase in physical activity or more rational use of facilities;
- Construction of new facilities to meet sport and active recreation needs;
- Floodlighting projects; and
- New or replacement synthetic surfaces.

Grants are typically for one third of the project cost, with the maximum grant available being \$2,000,000.

The SSR Concept Plan would appear to meet most of these criteria across many of the proposed facility developments, and it is the intention of the City for Officers to make an application in September 2017 funding round.

The CSRFF was previously \$20 million however, due to State budget cut backs; it has been reduced to \$7 million for the 2016-2017 funding round.

It has recently been announced that funding will be increased to \$12 million for the 2017-2018 round however \$500,000 is quarantined for communities with high indigenous populations. It is assumed that this level of funding will remain for several years ahead however; there is no assurance that it will be so.

The implication for this concept plan is that it will be significantly more competitive to be awarded a CSRFF grant of a significant sum for an eligible project than in years past due to the decrease in funding.

CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
As a result of continued and further overuse of the City active reserves damage and more regular closure of sports fields occurs.	Moderate consequences which are likely, resulting in a <b>High</b> level of risk.	Continue to implement concept plans of active reserves to optimise field use and spread wear and tear.
Risk of increased ongoing maintenance expenses due to continued and increased overuse.	Minor consequences which are almost certain, resulting in a <b>High</b> level of risk.	Continue to implement concept plans of active reserves to optimise field use and spread wear and tear.
Clubroom and on field facilities are aging and requiring increased maintenance costs and impacting on the ability to cater for changing demographics, e.g. women's teams.	Moderate consequences which are likely, resulting in a <b>High</b> level of risk.	Design and construct new club and change room facilities inline with the proposed SSR Concept Plan.
Poor management of the new facilities results in degradation of the asset and increased costs to the City and users.	Moderate consequences which are possible, resulting in a <b>Medium</b> level of risk.	Investigate and implement a suitable management model.  In conjunction with Clubs develop a detailed management plan for the asset renewal and facilities operations.

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**CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)****POLICY IMPLICATIONS**

Reference is given to several Council Policies that guide decision making by the Council with consideration to this report and include the following:

Policy CP-028 Physical Activity highlights the increase of opportunities for physical activity; leading to the improved health and wellbeing of the community.

CP-037 Neighbourhood Development – Community Hub Policy highlights that gaining the greatest community benefit can be achieved through the provision of facilities consolidated into community hubs.

CP-031 Asset Management Policy highlights that assets must be reviewed on a regular basis to ensure they remain relevant, have a demonstrated community need and are achieving optimal levels of service in a cost effective manner over the asset lifecycle.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

There are two alternative options:

1. To not upgrade the facilities at Shirley Strickland Reserve, however, as detailed in the attached report the current facilities are aging, are at end of life and not fit for purpose. Delaying the upgrade of facilities further would result in increased maintenance costs and the continued provision of facilities that do not meet the needs of the Community. This option would also be at odds with the Council policies listed above.
2. The option to replace the existing change rooms and only refurbish the existing club rooms was investigated. Section 13.1.1 of the attached report contains an analysis of this option and details the overall benefit and subsequent reason for proposing a complete rebuild.

**CONCLUSION**

Shirley Strickland Reserve is well utilised and loved by the local community and sporting clubs, however the facilities have been identified as inadequate and in need of renewal. There is an opportunity to improve the accessibility of the reserve for passive recreation including access to universal access toilets and pathway connectivity through the reserve.

Extensive consultation was completed that has resulted in a well thought through Concept Plan addressing the current and future needs of the community.

By making provision for the funds in the City's Long Term Financial Plan as proposed, the community now and for future generations will benefit from versatile fit for purpose infrastructure that will encourage a healthy active community.

At 9.51pm Cr Pazolli left the meeting and returned at 9.53pm.

**CD16/8093 - SHIRLEY STRICKLAND RESERVE CONCEPT PLAN (REC) (ATTACHMENT)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8093) APPROVAL**

At 9.38pm Cr Schuster moved, seconded Cr Macphail –

**That the Council;**

1. **Notes and supports the recommendations contained in the Shirley Strickland Reserve Concept Plan Report (Attachment) 8093 Shirley Strickland Reserve Concept Plan Report**
2. **Approves the Shirley Strickland Reserve Concept Plan (Attachment 8093 Appendix 2 Concept Plans as the guiding document for all future development at Shirley Strickland Reserve.**
3. **Supports, in principle, the allocation of \$6,264,000 in the City's Long Term Financial Plan in the 2018-2019 financial year for the redevelopment of Shirley Strickland Reserve with this amount being funded by transfers from the Community Facilities Reserve Account of \$5,346,000 and the Public Open Space Reserve Account of \$918,000.**

At 10.04pm the Mayor submitted the motion, which was declared

**CARRIED (11/1)**

<b>Vote Result Summary</b>	
Yes	11
No	1

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

At 10.05pm Mr Cahoon left the meeting

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

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report details the documents to which the City of Melville Common Seal has been applied for the period from 21 October 2016 up to and including 17 November 2016 for the Council's noting.

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

**BACKGROUND**

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

**DETAIL**

<b>Register Reference</b>	<b>Parties</b>	<b>Description</b>	<b>ECM Reference</b>
1196	The City of Melville and Bull Creek Leeming Sporting Bodies Association.	Management Licence for a term of five years commencing 1 October 2016 and expiring 30 September 2021	3821964
1289	The City of Melville	City of Melville Parking Local Law 2016	4040267
1256	The City of Melville and Rusty Dolphin P/L Walters Café	Variation to the lease for a term of 5 years from 1 June 2011 with two (2) further terms of five years and a Deed of Assignment dated by Minister for Lands 26 February 2014.  The Lessee has agreed to execute this Deed and be bound by the covenants contained herein.  The parties have agreed to vary the Lease.	3950957

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**M16/5000 – COMMON SEAL REGISTER (REC)****STATUTORY AND LEGAL IMPLICATIONS**

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

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

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

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

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

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

There are no policy implications in this report.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

This is a standard report for Elected Members' information.

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

**That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 21 October 2016 up to and including 17 November 2016.**

At 11.15pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (12/0)**

**C16/6107 - DELEGATED AUTHORITY TO DETERMINE THE CRITERIA AND ACCEPT APPLICATIONS TO JOIN PRE-QUALIFIED SUPPLIER PANELS (AMEC) (ATTACHMENT)**

Ward	: All
Category	: Policy
Subject Index	: Delegated Authority
Customer Index	: City of Melville
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Item M16/5477 – Review of City of Melville Delegated Authority Manual – Ordinary Meeting of Council 17 May 2016
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Anthony Jarvis Strategic Procurement, Contracts and Risk Program Manager

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**C16/6107 - DELEGATED AUTHORITY TO DETERMINE THE CRITERIA AND ACCEPT APPLICATIONS TO JOIN PRE-QUALIFIED SUPPLIER PANELS (AMREC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- Amendments to the *Local Government (Functions and General) Regulations 1996* include a new Division 3, which sets out the requirements surrounding the establishment of pre-qualified supplier panels.
- This report and recommendation proposes the adoption of two further delegations of authority that permit the Chief Executive Officer or his sub-delegate to determine the criteria for acceptance of pre-qualified suppliers and to reject or accept applications to join a panel of pre-qualified suppliers.

**BACKGROUND**

Recent amendments to the *Local Government (Functions and General) Regulations 1996* were published in the Government Gazette on 18 September 2015, with effect from 1 October 2015, to include the establishment of pre-qualified supplier panels through the new Division 3.

Under this division, a local government may establish and manage panels of pre-qualified suppliers through the creation of a written policy permitting the local government to do so. Panels of pre-qualified suppliers have been included in Council Policy CP-023 and Council Delegation DA-116, both of which were adopted at the Council meeting held on 17 May 2016.

Further requirements of this division require the local government, prior to advertising its request for applications to join a panel of pre-qualified suppliers, to determine in writing the criteria for deciding which applications it will accept. The local government must then assess against this predetermined criteria to decide which applications will be accepted to join the panel.

Two further delegations are therefore requested to permit the Chief Executive Officer to utilise these provisions.

[DA 118 Rejecting and Accepting Pre-qualified Suppliers](#)

[DA 119 Determination of Criteria for Acceptance of Pre-qualified Suppliers](#)

**DETAIL**

Regulation 24AD (3) states:

*“The Local government must, before applications to join a panel of pre-qualified suppliers for particular goods or services are publicly invited, determine in writing the criteria for deciding which applications should be accepted.”*

It is proposed that the exercise of this provision is delegated to the Chief Executive Officer, with the power to sub-delegate to all Directors in respect to request for applications for pre-qualified suppliers emanating from their Directorate.

Regulation 24AH (3) states that applications:

*“...are to be assessed by the local government...to decide which of them (if any) it thinks would be the most advantageous to the local government to accept.”*

**C16/6107 - DELEGATED AUTHORITY TO DETERMINE THE CRITERIA AND ACCEPT APPLICATIONS TO JOIN PRE-QUALIFIED SUPPLIER PANELS (AMREC) (ATTACHMENT)**

Regulation 24AH (5) states:

*“The local government may decline to accept any application.”*

It is proposed the Council delegates its power to accept pre-qualified suppliers up to the value of \$525,000 (excluding GST) per panel per annum, following the receipt and consideration of a recommendation from the Contracts and Tenders Advisory Unit (CTAU), to the Chief Executive Officer.

Further, it is recommended that the authority to decline to accept any application and to accept the withdrawal of an application once awarded be delegated to the Chief Executive Officer.

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

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

**II. OTHER AGENCIES / CONSULTANTS**

No other agencies or consultants will be involved.

**STATUTORY AND LEGAL IMPLICATIONS**

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

- Delegations (to Committees and the Chief Executive Officer) must be made by an absolute majority decision [s.5.16 (1) and s.5.42 (1)].
- Delegations (whether to Committees or the Chief Executive Officer) must be in writing, and may be general or as otherwise provided in the instrument of delegation [s.5.16(2), s.5.42(2) and s.5.44(2)].
- All Delegations will have effect for the period of time specified in the delegation, or if not specified, indefinitely. Any decision to amend or revoke a delegation must be by absolute majority [s.5.16 (3)].

**FINANCIAL IMPLICATIONS**

Should the Council choose not to delegate authority to its officers, additional financial cost will be incurred in the extra administrative resources applied to prepare reports seeking authorisation from the Council to request applications and subsequently accept and reject applications to join panels of pre-qualified suppliers.

**C16/6107 - DELEGATED AUTHORITY TO DETERMINE THE CRITERIA AND ACCEPT APPLICATIONS TO JOIN PRE-QUALIFIED SUPPLIER PANELS (AMREC) (ATTACHMENT)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
An officer does not have clear direction in how to exercise discretion in making a delegated decision, which could lead to disparate decisions and uncertainty.	Moderate consequences which are unlikely resulting in a <b>Medium</b> level of risk.	Purchasing Policy and Procedure in place to moderate the procurement process. Clear Council policies are established to guide delegated officers in the exercise of the delegation.
Length of internal processes results in inefficient operations of the City, missed opportunities and / or customer dissatisfaction.	Moderate consequences which are likely, resulting in a <b>High</b> level of risk.	Implement delegations to increase efficiencies.

**POLICY IMPLICATIONS**

These delegations would be exercised in accordance with Council Policy CP-023 - Procurement of Products or Services.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

All delegations are subject to the discretion of the Council and can be removed at any time. The Council may choose to refuse the delegations which in turn will then require formal consideration of each request to invite and accept pre-qualified supplier applications at the next available meeting of the Council.

Should the delegations to officers not be granted, the City's customers may experience increased delays.

**CONCLUSION**

The proposed delegations will streamline the process of appointing panels of pre-qualified suppliers. As a matter of procedure, decisions made under these delegations are referred on to Elected Members for their information. In addition, where circumstances may make a decision contentious it may be referred onto the Council for formal decision despite the enabling delegation.

