



**MINUTES  
OF THE  
ORDINARY MEETING OF THE COUNCIL  
HELD ON  
TUESDAY 16 JUNE 2015  
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, 16 JUNE 2015.**

**1. OFFICIAL OPENING**

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

**Affirmation of Civic Duty and Responsibility**

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

**2. PRESENT**

His Worship the Mayor R Aubrey

**COUNCILLORS**

Cr M Reynolds  
Cr R Aubrey  
Cr C Robartson, Cr R Willis  
Cr J Barton, Cr S Taylor-Rees  
Cr P Phelan  
Cr N Pazolli, Cr C Schuster

**WARD**

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

**3. IN ATTENDANCE**

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development
Mr J Christie	Director Technical Services
Mr S Cope	Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Mr P Prendergast	Manager Statutory Planning
Mr J Clark	Governance & Compliance Program Manager
Mr N Fimmano	Governance & Property Officer
Ms R Davis	Minute Secretary

At the commencement of the meeting there were 25 members of the public and one member from the Press representing the Melville Times in the Public Gallery.

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

Cr N Foxtton – University Ward

**4.2 APPROVED LEAVE OF ABSENCE**

Cr D Macphail – City 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.

At 6.50pm Mr Prendergast left the meeting and returned at 6.54pm.  
At 7.01pm Ms Davis left the meeting and returned to at 7.03pm.

## **6. QUESTION TIME**

### **6.1 – T Smirke - Palmyra**

#### Question 1

*Why has the City of Melville not liaised with local rate payers regarding the forced acquisitions' of their homes?*

#### Response

Last week the Mayor and Ward Councillor Phelan personally letter dropped in the Palmyra area to have the opportunity to talk directly with residents.

In order to protect Melville property owners and employees of affected businesses, the Mayor has also moved a motion to support the Minister of Transport, Dean Nalder, in the proposed construction of the Fremantle Eastern Bypass at the earliest possible occasion.

#### Question 2

*When was the City of Melville first made aware that Council ratepayers might have their properties taken away from them through forced acquisitions due to the Perth Freight link?*

#### Response

The City of Melville had no knowledge of potential residential land acquisitions prior to being informed of this in May 2015. The Mayor wrote directly to Minister Nalder on 14 May 2015, expressing his concern that no information had been provided on the potential land acquisition.

The potential commercial land acquisitions were flagged 12 years ago and the Mayor has been in contact with those ratepayers consistently over that time.

#### Question 3

*Why did the City of Melville give council permission to residents, who are going to be forced from their homes, to do costly renovations?*

#### Response

The City of Melville had no knowledge of potential residential land acquisitions prior to being informed of this in May 2015.

#### Question 4

*Why were no caveats or encumbrances placed on the properties that are scheduled to be demolished?*

## 6. QUESTION TIME (Continued)

### 6.1 – T Smirke – Palmyra (Continued)

#### Response

The City of Melville had no knowledge of potential residential land acquisitions prior to being informed of this in May 2015.

#### Question 5

*Does the Mayor deem it fair that ratepayers affected by the Perth Freight Link are being forced from their homes, against their will, because of the Perth Freight Link?*

#### Response

No. Since 2003 when the Labor Government deleted the option for the Fremantle Eastern Bypass, the Mayor has led the City's fight to inform all Melville residents of its potential consequences, which was always understood to be commercial property owners, up until letters were delivered to residents.

#### Question 6

*Have any studies been undertaken by the City of Melville to assess the impact the Perth Freight Link will have on the property values in Palmyra, Melville and Willagee?*

#### Response

Compensation is a matter for the State Government to address, however if the Perth Freight Link is constructed along the original Fremantle Eastern Bypass alignment, the amenity for all Melville residents located close to Leach Highway and Stock Road will improve significantly.

Similarly, the construction of Roe 8 will reduce pollution and road congestion in the eastern suburbs of the City of Melville, resulting in an improvement in residential amenity.

### 6.2 E Nielsen – Booragoon

#### Question 1

*If the Mayor is so adamant that ROE 8 should go all the way to the original Route 1 (**Fremantle Eastern Bypass**) and not up Stock Road (**Perth Freight Link**), why did the Mayor then not vote **NO** on the 17 February 2015 like three other councillors?*