**C16/6107 - DELEGATED AUTHORITY TO DETERMINE THE CRITERIA AND ACCEPT APPLICATIONS TO JOIN PRE-QUALIFIED SUPPLIER PANELS (AMREC) (ATTACHMENT)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6107)  
ABSOLUTE MAJORITY APPROVAL**

At 10.05pm Cr Robartson moved, seconded Cr Foxton–

**That the Council by Absolute Majority decision adopts the following delegations:**

- 1. Rejecting and Accepting Pre-qualified Suppliers [DA 118 Rejecting And Accepting Pre-Qualified Suppliers](#)**
- 2. Determination of Criteria for Acceptance of Pre-qualified Suppliers [DA 119 Determination Of Criteria For Acceptance Of Pre- Qualified Suppliers](#)**

At 10.06pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (12/0)**

**C16/6000 - INVESTMENT STATEMENTS AS AT 31 OCTOBER 2016 (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

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

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

**BACKGROUND**

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

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

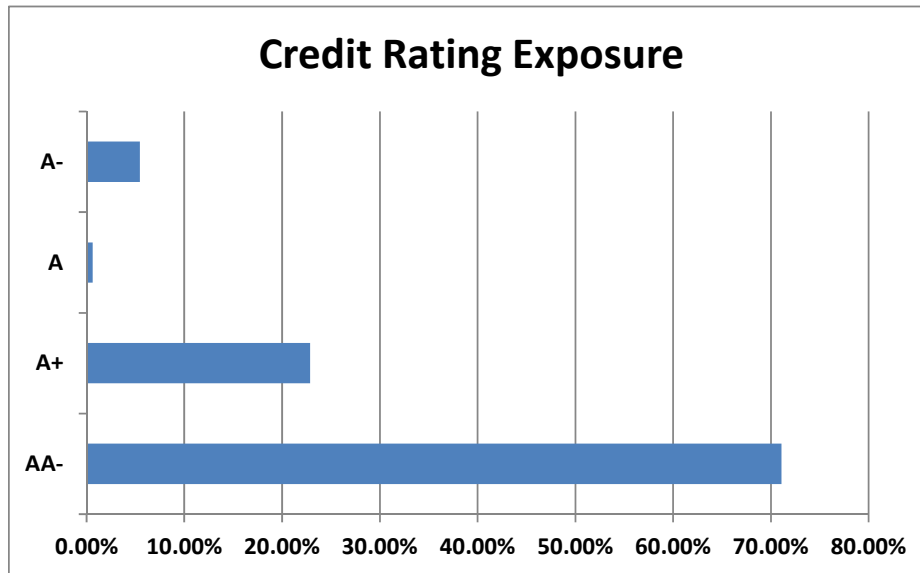
**DETAIL**

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

<b>CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 October 2016</b>	
<b>SUMMARY BY FUND</b>	
	<b>AMOUNT</b> \$
MUNICIPAL	\$ 53,296,980
RESERVE	\$ 111,340,365
TRUST	\$ 673,646
CITIZEN RELIEF	\$ 206,154
	<b>\$ 165,517,145</b>
<b>SUMMARY BY INVESTMENT TYPE</b>	
	<b>AMOUNT</b> \$
11AM	\$ 6,978,044
31DAYS AT CALL	\$ 1,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 5,000,000
TERM DEPOSIT	\$ 148,308,456
FRTD	\$ 2,000,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 165,517,145</b>
<b>SUMMARY BY CREDIT RATING</b>	
	<b>AMOUNT</b> \$
AA-	\$ 117,486,500
A+	\$ 37,800,000
A	\$ 1,000,000
A-	\$ 9,000,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 165,517,145</b>

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

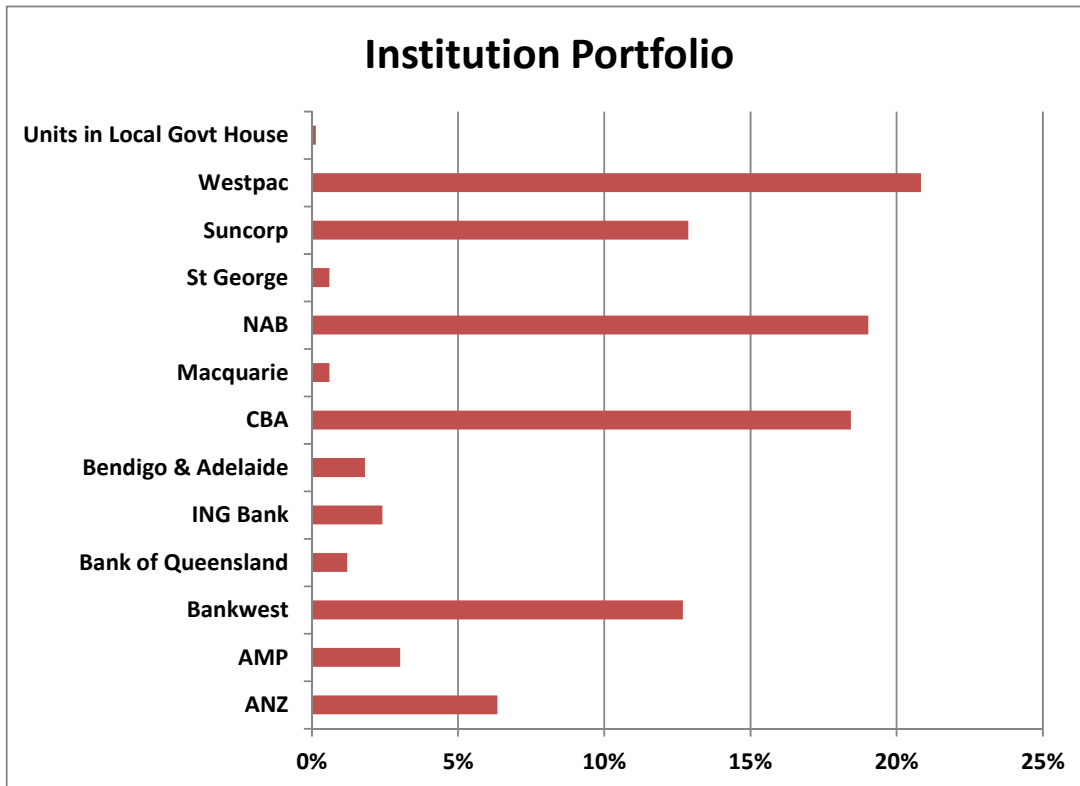
STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 October 2016					
INSTITUTION / INVESTMENT	INVESTMENT TYPE	Interest Rate %	S & P RATING	AMOUNT \$	MATURITY DATE
WESTPAC (MAXI DIRECT)	11AM	1.70%	AA-	\$3,600,000	On call
WESTPAC (MAXI BONUS 1)	11AM	1.95%	AA-	\$2,345,959	On call
WESTPAC (MAXI BONUS 2)	11AM	1.95%	AA-	\$1,032,085	On call
				<b>\$6,978,044</b>	
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	2.15%	AA-	\$1,000,000	On call
				<b>\$1,000,000</b>	
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	2.95%	AA-	\$2,000,000	On call
				<b>\$2,000,000</b>	
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	3.05%	AA-	\$5,000,000	On call
				<b>\$5,000,000</b>	
BANK OF QUEENSLAND (TERM)	TERM	Various	A-	\$2,000,000	Various
BANKWEST (TERM)	TERM	Various	AA-	\$21,000,000	Various
BENDIGO AND ADELAIDE BANK (TERM)	TERM	Various	A-	\$3,000,000	Various
COMMONWEALTH BANK (TERM)	TERM	Various	AA-	\$30,500,000	Various
AMP BANK (TERM)	TERM	Various	A+	\$5,000,000	Various
ANZ BANK (TERM)	TERM	Various	AA-	\$10,500,000	Various
ING BANK (TERM)	TERM	Various	A-	\$2,000,000	Various
MACQUARIE BANK (TERM)	TERM	Various	A	\$1,000,000	Various
NAB (TERM)	TERM	Various	AA-	\$31,503,726	Various
ST GEORGE BANK (TERM)	TERM	Various	AA-	\$1,000,000	Various
SUNCORP METWAY LTD (TERM)	TERM	Various	A+	\$21,300,000	Various
WESTPAC (TERM)	TERM	Various	AA-	\$19,504,730	Various
				<b>\$148,308,456</b>	
ING BANK (FRTD)	FRTD	3.27%	A-	\$2,000,000	7-Mar-17
				<b>\$2,000,000</b>	
UNITS IN LOCAL GOVT HOUSE	NA	NA	NA	\$230,645	NA
<b>TOTAL FUNDS INVESTED</b>				<b>\$165,517,145</b>	
CREDIT RISK COMPARISON					
CREDIT RISK	AMOUNT \$	ACTUAL PROPORTION	MAX. % AMOUNT IN TOTAL PORTFOLIO	Comments	
AA-	\$128,986,500	78%	80%		
A+	\$26,300,000	16%	50%		
A	\$1,000,000	1%	50%		
A-	\$9,000,000	5%	50%		
UNITS IN LOCAL GOVT: HOUSE	\$230,645	0%	0.1%		<b>Council Decision</b>
<b>TOTAL</b>	<b>165,517,145</b>	<b>100%</b>			

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


<b>DIVERSIFICATION RISK</b>						
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT \$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION
ANZ BANK (TERM)	TERM	AA-	10,500,000	6.34%	6.34%	25%
AMP BANK (TERM)	TERM	A+	5,000,000	3.02%	3.02%	20%
BANKWEST (TERM)	TERM	AA-	21,000,000	12.69%	12.69%	25%
BANK OF QUEENSLAND (TERM)	TERM	A-	2,000,000	1.21%	1.21%	20%
BENDIGO AND ADELAIDE BANK (TERM)	TERM	A-	3,000,000	1.81%	1.81%	20%
COMMONWEALTH BANK (TERM)	TERM	AA-	30,500,000	18.43%	18.43%	25%
ING BANK (TERM)	TERM	A-	2,000,000	1.21%		
ING BANK (FRD)	FRD	A-	2,000,000	1.21%	2.42%	20%
MACQUARIE BANK (TERM)	TERM	A	1,000,000	0.60%	0.60%	20%
NAB (TERM)	TERM	AA-	31,503,726	19.03%	19.03%	25%
ST GEORGE BANK (TERM)	TERM	AA-	1,000,000	0.60%	0.60%	25%
SUNCORP METWAY LTD (TERM)	TERM	A+	21,300,000	12.87%	12.87%	20%
WESTPAC (MAXI BONUS 1)	11AM	AA-	2,345,959	1.42%		
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,032,085	0.62%		
WESTPAC (MAXI DIRECT)	11AM	AA-	3,600,000	2.18%		
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	1,000,000	0.60%		
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000	1.21%		
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	5,000,000	3.02%		
WESTPAC (TERM)	TERM	AA-	19,504,730	11.78%	20.83%	25%
UNITS IN LOCAL GOVT HOUSE	NA	NA	230,645	0.14%	0.14%	
			<b>165,517,145</b>	<b>100%</b>	<b>100%</b>	

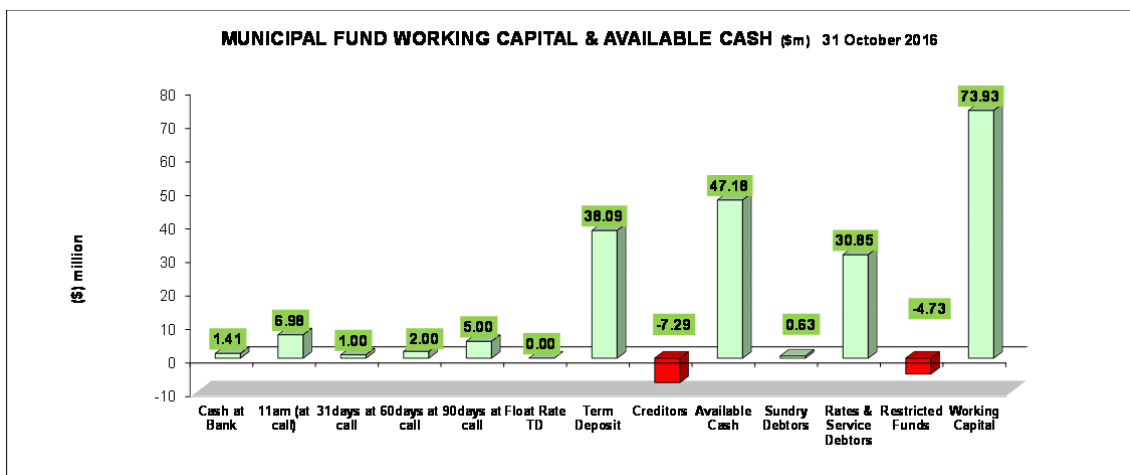
<b>MATURITY COMPARISON</b>				
TERM to MATURITY	AMOUNT \$	ACTUAL PROPORTION	MAX. % IN ANY ONE YEAR	Comments
<b>MUNICIPAL &amp; TRUST FUNDS</b>				
< 1 year	53,739,981	100%	100%	
	<b>53,739,981</b>	<b>100%</b>		
<b>RESERVE FUNDS</b>				
< 1 year	111,340,365	100%	100%	
	<b>111,340,365</b>	<b>100%</b>		

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

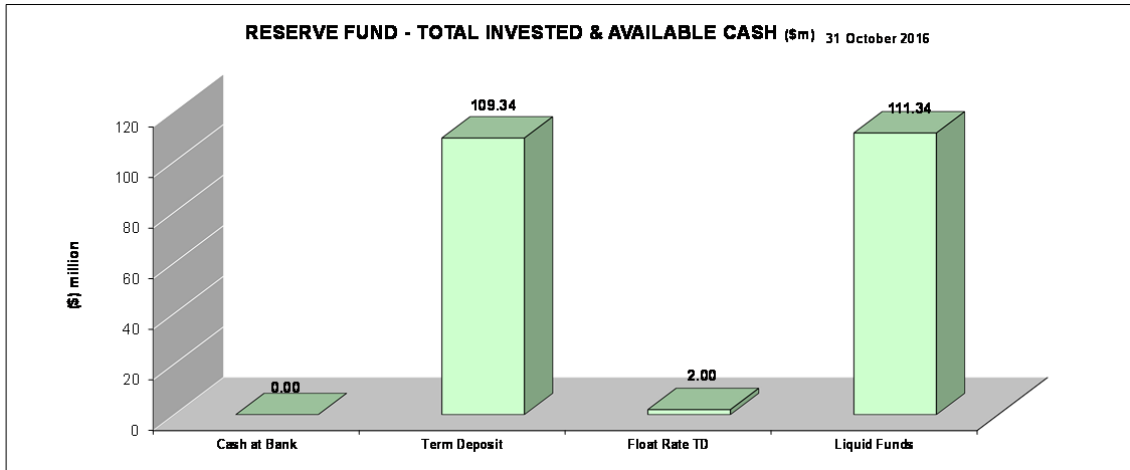


**Net Funds Held**

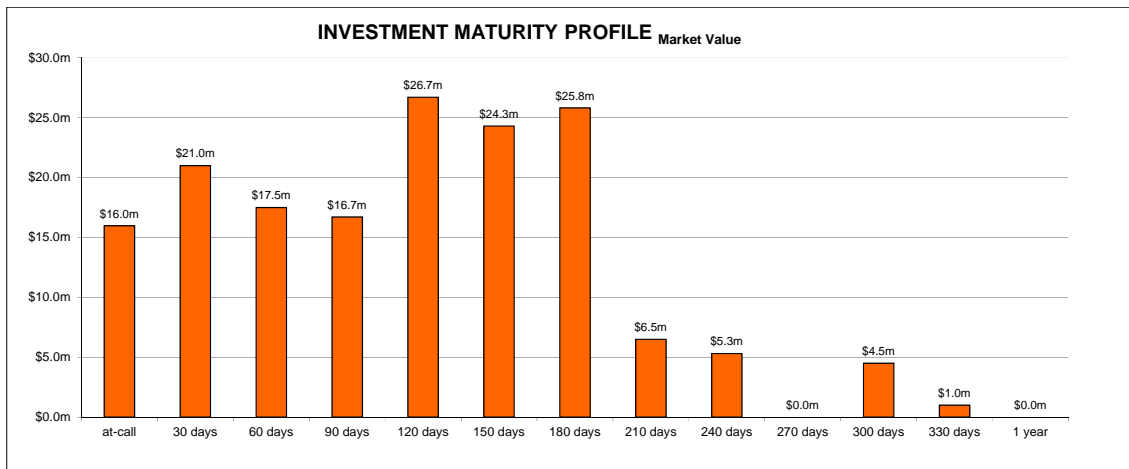
The graphs below summarise the Municipal Fund working capital and available cash and the funds held in the Reserve Fund as at 31 October 2016.



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



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



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

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

**II. OTHER AGENCIES / CONSULTANTS**

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

**STATUTORY AND LEGAL IMPLICATIONS**

The following legislation is relevant to this report:

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

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

**FINANCIAL IMPLICATIONS**

For the period ending 31 October 2016:

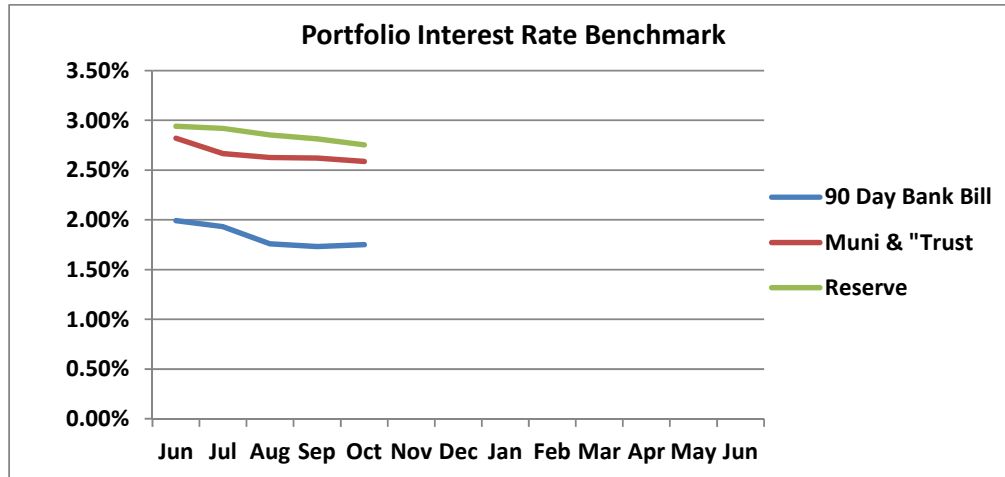
- Investment earnings on Municipal and Trust Funds were \$256,566 against a year to date budget of \$213,677 representing a \$42,889 positive variance.

The weighted average interest rate for Municipal and Trust Fund investments as at 31 October 2016 was 2.59% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.75%.

- Investment earnings on Reserve accounts were \$1,105,253 against a year to date budget of \$768,055 representing a \$337,198 positive variance.

The weighted average interest rate for Reserve account investments as at 31 October 2016 was 2.75% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.75%.

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



**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

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

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

**POLICY IMPLICATIONS**

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

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

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

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

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

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

**That the Council notes the Investment Report for the period ending 31 October 2016.**

At 11.15pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (12/0)**

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

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

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

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

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

**DETAIL**

The Schedule of Accounts Paid for the period ending 31 October 2016 ([6001 October 2016](#)), including Payment Registers numbers, Cheques 538 to 544 and Electronic Funds Transfers batches 412 to 415, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 25 November 2016.

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

Supplier Name	Remittance Number	Remittance Details	Amount
Ashphaltech Pty Ltd	E052369	Road resurfacing at Winchester Way and Harrington Crescent	\$116,601.95
Australia Post Perth	E052275	Mail charges	\$86,021.14
Australian Taxation Office	Direct Bank Transfer	Pay as You-Go taxation and other deductions from employee payroll for pays 7 and 8	\$633,433.10
AV Truck Services Pty Ltd	E052354	Purchase of Dennis Eagle waste truck	\$469,071.01
Axiis Contracting Pty Ltd	E052109 & E052380	Concrete works	\$100,094.50
Building & Construction Industry Training Fund	Chq 007147	Remittance of the building construction training levy collected by the City with building licence applications	\$43,528.10
City of Cockburn	E052191	Commercial waste tip fees for September and SMRC restructuring legal advice	\$104,380.55
Department of Commerce	E051960	Remittance of Building Service Levy collected on building licence applications	\$42,248.06
Denver Technology (Australia) Pty Ltd	E052101	Cylance PROTECT: 250-1000 endpoints	\$28,822.20
Department of Fire & Emergency Services	E052089 & E052356	ESL remittance for September 2016 and ESL income Local Government	\$1,142,375.90
Dickies Tree Services	E051980 & E052193	Tree lopping services	\$116,694.69
Digital Mapping Solutions	E052117 & E052392	Intramaps subscription and GIS consulting services	\$45,815.00
EMSO Maintenance T/A Crablaw Holdings P/L Trustee for EMSO Investment Trust	E052028 & E052273	Building maintenance	\$84,193.65
Excel Kerbing	E052070 & E052330	Kerbing works	\$53,209.48
Flexi Staff	E051997 & E052221	Temporary employment	\$115,736.34
Fredon Air Pty Ltd	E052119 & E052395	Service and maintenance to air conditioners City wide	\$134,877.93
Horizon West Landscape & Irrigation Pty Ltd	E052409	Claim 2 for irrigation infield at Bicton Quarantine	\$79,043.80
Hydroquip Pumps	E052005 & E052228	Irrigation pumps and repairs City wide	\$47,393.50
LGIS Liability	E052004 & E052227	Second instalment for LGIS property, LGIS workcare and LGIS liability insurance	\$886,686.62
Main Roads Western Australia	E052036	Refund for State Black Spot Program unspent monies	\$58,666.30

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

Marketforce	E052071 & E052331	Advertisements	\$27,736.79
Melville Holden	E052245	Purchase of 2 Holden Colorado Crew Cab	\$79,992.71
MMM WA Pty Ltd	E052302	Box out material and cart to tipping facility at Piney Lakes Reserve and limestone rock spalling at The Esplanade	\$36,101.20
Natural Area Management Services	E052167 & E052451	Weed control works at various reserves City wide	\$47,007.63
Octy Water Pty Ltd T/A Aquamonix	E052132	Controllers for reserves City wide	\$46,125.20
Reece Pty Ltd	E052055 & E052303	Irrigation supplies	\$37,342.42
Rhysco Electrical Services	E052065 & E052323	Electrical services	\$90,195.60
Roadsafe Traffic Management	E052130 & E052399	Traffic management services	\$28,412.45
South West Group	E052252	Member Council Contributions for 2015/2016	\$54,500.00
Southern Metropolitan Regional Council	E052043 & E052286	MRF, MSW and Green waste gate fees for September 2016 and MSW gate fees for October 2016	\$1,141,890.67
Synergy	E051996 & E052220	Electricity charges	\$265,298.09
TJS Cleaning Services Perth Pty Ltd	E052108	Cleaning services for LeisureFits Booragoon and Melville and AH Bracks Library	40,691.65
T-Quip Turf Equipment Solutions	E051989 & E052208	Purchase of Toro Groundmaster Mower, Greenspro 1240 Mower less trade in of mower	\$49,851.90
Tree Amigos Tree Surgeons	E052063 & E052319	Tree lopping services	\$57,961.86
Turfmaster	E052177 & E052215	Weed control and mowing at various reserves	\$42,515.55
West Coast Turf	E052235	Kikuyu turf at various reserves	\$26,919.20
Westpac Bank	Direct Bank Transfer	Payment of salaries and wages to City employees net of tax and deduction for pays 7 and 8	\$2,070,723.90

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR OCTOBER 2016 (REC)  
(ATTACHMENT)****FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

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

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

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

At 11.15pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (12/0)**

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

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents:

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

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

**BACKGROUND**

The Statements of Financial Activity for the period ending 31 October 2016 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

**DETAIL**

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

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

For the period ending 31 October 2016, net (i.e. incomes less expenditure) operating positive variances of \$3.56 million and net capital positive variances of \$1.24 million were recorded.

**Variances**

CITY OF MELVILLE							
STATEMENT OF VARIANCES IN EXCESS OF \$50,000 by Program							
for the Period 1 July 2016 to 31 October 2016							
	October	YTD	YTD	Variance	Variance	Annual	Annual
	Actual	Rev. Budget	Actual	\$	%	Budget	Rev. Budget
	\$	\$	\$	\$	%	\$	\$
<b>Revenue</b>							
General Purpose Funding	505,798	7,687,814	8,168,593	480,779	6%	12,931,170	12,931,170
Law, Order, Public Safety	110,226	2,370,455	2,424,393	53,938	2%	2,509,843	2,607,973
Health	7,131	116,453	240,001	123,547	106%	349,360	349,360
Community Amenities	178,280	2,084,677	2,255,169	170,492	8%	3,136,387	3,237,387
Recreation and Culture	711,069	2,824,153	2,566,463	(257,690)	-9%	8,469,621	8,469,621
Transport	902,954	1,492,347	1,329,994	(162,354)	-11%	4,641,787	5,054,358
Other Property and Services	178,704	190,886	639,023	448,137	235%	3,356,430	3,356,430
	2,768,614	18,204,672	18,897,527	910,210	4%	35,739,377	36,351,078
<b>Expenses</b>							
Governance	(251,414)	(1,346,473)	(977,984)	368,489	-27%	(4,110,317)	(4,299,013)
Law, Order, Public Safety	(316,292)	(1,279,051)	(1,205,497)	73,553	-6%	(4,051,723)	(4,159,633)
Education & Welfare	(216,164)	(827,810)	(774,891)	52,919	-6%	(2,650,229)	(2,631,480)
Community Amenities	(1,771,540)	(8,094,325)	(7,519,531)	574,795	-7%	(24,619,692)	(25,490,227)
Recreation and Culture	(2,588,912)	(9,370,076)	(8,611,187)	758,889	-8%	(28,710,832)	(28,911,630)
Transport	(1,294,232)	(4,845,620)	(4,393,463)	452,157	-9%	(15,078,943)	(15,133,578)
Economic Services	(283,351)	(684,205)	(819,269)	(135,064)	20%	(2,174,143)	(2,184,143)
Other Property and Services	(1,192,432)	(5,143,982)	(4,619,464)	524,518	-10%	(11,740,320)	(11,686,095)
	(8,102,447)	(35,450,194)	(32,741,989)	4,376,945	-8%	(101,232,456)	(102,592,055)
<b>Net Result Excluding Rates</b>	<b>(5,333,833)</b>	<b>(17,245,522)</b>	<b>(13,844,462)</b>			<b>(65,493,079)</b>	<b>(66,240,977)</b>
<b>Capital Revenue &amp; Expenditure</b>							
Purchase of Furniture & Equipment	(67,008)	(512,683)	(231,231)	281,452	-55%	(1,454,494)	(2,338,989)
Purchase of Plant & Equipment	(548,288)	(2,129,596)	(1,934,304)	195,292	-9%	(2,441,631)	(4,687,329)
Purchase of Land & Buildings	(158,059)	(606,028)	(322,469)	283,559	-47%	(3,786,000)	(8,457,372)
Purchase of Infrastructure Assets	(709,946)	(3,406,482)	(2,638,510)	767,972	-23%	(15,935,141)	(21,035,187)

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

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

**Revenue**

\$82.50 million in Rates was raised to 31 October 2016. This is compared with a revised year to date budget of \$82.67 million, resulting in an immaterial negative variance of \$17k.

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

Not applicable for October 2016.

**Budget Amendments**

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

- \$69,958 – Transfer for bulk verge staff to administration account.
- \$220,986 – Transfer budgets relating to footpath to fund higher priority works and to cancel projects that are no longer required. Footpath projects cancelled are Mullings Way – Marmion to Kitchener, Canning Highway – Ardross Street to Gairloch Street, Canning Highway – Carroll Avenue to Cunningham Street, Canning Highway – Foss Street to Harris Street. Project deferred to 2017/2018, Canning Highway – Glenelg Street to Reynolds Road. Funds transferred to the following projects, Canning Highway – Coverley Street to Cowan Street, Canning Highway – Latham Street to Rome Road, Ross Road – crossover from South Street, Bull Creek Reserve – Rossmoyne Senior High School, Gledhill Way – End of path near Calley Drive, Potts Street crosswalk, Riverway – improvements to crossovers.
- \$1,026,584 – Transfer road maintenance and street cleaning budget following reallocation of responsible officer.

**Rates Collections and Debtors**

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$10,285,000 were collected over the course of the month. Rates collection progress for the month of October is 3.4% below the stretch target of 74%. This represents a dollar value of \$2,930,815. As at 31 October, 70.6% of 2016/2017 rates had been collected, compared with 71.6% collected for the same time last year being 1.0% less.

Total sundry debtor balances decreased by \$48,549 over the course of the month from \$668,053 to \$619,504. The 90+ day's debtor balance decreased by \$109,750 from \$253,451 to \$143,701.

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

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

There were no write offs for the month of October 2016.

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

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

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

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**FINANCIAL IMPLICATIONS**

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

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**CONCLUSION**

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

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

At 10.06pm Cr Schuster moved, seconded Cr Barling –

**That the Council:**

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

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

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

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

At 10.07pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (12/0)**

**T16/3735 – THREE BIN FOOD ORGANICS GARDEN ORGANICS TRIAL (REC)**

Ward : All  
 Category : Strategic  
 Subject Index : Waste  
 Customer Index : City of Melville  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : T16/3697 – Waste Disposal Review Strategic Waste Management Plan  
 Works Programme : Not Applicable  
 Funding : 2017-2018 Annual Budget  
 Responsible Officer : John Christie  
 Director Technical Services

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**T16/3735 – THREE BIN FOOD ORGANICS GARDEN ORGANICS TRIAL (REC)****KEY ISSUES / SUMMARY**

- At the Ordinary Meeting of the Council on 15 March 2016, the Council resolved to give “in principle” support to the Southern Metropolitan Regional Council’s Draft Strategic Waste Management Plan.
- In supporting the Strategic Waste Management Plan of the Southern Metropolitan Regional Council (SMRC), the Council indicated its support for a three bin Food Organics and Garden Organics (FOGO) trial, subject to further consideration.
- The SMRC has commenced the implementation of the Strategic Waste Management Plan and now seeks the Project Participants involvement in developing the scope of the three bin FOGO trial.
- The SMRC has allocated an amount of \$1 million to assist with the implementation and to ensure community engagement and bin monitoring is given a priority.
- There will also be additional costs associated with the trial which will need to be borne by the Project Participants.
- It is recommended that the Council supports the implementation of a three bin FOGO trial subject to a future report to the Council as part of the 2017-2018 Budget Process and supports City officers working collaboratively with the SMRC and remaining Project Participants to develop scope and design parameters of the trial.

**BACKGROUND**

At the Ordinary Meeting of the Council on 15 March 2016, the Council resolved to give “in principle” support to the Southern Metropolitan Regional Council’s Draft Strategic Waste Management Plan. An extract from the Council Resolution of 15 March 2016 specifically relating to a future three bin trial of Food Organics and Garden Organics is detailed below:

*“That the Council:*

1. *Gives “in principle” support to the recommendations and proposed actions contained within the Southern Metropolitan Regional Council’s Draft Strategic Waste Management Plan.*
2. *Requests that further detailed investigations be undertaken by the Southern Metropolitan Regional Council to determine the implications associated with the proposed recommendations and actions contained within the Draft Strategic Waste Management Plan.*
3. *Requests the Chief Executive Officer to provide the City’s responses to the Southern Metropolitan Regional Council in respect to each of the proposed actions contained within the Draft Strategic Waste Management Plan as outlined below.*

**T16/3735 – THREE BIN FOOD ORGANICS GARDEN ORGANICS TRIAL (REC)***Collection Actions*

1. *Conduct a three bin Food Organics and Garden Organics trial through the Regional Resource Recovery Centre drums (the Waste Composting Facility) – retain or mothball the drums dependent on the outcome.*

*Response:*

*The introduction of a three bin trial is considered appropriate and is consistent with the Waste Authority's Waste Hierarchy for resource recovery. The City of Melville supports the implementation of a three bin Food Organics and Garden Organics trial. “*

The SMRC at its Ordinary Meeting of Council on 27 October 2016, resolved as follows:

*“CEO RECOMMENDATION:*

- 1) *THAT THE REPORT ON THE IMPLEMENTATION OF A FOGO COLLECTION AND PROCESSING SYSTEM BE RECEIVED.*
- 2) *THAT A FURTHER REPORT DETAILING BUDGET ESTIMATES BE PROVIDED TO THE NOVEMBER COUNCIL MEETING.*
- 3) *THE CEO IS REQUESTED TO WRITE TO THE MEMBER COUNCILS SEEKING CONFIRMATION OF THEIR AGREEMENT TO WORK COOPERATIVELY WITH THE SMRC AND THE OTHER PROJECT PARTICIPANTS' TO PREPARE AND IMPLEMENT A 3 BIN FOGO TRIAL IN SUPPORT OF THE ADOPTED SMRC REGIONAL STRATEGIC WASTE MANAGEMENT PLAN.”*

The SMRC at its Ordinary Meeting of Council on 24 November 2016, resolved as follows:

- “1. *THE REGIONAL COUNCIL AGREES IN PRINCIPLE TO THE FINANCIAL BUSINESS PLAN OVERVIEW FOR IMPLEMENTATING A FOOD ORGANICS AND GARDEN ORGANICS (FOGO) COLLECTION AND PROCESSING SYSTEM, SUBJECT TO THE PROJECT PARTICIPANTS ACCEPTANCE.”*

**DETAIL**

The SMRC has commenced the implementation of their Strategic Waste Management Plan and is now seeking support from the City of Melville to work cooperatively with the SMRC and the other Project Participants to prepare and implement a three bin FOGO trial.

This report seeks support from the Council for the City to commence deliberations with the SMRC and the other Project Participants with a view to undertaking a three bin FOGO trial in the early part of the 2017-2018 financial year.

**T16/3735 – THREE BIN FOOD ORGANICS GARDEN ORGANICS TRIAL (REC)**

A minimum six month lead time is considered necessary to commence discussions on the extent of the trial and to determine how the collection and disposal processes will be undertaken. There are a number of matters that the SMRC and the Project Participants need to consider before a final determination is made on a trial, some of which include the following:

- The extent to which each Project Participant will be involved in the trial.
- The number of households required to ensure sufficient organics are processed by a single digester at the Waste Composting Facility.
- The collection service, routes and equipment required.
- The extent of variation of housing types, such as Multi Unit Developments etc.
- Bin size to be considered, i.e. 140, 240 or 360 litres and whether to revert back to a fortnightly collection service for recyclables during the trial period.
- The provision of kitchen caddies and bin liners.
- The extent of community education required and monitoring programme during the trial.
- The future cost implications and funding available through the SMRC and the Waste Authority.

It is proposed that a cross organisational working group of officers be formed with representatives from the City of Melville, City of Fremantle and the Town of East Fremantle and the SMRC to commence discussions and consideration of the points raised above and to prepare a project plan for the staged implementation of the trial.

It is recommended that the City works collaboratively with the SMRC and the remaining Project Participants to develop a project plan and an implementation schedule to trial a three bin FOGO collection system within the City of Melville early in the 2017-2018 financial year.

It is important to note that the City of Cockburn, are not supportive of the trial progressing and as such have written to the SMRC requesting that any preparation for a three bin FOGO trial be deferred until after their withdrawal from the Regional Resource Recovery Centre Project on 1 July 2017. Despite the City of Cockburn's stance on this matter, the SMRC Council has approved funding for the trial to be progressed in accordance with their Strategic Waste Management Plan.

The implementation of a three bin FOGO trial is also consistent with the State Government's position on resource recovery and is considered an essential part of the waste hierarchy, where organic material is recovered from the waste stream before being deposited in landfill or at a future Waste to Energy Facility. A three bin FOGO system is considered to be more effective at recovering organic material than a three bin GO system, as food organics are recovered directly from the waste stream as well as the garden organic material. Nevertheless, a three bin GO system is also consistent with the State Government's position on resource recovery.

**T16/3735 – THREE BIN FOOD ORGANICS GARDEN ORGANICS TRIAL (REC)**

The SMRC are well placed to process FOGO as a result of the existing infrastructure on site. The Waste Composting Facility (WCF) can process the FOGO and it is envisaged that the cleaner the material entering the digesters, will result in cleaner compost being produced with less contamination than the Municipal Solid Waste (MSW) currently being processed at the WCF. Preliminary discussion with the SMRC have identified that a single digester at the WCF could be quarantined to process the FOGO and the remaining three digesters will have sufficient capacity to continue processing the MSW from the Member Councils.

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

There has not been any community engagement undertaken at this stage; however should the Council resolve to support and implement a three bin FOGO trial then a stakeholder engagement strategy will be developed in conjunction with the SMRC for the identified trial area. It is clear that community engagement is the key to ensuring source separation and the successful introduction of the trial. It is also expected that the consultation and engagement with the community will continue throughout the trial period.

**II. OTHER AGENCIES / CONSULTANTS**

There has been preliminary discussion between the SMRC and the Project Participants which will continue should the Council resolve to participate in the three bin FOGO trial. There will also be discussions with the Waste Authority regarding the implementation and to secure funding from their Better Bins Programme where Local Governments implement best practice kerb side collections.

**STATUTORY AND LEGAL IMPLICATIONS**

As a member of the SMRC, the City has a statutory and legal obligation to abide by the terms of the Establishment Agreement of the SMRC and the Project Participants' Agreement for the Regional Resource Recovery Centre. This will need to be considered as preparation for the trial proceeds to ensure compliance with these Agreements.

As a result of the withdrawal of the City of Cockburn, the SMRC are currently preparing an amended business plan for the RRRC Project and it has been identified that both the Establishment Agreement and the Project Participants' Agreement will also need to be redrafted. This is currently being progressed by the SMRC with input from the Regional Executive Group.

**T16/3735 – THREE BIN FOOD ORGANICS GARDEN ORGANICS TRIAL (REC)****FINANCIAL IMPLICATIONS**

Should the Council provide support for officers to commence discussions with the SMRC and the remaining Project Participants to consider a three bin FOGO trial next financial year, the financial implications at this stage will only be that of officer time. However, should the Council decide to implement the trial, then there will be additional costs incurred. At this time, these costs are not fully understood, hence the need to undertake further analysis and work collaboratively with the SMRC and the remaining Project Participants.

It would be the intention to prepare a future report that would be presented to the Council for consideration as part of the 2017-2018 Budget Process. The report would detail the financial implications of progressing with the three bin FOGO trial.

The SMRC have allocated an amount of \$1 million to assist with the implementation of the three bin FOGO trial. This will assist with the development of a communications plan, to undertake kerb side audits and to implement a bin tagging programme. If funds permit, the SMRC will also set up a hotline for enquires and assist with the gathering of data during, and monitoring the performance outcomes over, the trial period.

Funding is also available through the Waste Authority's Better Bins Programme for the purchase of the third bin, however this is capped at \$30 per household if the household is provided with a 140 litre red topped bin. If the household is provided with 240 litre red topped bin then the funding is reduced to \$24. The cost of a 140 litre bin is approximately \$40 excluding GST, which would result in the City having to fund the shortfall in funding.

Should the City resolve as part of the 2017-2018 annual budget to commit to the three bin FOGO trial, then it would be recommended that the funding be allocated from the Refuse Facilities and the Refuse Bins Reserves. If this was supported, the wording of the purpose for which of the Refuse Facilities Reserve was established would need to be changed slightly to allow the Reserve to be used to fund the City's costs associated with the trial. This would be recommended and included in a future report as part of the 2017-2018 annual budget process.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

As this report requests support for officers to enter into discussions with the SMRC and the remaining Project Participants to consider and develop the trial parameters, and does not commit the City to the implementation, it is considered that the risks at this stage are negligible.

**T16/3735 – THREE BIN FOOD ORGANICS GARDEN ORGANICS TRIAL (REC)****POLICY IMPLICATIONS**

There are no direct policy implications associated with this report.

This report is consistent with the Council's Waste Minimisation Policy CP-036 which has the following Policy Objective:

*“To provide guidance and direction to the City for the minimisation of collected domestic waste going to landfill, whilst also providing a value for money service to our residents.”*

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council could resolve not to support the implementation of a three bin FOGO trial and not participate in the discussions with the SMRC and other Project Participants; however this would be contrary to the resolved position of Council from 15 March 2016 when the Council gave in principle support for a three bin FOGO trial. If the Council resolved to not participate in the trial, this could impact the SMRC's ability to implement their Strategic Waste Management Plan.

The Council could consider the implementation of a three bin GO trial, however this would result in all food organics ultimately ending up in landfill and not being recovered in accordance with the waste hierarchy.

**CONCLUSION**

The SMRC are progressively implementing their Strategic Waste Management Plan and one of the actions contained within this Plan is to undertake a three bin FOGO trial. The City has previously resolved to support the implementation of a three bin FOGO trial and this report seeks the Council's support for the City to participate in further discussions with the SMRC and the remaining Project Participants of the Regional Resource Recovery Centre project, to develop an implementation plan for the trial.

The discussions with the SMRC and the remaining Project Participants will allow the City to determine the parameters of the trial area, the infrastructure needed to ensure a successful implementation and the cost implications of progressing with the trial. A future report will be presented to the Council as part of the 2017-2018 Budget Process for consideration.

It is therefore recommended that the Council supports the implementation of a three bin FOGO trial subject to a future report to be presented as part of the 2017-2018 Budget Process and supports City officers working collaboratively with the SMRC and remaining Project Participants to develop the trial parameters and the project implementation schedule.

**T16/3735 – THREE BIN FOOD ORGANICS GARDEN ORGANICS TRIAL (REC)**

At 10.55pm Mr Cope left the meeting and returned at 11.04pm.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3735)      APPROVAL**

At 11.02pm Cr Schuster moved, seconded Cr Robartson–

**That the Council:**

1. **Supports the implementation of a three bin FOGO trial within the City, subject to a future report to the Council as part of the 2017-2018 budget process which details the trial area, the infrastructure required and the financial implications associated with the implementation of the trial.**
2. **Requests the Chief Executive Officer to work collaboratively with the Southern Metropolitan Regional Council and remaining Project Participants to develop the scope and design parameters of a three bin FOGO trial for future consideration in support of the adopted Strategic Waste Management Plan of the Southern Metropolitan Regional Council.**

At 11.04pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

At 10.06pm Cr's Aubrey, Cr Barling and Cr O'Malley having declared an interest in item T16/3737 left the meeting.

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING. (REC) (ATTACHMENT)**

Disclosure of Interest

Item No.	T16/3737
Member	His Worship the Mayor
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Father of Cr R Aubrey
Request	Stay, Discuss & Vote
Decision of Council	Not Required

Disclosure of Interest

Item No.	T16/3737
Member	Cr R Aubrey
Type of Interest	Impartiality Interest
Nature of Interest	Liberal Candidate for Willagee, I fully support Roe Highway.
Request	Leave
Decision of Council	Leave

Disclosure of Interest

Item No.	T16/3737
Member	Cr T Barling
Type of Interest	Impartiality Interest
Nature of Interest	Vice President of Conservation Council of WA (CEWA)
Request	Stay, Discuss & Vote
Decision of Council	Leave

Disclosure of Interest

Item No.	T16/3737
Member	Cr L O'Malley
Type of Interest	Impartiality Interest
Nature of Interest	Pre-determined and publicly stated position as a State Election Candidate
Request	Leave
Decision of Council	Leave



**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The Council has previously resolved to support the extension of Roe Highway west of the Kwinana Freeway to Stock Road (Roe 8) and the tunnel option for the Perth Freight Link and reconfirmed this position at its Ordinary Meeting of Council on 21 July 2015.
- In recent months the State Opposition and a number of effected Local Governments have voiced their opposition to both the Roe Highway extension (Roe 8) and the Perth Freight Link.
- With the State Government Election on the horizon, the political uncertainty surrounding the construction of the Roe 8 and the Perth Freight Link is a serious matter for the City and the Southern Metropolitan Region.
- The State Opposition has stated that it will not support the Perth Freight Link if it is elected to Office in March 2017 and it will commence the planning for the Outer Harbour and the associated road and rail infrastructure.
- The State Opposition's "Our Vision Freight and Trade" makes no reference to the upgrades required on Leach Highway from west of Kwinana Freeway to Carrington Street and fails to take any cognisance of the serious road safety issues or congestion currently experienced on Leach Highway west of Kwinana Freeway.
- The State Government has yet to commit to Stage Two (Roe 9) and the tunnel option to Stirling Highway, which has put at risk the Federal funding.
- As a result of this political uncertainty, the City sought and gained agreement from the other South West Group Councils to undertake a review of the infrastructure, social and economic implications if the Perth Freight Link did not proceed.
- The review has identified significant issues and a number of critical infrastructure requirements that will need to be considered, including a reassessment of the Metropolitan Regional Road Network should the Perth Freight Link not proceed.
- It is recommended that the Council note the Strategic Review Report prepared by the South West Group and request the Chief Executive Officer to forward a copy of the report to the State Government and State Opposition and to continue to advocate for the construction of Roe 8 and the tunnel option for the Perth Freight Link to the Port of Fremantle.

**BACKGROUND**

The Council resolved the following at its Ordinary Meeting held 21 July 2015:

*"That the Council:*

1. *Reconfirm its support for the extension of Roe between the Kwinana Freeway and Stock Road in accordance with the plans adopted by Main Roads Western Australia to finalise the Perth Freight Link.*

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**

2. *Request the Chief Executive Officer to write to Main Roads Western Australia requesting they approach the construction of the Roe Highway extension for that section within the Beeliar Regional Park, in such a way as to minimise any potential adverse environmental impacts on the Park, by ensuring the maximum protection of the flora and fauna, the wetlands and the amenity of the area together with maintaining and enhancing public accessibility of this regionally important asset.*
3. *Reiterate its support for the extending the Roe Highway, west of Stock Road to Stirling Highway, utilising the alignment of the Fremantle Eastern Bypass for the Perth Freight Link.*
4. *Request the Chief Executive Officer to write to the State Government advising that in order to minimise the potential impact of utilising the Fremantle Eastern Bypass alignment for the Perth Freight Link, all or part of the route between Clontarf Hill and Stirling Highway be tunnelled.”*

At the same meeting the following Motion was moved and resolved by the Council:

*“That the Council directs the Chief Executive Officer to:*

1. *Prepare and implement a public information campaign, for at least the balance of the calendar 2015, to support the construction and operation of Roe Highway State 8 (Kwinana Freeway to Stock Road);*
2. *Ensure the proposed campaign:*
  - a. *Includes a strong presence on the City’s website;*
  - b. *Includes fact and data sheets and posters to be available to the public and all staffed City facilities accessed by the public;*
  - c. *Includes the installation of suitable information signs on South Street, Leach Highway and other suitable locations within the City;*
  - d. *Includes the distribution of information sheets in both local newspapers circulating in the City; and*
  - e. *Comprises a suitable public information/ print advertising program in the same two newspapers for eight weeks.*
3. *Distribute the proposed fact sheets, signs and advertisements to Elected Members for information as they are concluded for public display; and*

*That the Council allocated up to \$50,000 for this activity from Account Number 120-25304.”*

In recent months the State Opposition and some affected neighbouring Local Governments have voiced their opposition to both Roe Highway Stage 8 and the Perth Freight Link. With the State Government Election on the horizon, the political uncertainty surrounding the construction of the Roe 8 and the Perth Freight Link is a serious matter for the City and the Southern Metropolitan Region.

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**

In light of this uncertainty and at the request of the City, the South West Group of Council's engaged Senior Transport Consultant to prepare the attached report entitled "*Transport and Traffic Implications of Not Proceeding with Perth Freight Link and The Broader Economic and Social Consequences*".

The "*Transport and Traffic Implications of Not Proceeding with Perth Freight Link and The Broader Economic and Social Consequences*" forms an attachment to this Agenda Item.

[3737 SWG Implications of no Perth Freight Link](#)

**DETAIL**

The State Government has been committed to the extension of Roe Highway westwards from the Kwinana Freeway to Stock Road and the continuation of that extension to the Port of Fremantle, more commonly known as the Perth Freight Link. This commitment has resulted in the State Government not giving serious consideration to the implications of the extension of Roe Highway not proceeding. The attached report highlights the transport and traffic implications of not proceeding with the construction of the Roe 8 and the Perth Freight Link and the broader economic and social impacts on the City and the Southern Metropolitan Region.

The Perth Freight Link is an essential part of the Principal Road Freight Network and completes a high productivity direct freight corridor from Muchea (NorthLink) through Kewdale Freight Hub (Gateway) to Fremantle Harbour and forms part of the Reid/Roe Ring Road which is an integral part of the Principal Road Freight Network for Perth and Peel.

If the Perth Freight Link does not proceed, an immediate consequence will be that heavy road freight will continue to mix with other commuter traffic on the Kwinana Freeway, Leach Highway and High Street further compounding the serious road safety issues currently experienced. It will also exacerbate the current and emerging congestion within the City and the Southern Metropolitan Region as the population of Greater Metropolitan Perth grows by a further 1.5 million reaching 3.5 million by approximately 2050.

With the State Government Election being held in March 2017, this single event has the potential to have catastrophic effect on the City of Melville, the City of Fremantle, and to a lesser degree, the City of Cockburn and Town of East Fremantle over the next 10 to 15 years. The State Opposition's Policy Document titled "*Our Vision Freight and Trade*" states that:

*"A McGowan Labour Government will not support the Perth Freight Link"*

It also states that the State Opposition's solution to the congestion and road safety issues on Leach Highway and High Street is to:

*"Extend Leach Highway between Carrington Street and Stirling Highway to address the Freight Congestion on High Street"*.

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**

The State Opposition's "*Our Vision Freight and Trade*" makes no reference to the upgrades required on Leach Highway from west of Kwinana Freeway to Carrington Street and fails to take any cognisance of the serious road safety issues or congestion currently experienced on Leach Highway west of Kwinana Freeway.

The State Opposition's "*Our Vision Freight and Trade*" suggest that the simplest way to resolve congestion and reduce traffic congestion on Leach Highway is to:

*"Increase the freight on rail subsidy from \$30 to \$50 per TEU and take more than 36,000 truck movements off suburban roads every year".*

This reduction in truck movements equates to approximately 99 trucks per day possibly being taken of Leach Highway, although the State Opposition claims that the growth in Twenty-Foot Equivalent Units (TEU's) per annum is significantly higher than the growth rate identified by the State Government, this growth rate has a compounding effect on freight vehicles and results in more trucks accessing the Port of Fremantle. The State Government's prediction on container growth is 5.4%, however the State Opposition are suggesting a growth rate at 7.65%.

With approximately 2,600 trucks per day currently using Leach Highway to access the Port of Fremantle, the compounding effect over the next 10 years at 7.65% would result in approximately 4,100 trucks per day travelling along Leach Highway and accessing the Port of Fremantle, after the proposed increase in rail freight to 20% as a result of the increased freight on rail subsidy proposed by the State Opposition. It is clear that the current road safety and congestion issues on Leach Highway caused by the mix of regional freight vehicles and general traffic are set to continue and would get much worse under the solutions proposed by the State Opposition.

The State Opposition's "*Seven Point Plan*" includes a commitment to:

*"Commence planning for the Outer Harbour at Kwinana and the associated road and rail links as part of the long term integrated transport plan for the State".*

It is estimated that if the green light was given today and all the necessary approvals were obtained, that it would take approximately 10 years to construct the Outer Harbour and to construct the entire landside infrastructure to support the Outer Harbour, including the intermodal terminal at Latitude 32 and the extensions of Tonkin Highway, Anketell Road and Rowley Road. With this in mind, and the State Opposition's projected growth rate in TEU's entering the Port of Fremantle over the next 10 years, there will be a significant increase in freight trucks travelling along Leach Highway and High Street, further exacerbating the road safety and congestion within the City of Melville, the City of Fremantle and the Town of East Fremantle.

Given the future environmental impacts associated with the Outer Harbour in Cockburn Sound, the environmental impacts on the Spectacles Wetlands and the Mount Brown Bush Forever Site, it is somewhat concerning that the State Opposition appear to be dismissive of the environmental damage their alternative to the Perth Freight will have on these iconic environmental landmarks.

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**

If the State Opposition is elected in to Office in March 2017 and if they implement their “*Seven Point Plan*” contained within their “*Our Vision Freight and Trade*” this would result in the abandonment of the Perth Freight Link and no commitment to undertake any upgrades, including grade separation of key intersection on Leach Highway west of the Kwinana Freeway, such as North Lake Road and Stock Road.

Of course, it is not only Leach Highway that would be impacted by the abandonment of the Perth Freight Link. There would also be a significant impact on South Street and Farrington Road. Murdoch Drive and the Mixed Use Precinct of the Murdoch Activity Centre would also be impacted. The extension of Roe Highway to Stock Road includes a southern connection to Murdoch Drive which is considered essential to manage the congestion in both the morning and afternoon peak traffic periods and to provide critical access to both Fiona Stanley Hospital and Murdoch St John of God Hospital.

It should also be noted that the Murdoch Precinct, when fully developed, will be one of the largest business districts outside of the Central Business District with over 35,000 people traveling to and from the precinct on a daily basis.

Traffic modelling has shown that without the extension of Roe Highway and a southern connection to Murdoch Drive, congestion during peak periods will have a significant impact on the Kwinana Freeway, South Street and Murdoch Drive and will result in Farrington Road becoming the default Roe 8. This will have a significant impact on the traffic volumes of Farrington Road and have a detrimental amenity impact on the residential population in Leeming.

When one couples the increased freight traffic volumes on district distributor roads as a result of the potential abandonment of the Perth Freight Link, with the increase in population growth, it is clear that traffic volumes will increase and the conflict between cars and trucks will only get worse. The increased traffic volumes on South Street will result in the need for grade separation of the Murdoch Drive and South Street intersection and an upgrade of South Street to deal with the increased traffic, it has also been identified that the increase of vehicles on South Street could preclude the opportunity for high quality Rapid Bus Transit or a future Light Rail Transit along this route.

It is also important to note that the State Government, while committed to Roe 8, have not yet committed to Roe 9 and the tunnel option from Stock Road to Stirling Highway. If the State Government only constructs Roe 8, this would have a significant impact on Stock Road and Leach Highway and will significantly impact on the Stock Road businesses owners and residential properties along Leach Highway. The Stock Road commercial precinct will be affected significantly, and this is one of the few commercial precincts the City has compared to our neighbouring Local Governments. This impact is already known and this route has been identified by the State Government as their “Base Case” scenario for Stage Two or Roe 9 for the Perth Freight Link. If this route does become the preferred route as a result of the tunnel option being abandoned, the compulsory purchase of commercial and residential properties becomes a reality.

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**

The disappointing thing from the City's perspective is that neither the State Government nor the State Opposition has given any serious consideration to the impacts of the existing freight movements between the west of the Kwinana Freeway and the Port of Fremantle should the Perth Freight Link be abandoned. It would be fair to state, that the State Government has in fact "put all its eggs in one basket" and has relied on the delivery of the Perth Freight Link as previously planned, however the delays with the approvals and the opposition encountered has delayed the project to the extent that the delivery is now under serious threat as a result of the State Election in March 2017.

The State Opposition has made it clear, that if elected to Office in March 2017, that the Perth Freight Link would not be supported and that they would move to immediately commence the planning for the Outer Harbour in Cockburn Sound. When referring to the funding currently allocated of \$1.9 billion, the State Opposition's "Our Vision Freight and Trade" states:

*"This money should be invested in more cost effective measures to take trucks off our roads and commence building the Outer Harbour".*

The Federal Government has made it quite clear that the federal funding is only available if the entire Perth Freight Link is constructed. It is clear that this funding allocation is under serious threat irrespective who is elected to Office in March 2017, which puts at risk the construction of the Perth Freight Link.

It is for these reasons identified above, that the City of Melville sought and gained agreement from the South West Group of Councils to undertake a strategic review of the multi-modal transport solutions required to meet the intended capacity provided by the Perth Freight Link in the event that the project does not proceed.

The following is a summary of the key findings contained within the attached report:

- *"Main Roads WA has confirmed the need for alternative east-west connections between Kwinana Freeway and Fremantle Controlled Access Highway if Roe 8 and the second stage of the Perth Freight Link (PFL) to Fremantle Port do not proceed*
- *Main Roads WA have not undertaken a detailed review or identified cost estimates for required road upgrades in the event that the Roe Highway Extension (Roe 8) does not go ahead, but identified that primary roads would require upgrades including:*
  - *Leach Highway – Kwinana Freeway to North Lake Road upgrading and grade separation, grade separation at Stock Road intersection, upgrading for Leach Highway and High Street to Stirling Highway.*
  - *South Street – grade separation and upgrades.*

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**

- *Broader economic and social consequences of not proceeding with PFL include:*
  - *Increased regional road congestion affecting access, mobility, public transport services, emergency vehicles and active transport.*
  - *Constrained east-west capacity and subsequent constraints on activity centre development.*
  - *Reduced road freight productivity.*
  - *Continued “mixing” of heavy vehicles, passenger vehicles and public transport services on freight routes.*
  - *Reduced public and private sector investment and development in the region, including loss of competitive advantage in existing commercial and industrial infrastructure and business operations.*
  - *Loss of State and Local government revenue from expected up-valuing on property through improved amenity from general reduction in growth of traffic across regional road network.*
  - *Opportunity costs of the additional funding for new programs brought forward to compensate for reduced level of service on the existing road network.*
  
- *Undefined costs and impacts associated with major new road investment with unknown economic and social costs (property impacts, disruption, severance, congestion, safety)*
  
- *Need to re-assess the existing regional road network to:*
  - *re-establish the principal road freight network in the South West Metropolitan Region*
  - *assess full costs and timing of road upgrades*
  - *re-assess access to major activity centres to ensure growth and expansion capacity*
  - *Re-assess public transport services to compensate for increased traffic around transport hubs and activity centres*
  
- *High priority road network re-assessment for north-south routes included:*
  - *Kwinana Freeway*
  - *North Lake Road*
  - *Stock Road*
  
- *High priority road network re-assessment for east-west routes included:*
  - *Roe Highway*
  - *Leach Highway*
  - *South Street*
  - *Farrington Road*
  - *Winterfold Road*
  - *Phoenix Road*

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**

- *A provisional sum of \$823 million for these high priority upgrades has been put forward where information was available, which is considered a conservative estimate that does not include land acquisition, compensation or other road upgrades.*
- *The study was mainly focussed on the period to 2031 and modelling work associated with the Roe Highway Stage 8 extension, as there was limited modelling information on the period beyond 2031 and the future sections of the Perth Freight Link (Fremantle Tunnel/Stock Road/High Street and Fremantle Port Connection)."*

Without the extension of Roe Highway west of the Kwinana Freeway and the Perth Freight Link to the Port of Fremantle, there is an immediate need to reassess the existing regional road network and commence the planning for major upgrades of State and Local Government roads to maintain acceptable levels of service and to ensure road safety priorities are identified and actioned.

Should there be a change of State Government in March 2017, there would be an immediate need to reassess the recently released State Government's Transport Plan in light of the State Oppositions "Seven Point Plan" which would result in the abandonment of the Perth Freight Link and change the landscape for the future of freight transport within the Southern Metropolitan Region.

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

There has not been any consultation with the Community in relation to this report

**II. OTHER AGENCIES / CONSULTANTS**

There has been consultation with the South West Group and Greg Martin Transport Strategies was engaged by the South West Group to prepare the Strategic Review Document.

**FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There is a serious risk that Roe 8 and the Perth Freight Link may not proceed, which will have devastating impacts for the City and our community. It is therefore considered essential that a copy of the attached report is provided to the State Government, the State Opposition and other Political Parties ahead of the State Government Election and that the City continues to advocate for the construction of Roe 8 and the Perth Freight Link.

If Roe 8 and the Perth Freight Link does not proceed, then the City should advocate that the State Government, in conjunction with the South West Group of Councils, reassess the Metropolitan Regional Road Network without delay to provide long term certainty and capacity for access and mobility by general traffic, road freight transport and public transport services for the integrated and optimal development of the Southern Metropolitan Region.

**POLICY IMPLICATIONS**

There are no policy implications associated with this report.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The only alternative option would be to do nothing and wait the outcome of the State Government Election in March 2017, which does not appear to be a suitable alternative, as such, there are no alternative options presented as part of this report.

**CONCLUSION**

It is clear that the construction of Roe 8 and the Perth Freight Link is under serious threat and depending on the outcome of the State Government Election in March 2017, could be completely abandoned in favour of the Outer Harbour in Cockburn Sound. The State Opposition does not support the construction of the Perth Freight Link and if elected to

Office, they intend to commit to the construction of an Outer Harbour. Their “*Seven Point Plan*” and their “*Our Vision Freight and Trade*” makes no reference to resolving the road safety or congestion issues within the City of Melville, nor does it commit to any infrastructure upgrades on Leach Highway, west of the Kwinana Freeway to Carrington Street, South Street or Stock Road.

The State Government has made a commitment to construct Roe 8, however at this stage, is not prepared to commit to Roe Stage 9 and the tunnel option for the Perth Freight Link, which puts at risk the Federal funding allocation. While the commitment to construct Roe 8 is a positive for the City, it remains under threat with the impending State Government Election on the horizon.

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**

The attached report highlights a number of critical infrastructure projects that will be required to ensure the long term certainty and capacity of the regional road network should the Perth Freight Link not proceed. It is therefore considered essential that the City continues to advocate for the construction of Roe 8 and the Perth Freight Link and in the event that the Perth Freight Link does not proceed the City should advocate that the State Government, in conjunction with the South West Group of Councils, reassess the Metropolitan Regional Road Network without delay.

**OFFICER RECOMMENDATION (3737)****APPROVAL**

At 10.07pm Cr Schuster moved, seconded Cr Robartson–

**That the Council:**

1. **Notes the Strategic Review Report on the Transport and Traffic Implications of Not Proceeding with the Perth Freight Link and the Broader Economic and Social Consequences, undertaken by the South West Group.**
2. **Requests the Chief Executive Officer to forward a copy of the Strategic Review Report to the Premier of Western Australia, the Leader of the State Opposition and Local MLA's**
3. **Requests the Chief Executive Officer to continue to advocate on behalf of the City for the construction of Roe 8 and the tunnel option for the Perth Freight Link.**
4. **Requests that in the event that Roe 8 and the Perth Freight Link does not proceed, the Chief Executive Officer writes to the State Government requesting, that the State Government, in conjunction with the South West Group of Councils, reassess the Metropolitan Regional Road Network without delay to provide long term certainty and capacity for access and mobility by general traffic, road freight transport and public transport services for the integrated and optimal development of the Southern Metropolitan Region.**

At 10.13pm Mr Cope left the meeting and returned at 10.15pm.

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**

**Amendment**

At 10.08pm Cr Phelan moved, seconded Cr Wieland–

*That the Council amends the Officer Recommendation by adding an additional two points as detailed below:*

- 5. Requests the Chief Executive Officer to undertake an immediate campaign to raise awareness of the significant impacts and future infrastructure requirements within the City of Melville should the extension of Roe Highway west of the Kwinana Freeway and the Perth Freight Link not proceed.*
- 6. Requests the Chief Executive Officer to allocate an amount of \$50,000 at the Mid-Year Budget Review to undertake the awareness campaign.*

At 10.46pm the Mayor submitted the Amendment, which was declared

**CARRIED (5/4)**

<b>Vote Result Summary</b>	
Yes	5
No	4

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

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**Reasons for Amendment

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

It is clearly evident that there is political uncertainty surrounding the construction of Roe 8 and the Perth Freight Link.

The State Opposition has made it clear that it does not support the Perth Freight Link and if elected in March 2017, will move to commence planning for the construction of the Outer Harbour in Cockburn Sound, to the detriment of the Perth Freight Link and the residents of the City of Melville. There also remains the threat that the State Opposition if elected, will cancel the contracts currently signed by the State Government for the construction of Roe 8.

The State Government, although committed to Roe 8 has not yet committed to the stage two of the Perth Freight Link. This lack of commitment has now placed at risk the Federal funding, which could be withdrawn if the Perth Freight Link is not constructed as one project.

It is clear that the implications highlighted in the report are serious and will have a catastrophic impact on the City of Melville. It is important that the State Government and the State Opposition are fully aware of the infrastructure requirements should either of them decide not to proceed with the construction of the Perth Freight Link, and that a commitment to fund the required upgrades is considered in future State Budgets.

It is also important that our residents are informed, not misinformed, of the implications of not proceeding with the Perth Freight Link and what that means for the City and our local community.

At 10.49pm Mr Fimmano left the meeting and returned at 10.51pm.

**T16/3737 - PERTH FREIGHT LINK – TRANSPORT AND TRAFFIC IMPLICATIONS OF NOT PROCEEDING (REC) (ATTACHMENT)**

**COUNCIL RESOLUTION (3737)**

**APPROVAL**

**That the Council:**

1. **Notes the Strategic Review Report on the Transport and Traffic Implications of Not Proceeding with the Perth Freight Link and the Broader Economic and Social Consequences, undertaken by the South West Group.**
2. **Requests the Chief Executive Officer to forward a copy of the Strategic Review Report to the Premier of Western Australia, the Leader of the State Opposition and Local MLA's**
3. **Requests the Chief Executive Officer to continue to advocate on behalf of the City for the construction of Roe 8 and the tunnel option for the Perth Freight Link.**
4. **Requests that in the event that Roe 8 and the Perth Freight Link does not proceed, the Chief Executive Officer writes to the State Government requesting, that the State Government, in conjunction with the South West Group of Councils, reassess the Metropolitan Regional Road Network without delay to provide long term certainty and capacity for access and mobility by general traffic, road freight transport and public transport services for the integrated and optimal development of the Southern Metropolitan Region.**
5. ***Requests the Chief Executive Officer to undertake an immediate campaign to raise awareness of the significant impacts and future infrastructure requirements within the City of Melville should the extension of Roe Highway west of the Kwinana Freeway and the Perth Freight Link not proceed.***
6. ***Requests the Chief Executive Officer to allocate an amount of \$50,000 at the Mid-Year Budget Review to undertake the awareness campaign.***

At 11.01pm the Mayor submitted the motion as amended, which was declared

**CARRIED (7/2)**

<b>Vote Result Summary</b>	
Yes	7
No	2

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

At 11.02pm Cr's Aubrey, O'Malley and Barling returned to the meeting.

**M16/5519 – ANNUAL GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

Ward	:	All
Category	:	Operational
Subject Index	:	Council Administration
Customer Index	:	Elected Members
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Not Applicable.
Works Programme	:	Not Applicable.
Funding	:	In Accordance with 2016/2017 Budget
Responsible Officer	:	Jeff Clark – Governance and Compliance Program Manager

**AUTHORITY / DISCRETION**

**DEFINITION**

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

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**M16/5519 – ANNUAL GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)****KEY ISSUES / SUMMARY**

- At the City of Melville Annual General Meeting of Electors held on 7 December 2016, two motions were carried and the Council needs to consider its response.
- Recommendations for each motion are referred for consideration of the Council.

**BACKGROUND**

The City of Melville held the General Meeting of Electors on 7 December 2015. At the meeting two motions from electors were carried and the Council is required to consider the motions and decide on any future action that should be resolved in the interests of the City.

**DETAIL**

Two motions relating to the Melville Residents and Ratepayers Association were carried at the Annual General Meeting of Electors as follows:

**Motion 1**

**This AGM of electors calls upon the MRRA (Melville Residents and Ratepayers Association) to re-institute an open membership policy, consistent with the original constitution of the MRRA, to allow any resident or ratepayer to become a member of the association.**

**CARRIED (59/1)**

**Motion 2**

**This AGM of electors calls upon the City of Melville and all other organisation and media outlets to reject the MRRA as a representative body of the ratepayers and residents of the City of Melville until an open and transparent membership process is re-instituted.**

**CARRIED (55/1)**

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

Stakeholder engagement has occurred in relation to Motions 1-2at the Annual General Meeting of Electors held on the 7 December 2016.

**II. OTHER AGENCIES / CONSULTANTS**

Consultation has taken place with other Agencies/Consultants.

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**M16/5519 – ANNUAL GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)****STATUTORY AND LEGAL IMPLICATIONS**

The Council is required to consider any decisions from an electors meeting at the next or subsequent ordinary council meeting as noted below:

*5.33. Decisions made at electors' meetings*

*(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 meeting; or*

*(b) at a special 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**

There are no financial implications relating to this item.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no strategic management implications contained in this report.

**POLICY IMPLICATIONS**

There are no policy implications.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council is required by the *Local Government Act 1995* to consider the motions passed at the General Meeting of Electors.

**CONCLUSION**

The Council is required to consider any decisions made at an Annual General Meeting of Electors and any decision made, will be recorded in the minutes of the Council meeting. This report supports motions arising from the Annual General Meeting of Electors.

**M16/5519 – ANNUAL GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5519)**

**NOTING**

At 11.05pm Cr Macphail moved, seconded Cr Aubrey –

**That the Council notes motions one (1) and two (2) and requests the Chief Executive Officer to advise Melville Residents and Ratepayers Association of the motions passed at the General Meeting of Electors on 7 December 2016 and request the Melville Residents and Ratepayers Association to re-institute an open membership policy, consistent with the original constitution of the MRRA, to allow any resident or ratepayer to become a member of the association.**

**Membership Application to the City of Melville Residents and Ratepayers Association**

At 11.09pm Cr Schuster moved, seconded Cr Phelan –

**That the Council notes Cr Macphail's request to have his failed membership application included in the minutes and approves this request by absolute majority decision.**

At 11.10pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (12/0)**

**Procedural Motion**

At 11.10pm Cr Robartson moved, seconded Cr Schuster, the following Procedural Motion in accordance with Clause 11.1(d) of Standing Orders Local Law 2003 -

**That the question be now put.**

At 11.11pm the Mayor submitted the Procedural motion, which was declared

**CARRIED (10/2)**

<b>Vote Result Summary</b>	
Yes	10
No	2

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

**Note: A copy of the Membership Application is attached to the back of the Minutes**

**M16/5519 – ANNUAL GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

**COUNCIL RESOLUTION**

**That the Council notes motions one (1) and two (2) and requests the Chief Executive Officer to advise Melville Residents and Ratepayers Association of the motions passed at the General Meeting of Electors on 7 December 2016 and request the Melville Residents and Ratepayers Association to re-institute an open membership policy, consistent with the original constitution of the MRRA, to allow any resident or ratepayer to become a member of the association.**

At 11.12pm the Mayor submitted the motion, which was declared

**CARRIED (9/3)**

<b>Vote Result Summary</b>	
Yes	9
No	3

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

**M16/5520 – SPECIAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

Ward	:	All
Category	:	Operational
Subject Index	:	Council Administration
Customer Index	:	Elected Members
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Not Applicable.
Works Programme	:	Not Applicable.
Funding	:	In Accordance with 2016/2017 Budget
Responsible Officer	:	Jeff Clark – Governance and Compliance Program Manager

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**M16/5520 – SPECIAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)****KEY ISSUES / SUMMARY**

- At the City of Melville Special Meeting of Electors held on 7 December 2016, one motion was carried and the Council needs to consider its response.
- A recommendation for the motion is referred for consideration of the Council.

**BACKGROUND**

The City of Melville held a Special Meeting of Electors on 7 December 2016. At the meeting one motion from electors was carried and the Council is required to consider the motion and decide on any future action that should be resolved in the interests of the City.

**DETAIL**

The motion relating to the amalgamation of the Melville Bowling Club and the Mount Pleasant Bowling Club and their relocation to a new bowls facility at the expanded Tompkins Park Hub was carried at the Special Meeting of Electors as follows.

**Motion**

**That the electors hereby support and endorse the decision of Melville Council made on 18 October 2016 in relation to item CD16/8089 - that the Melville Bowling Club and the Mount Pleasant Bowling Club amalgamate and relocate to a new bowls facility at the expanded Tompkins Park Hub.**

**CARRIED (63/43)**

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

Stakeholder engagement has occurred in relation to this motion, at the Special Meeting of Electors held on the 7 December 2016.

**II. OTHER AGENCIES / CONSULTANTS**

Consultation has taken place with other Agencies/Consultants.

**STATUTORY AND LEGAL IMPLICATIONS**

The Council is required to consider any decisions from an electors meeting at the next or subsequent ordinary council meeting as noted below:

**M16/5520 – SPECIAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)***5.33. Decisions made at electors' meetings*

*(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 meeting; or*

*(b) at a special 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**

There are no financial implications relating to this item.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no strategic management implications contained in this report.

**POLICY IMPLICATIONS**

There are no policy implications.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council is required by the *Local Government Act 1995* to consider any motions passed at the Special Meeting of Electors.

**CONCLUSION**

This report supports the motion arising from the Special Meeting of Electors.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5520)****NOTING****That the Council;**

- 1 Notes the Motion and acknowledges the interest of the mover, and**
- 2 Advises the mover in writing that the City will consider all matters relating to the City of Melville Lawn Bowls Strategy prior to a final decision being made on this proposal.**

At 11.15pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (12/0)**

At 11.13pm Cr Phelan left the meeting and returned at 11.15pm.

## 15. EN BLOC ITEMS

At 11.15pm Cr Foxtton moved, seconded Cr Schuster–

**That the recommendations for items P16/3732, M16/5000, M16/5520, C16/6000 and C16/6001, be carried En Bloc.**

At 11.15pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

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

### 16.1 Proposal to Advocate for changes to the Local Government Act – Silent Electors

At 11.16pm Cr Schuster moved, seconded Cr Wieland –

**That the Council requests the Chief Executive Officer to advocate, through the Western Australian Local Government Association Zone and Conference processes, for changes to the way in which the *Local Government Act 1995* and Regulations treat silent electors on the Federal and State electoral rolls who may wish to stand for election, or be elected, to Councils or employed by a Local Government as follows:**

- 1. The Council notes that the Federal and State electoral rolls allow for silent electors who are not required to disclose their address on the rolls;**
- 2. The Council notes that State and Federal Members of Parliament can be silent electors;**
- 3. The Council notes that Local Government Elected Members are required to disclose their home address when nominating for election, and also in the Primary and Annual Returns, which are public documents;**
- 4. The Council is of the view that if a Local Government Elected Member or candidate is a silent elector on the State or Federal electoral rolls, then they should not be required to disclose their residential address on Local Government forms that are available to the public.**

### Procedural Motion

At 11.26pm Cr Aubrey moved, seconded Cr Robartson the following Procedural Motion in accordance with Clause 11.1(d) of Standing Orders Local Law 2003 -

**That the question be now put.**

At 11.26pm the Mayor submitted the Procedural motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

**16.1 Proposal to Advocate for changes to the Local Government Act – Silent Electors  
- Continued**

**COUNCIL RESOLUTION**

**That the Council requests the Chief Executive Officer to advocate, through the Western Australian Local Government Association Zone and Conference processes, for changes to the way in which the *Local Government Act 1995* and Regulations treat silent electors on the Federal and State electoral rolls who may wish to stand for election, or be elected, to Councils or employed by a Local Government as follows:**

- 1. The Council notes that the Federal and State electoral rolls allow for silent electors who are not required to disclose their address on the rolls;**
- 2. The Council notes that State and Federal Members of Parliament can be silent electors;**
- 3. The Council notes that Local Government Elected Members are required to disclose their home address when nominating for election, and also in the Primary and Annual Returns, which are public documents;**
- 4. The Council is of the view that if a Local Government Elected Member or candidate is a silent elector on the State or Federal electoral rolls, then they should not be required to disclose their residential address on Local Government forms that are available to the public.**

At 11.27pm the Mayor submitted the motion, which was declared

**CARRIED (9/3)**

<b>Vote Result Summary</b>	
Yes	9
No	3

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

At 11.36pm Ms Tranchita left the meeting and returned at 11.38pm

### **16.1 Proposal to Advocate for changes to the Local Government Act – Silent Electors (Continued)**

#### Reasons for Motion

Cr Schuster provided the following reasons in support of the motion.

1. Just for transparency sake I am not in the position, nor am I likely be, to need to become a silent elector;
2. I am aware of Local Government Councillors who are silent electors on Federal and State rolls, and hence Local Government electoral rolls but who then have to disclose their address on Local Government forms such as Annual Reports;
3. In my view the *Local Government Act 1995* and associated Regulations should allow for silent electors, who are candidates or Elected Members, to avoid putting their address into the public realm, although full address details should still be given to the electoral authorities on a confidential basis; and,
4. This motion simply asks the City to engage the Western Australian Local Government Association in advocating for this change.
5. Several criteria are listed in the State and Federal legislation, among which is the existence of a Violence Restraining Order, the person's employment prior to Parliament allows them to be silent electors, or an issue of this kind affecting people they live with.
6. The extent of disclosure of an Elected Member's or candidates address in this case it would suit for only the suburb, town or locality to be disclosed with specific address information provided to electoral authorities not being publicly available.

### **16.2 Amendments to CP-056 Planning Process and Decision Making**

At 11.28pm Cr Pazolli moved, seconded Cr Barton –

***That the Council requests the Chief Executive Officer (CEO) to consider amendments to Policy CP-056 Planning Process and Decision Making by inserting the following clauses in the Policy:***

***3.5.4(a)(iii) Any Major Development (whether referred to the DAU or not referred to the DAU) can be called up by any Elected Member writing to the CEO at the discretion of the Elected Member without the Elected Member needing to obtain the agreement of the CEO or other Planning Officers that there is a relevant planning matter to be considered.***

***3.7.6(c) Any Major Development whether assessed by Planning Officers to be compliant or not.***

***The CEO to report back to the Council in March 2017.***

**16.2 Amendments to CP-056 Planning Process and Decision Making - Continued**

**Permission for Extension of time to Speak**

At 11.36pm Cr Macphail moved, seconded Cr Barling -

**That in accordance with Standing Order Clause 9.6 (Limitation of duration of speeches) Cr Pazolli be permitted an extension of time to speak.**

At 11.36pm the Mayor submitted the motion which was declared

**CARRIED (10/2)**

<b>Vote Result Summary</b>	
Yes	10
No	2

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

**COUNCIL RESOLUTION**

**That the Council requests the CEO to consider amendments to Policy CP-056 Planning Process and Decision Making by inserting the following clauses in the Policy:**

**3.5.4(a)(iii) Any Major Development (whether referred to the DAU or not referred to the DAU) can be called up by any Elected Member writing to the CEO at the discretion of the Elected Member without the Elected Member needing to obtain the agreement of the CEO or other Planning Officers that there is a relevant planning matter to be considered.**

**3.7.6(c) Any Major Development whether assessed by Planning Officers to be compliant or not.**

***The CEO to report back to Council in March 2017.***

At 11.47pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

**16.2 Amendments to CP-056 Planning Process and Decision Making (Continued)**Reasons for Motion

Cr Pazolli provided the following reasons in support of the motion.

1. At present the Call-up provisions of Policy CP-056 do not allow Councillors to call-up development applications (DA) without satisfying a range of conditions.
2. Currently, under this policy, if a DA is assessed by officers to be compliant, then it is decided by the planning officers under the delegated authority of Council. Even if the DA is informally advertised to the immediate neighbours, the neighbours are informed that they cannot object to the compliant development and no objections will be considered. Thus, there is no opportunity for Councillors to call up such a DA, even if Councillors received significant representations from affected neighbours. Recent examples of this situation are 21 Kishorn Rd, Applecross and the commercial development at the corner of Reynolds Rd & Canning Hwy.
3. Even if a DA is referred to the DAU by the CEO or Director of Urban Planning (Councillors cannot refer a DA to the DAU), a Councillor cannot call-up the item unless he/she obtains the signature of the other Ward Councillor or the Mayor / Deputy Mayor and demonstrates to the Manager Planning or Director of Urban Planning that there is a significant planning matter that hasn't been addressed in the officers' report. This means that the DAU call-up process for Councillors is effectively controlled (gatekeepers) by the Planning Officers, making it more difficult to call up a DA that otherwise has significant community objections.
4. For those DAs that the applicant has elected to be determined by the DAP, Councillors can only call up the DA if it has been advertised to neighbours and objections citing valid planning issues (as determined by the officers) have been received. If the officers assess the DA to be compliant then the Catch 22 occurs where the neighbours are advised informally, no objections will be accepted and Councillors cannot call up the DA.
5. The proposed additional clause 3.5.4(a)(iii) allows Councillors to call up any Major Development that has been assessed by the DAU, whether it was referred to the DAU by the CEO or the Director of Urban Planning or not, without needing to satisfy the gatekeeping requirements of having to consult with the Director Urban Planning &/or Manager Statutory Planning and obtaining the signature of the co-ward Councillor or the Mayor / Deputy Mayor
6. The proposed additional clause 3.7.6(c) allows Councillors to call up any Major Development to be determined by DAP irrespective of whether the planning officers assess the development to be compliant (which under the current policy the RAR cannot be called up because of the Catch 22 that opponents cannot object to a "compliant" development and therefore it is not advertised in the EMB and thus cannot be called up).
7. All non Major Developments (ie those with less than 10 units) are not affected by the above two policy amendments and can be called-up under the current policy requirements.

**16.3 Proposed Amendments to Council Policy CP-056 Planning Process and Decision Making**

At 11.49pm Cr Schuster moved, seconded Cr Pazolli –

**That the Council Requests the Chief Executive Officer to review Council Policy CP – 056 including points 1-5 below, and any other resolutions made by the Council relating to this Council Policy. The review is to be submitted to the Council in February 2017, with a proposal to advertise the revised policy for public comment.**

- 1. In the Definition of “Major Development” on page 2 remove the words “2,000 m2” and replace them with “1,000 m2” ;**
- 2. In the definition of “Major Development” on page 2 , after the words “— classed as a major development” replace the full stop with a comma and add the words “unless the Form 2 proposal in some way requires the exercise of judgement under the City’s planning scheme and/or policies, or the R Codes.”;**
- 3. In Section 1.7 “Advertising of Planning Applications” on page 5, Clause 1.7.4 (b) remove the full stop at the end of the Clause, replace it with a comma, and add the words “but will be subject to the provisions of Cl. 1.8 of this Policy.”;**
- 4. In Section 1.7 “Advertising of Planning Applications” a new sentence is to be added to the end of Clause 1.7.5 (c) as follows – “If the application is either a referral to JDAP or defined as a Major Development, then in addition to the other provisions in this Clause the proponent shall erect an information sign on site in accord with the provisions in Clause 1.8”;**
- 5. In Clause 1.7.7 “Extent of Advertising” a new sentence be added to the end of Clause 1.7.7 (e) as follows –“For avoidance of doubt and irrespective of any other provision of this policy, for a development that is either the subject of a referral to JDAP or is defined as a Major Development, the proponent will place an information, or invitation to comment sign, as is relevant on the site.”.**

At 11.51pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

**16.3 Proposed Amendments to Council Policy CP-056 Planning Process and Decision Making (Continued)**Reasons for Motion

Cr Schuster provided the following reasons in support of the motion.

1. Elected Members will be aware that the Council has made a few attempts to get the advertising of JDAP referrals and Major Developments right this year. At the June Ordinary Meeting of Council I thought, erroneously as it turns out, that an amendment I moved to CP -056 (Clause 1.8 –Informal Consultation) which the Council accepted would finally fix the issue I personally had tried three times to address;
2. Alas I was wrong –the current proposal to consider a development at the corner of Reynolds Road/Canning Highway (commonly referred to now as “Woolies”) was advised to 28 or so neighbours by letter, but there was no sign on site because of some discretions the staff thought needed to be addressed. My personal view of this is irrelevant but suffice to say happy I was not;
3. The Amendments here seek to address, in as many Clauses of the Policy CP-056 as I can see deal with advertising, that the Council believes that for any Major Development or a proposal referred to JDAP that in addition to the usual letter driven notification to direct neighbours that the public need to be informed of the proposal by way of a sign(s) on site. This is irrespective of whether the public is being asked to comment formally, or is simply advice (which we know in several cases leads to comment in any event).

**16.4 Proposal to Review Council Policy CP-079 Car Parking and Access**

At 11.51pm Cr Schuster moved, seconded Cr Foxton –

**That the Council request the Chief Executive Officer to conduct a review of Council Policy CP -079 [Car Parking and Access] , in which as a minimum the following matters will be addressed:**

1. **The provisions of Section 7 of the Policy [Cash in Lieu], in respect to whether they are meeting the City’s requirements, based on a review of the developments over the past two years seeking access to (or being granted) cash in lieu of parking provision, and in particular whether the cash in lieu contribution should only be acceptable when the car parking [or other infrastructure/expenditures allowed by Clause 7.4 (b)] is capable of being provided within 150 metres of the relevant development seeking approval;**
2. **In Table 1 of the Policy whether the use “Hospital/Aged and Dependent Person’s Housing/Residential Aged Care” is a homogenous use with respect to parking requirements, or should these types of uses be further divided and separate car parking standards be applied;**
3. **Any other matters the Chief Executive Officer believes needs to be considered in such a review; and,**
4. **The review should be reported to the March 2017 Ordinary Meeting of Council if possible.**

At 11.53pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

**16.4 Proposal to Review Council Policy CP-079 Car Parking and Access**Reasons for Motion

Cr Schuster provided the following reasons in support of the motion.

1. Recently at JDAP hearings there have been a number of developments approved (eventually in some cases) with cash in lieu parking provisions. In some cases this has been by using street verges to construct the bays, and in others by payment of a sum to the City;
2. When a cash payment is provided the money can be, under current operational conditions, used in same quadrant of the City as it is raised (SW, SE, NW,NE), but of course if a development in the City Centre Activity Centre contributes cash in lieu, that money could be spent several kilometres from the contributing development. It is possible then that street parking and the like could occur, in some circumstances to the detriment of residents in surrounding streets, even though a cash in lieu payment was made. In my view it is timely for Council to consider the operations of its cash in lieu parking policy to ensure it is still meeting our objectives;
3. The recently approved high care facility in Kitchener Road highlighted in the JDAP debate that the parking requirements for hospitals and aged care facilities, and between different types of aged care facilities can be very different and in my view this is a matter we could usefully address; and,
4. The proposed motion also provides the CEO with the prospect of reviewing other parts of the Policy in the light of recent experience.

**16.5 Signs at Canning Bridge promoting “First Hour Free” Parking**

At 11.53pm Cr Schuster moved, seconded Cr Wieland –

**That the Council requests the Chief Executive Officer to:**

1. **install new parking regulatory signs in the area of Canning Bridge declared by Council in March 2016 to be subject to “First Hour Free” parking, which replace the existing signs on the same poles with “First Hour Free with a Valid Ticket” message (or similar) and include the same information as already there;**
2. **fund this activity from Account Number 451.22613 (Verge Infrastructure Account); and,**
3. **Prior to implementing this decision review the City’s *Parking Local Law 2016*, in the light of other Council’s experience, to determine if the Local Law needs to be revised to cater for signs such as these.**

At 11.55pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

**16.5 Signs at Canning Bridge promoting “First Hour Free” Parking (Continued)**Reasons for Motion

Cr Schuster provided the following reasons in support of the motion.

1. Council approved “First Hour Free” parking in an area north of Canning Highway at Canning Bridge in March 2016. It was implemented in June 2016, but there were no signs indicating that policy;
2. I requested that such signs be installed, but was advised the City was going to place some markings on roads, the local businesses had received flyers and of course the parking machines had been re-programmed;
3. Since that time almost everywhere I have gone in Perth (eg Fremantle, Subiaco, Claremont) that has a form of “First Hour Free” parking I have seen that the parking signs advertise the existence of that policy, which makes sense to me;
4. I went back to the officers and it was thought a Motion with Notice was the appropriate way to go. The likely cost of replacing about 10 signs (not the poles) is \$600; and,
5. The reference to the *Parking Local Law 2016* relates to the Technical Services staff needing to review how other Councils structure their Parking laws to allow such signs (as the Australian Standard does not mention “free parking” as a piece of information able to be put on a parking sign) and if necessary develop proposed amendments to the Local Law. To my mind the “First Hour Free” idea is likely to become more common over time in the City so this research is worth doing.

**16.6 Request for report on a meeting cycle which would result in more regular Ordinary Meetings of Council**

At 11.56pm Cr Foxtan moved, seconded Cr Barling –

**That the Council;**

- 1 Requests the Chief Executive Officer to prepare a report outlining various options, and the implications of such, for meeting cycles that are different to the meeting cycle under which the Council currently operates. It is requested that options, such as a three week meeting cycle, which would result in more regular Ordinary Meetings of the Council are explored.**
- 2 Requests that the report be presented to Elected Members early in 2017.**

At 11.58pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (12/0)**

**16.6 Request for report on a meeting cycle which would result in more regular Ordinary Meetings of Council**Reasons for Motion

Cr Foxtton provided the following reasons in support of the motion.

A more frequent cycle of Ordinary Meetings of Council will result in a faster turnaround time for customers awaiting Council decisions. Currently, ratepayers can be forced to wait for up to six weeks for a decision on an issue which affects them. Making this change will result in a higher level of service for our customers.

More regular meetings will, in theory, mean fewer items on each agenda, and therefore should result in shorter meeting times. This benefits councillors, staff and the public.

Requesting a report into the implications of different meeting cycles allows City staff to inform the Council of the advantages and disadvantages of any changes, which will allow us to make a well informed decision.

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

Nil

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

Nil

**19. CLOSURE**

There being no further business to discuss, the Mayor declared the meeting closed at 11.59pm.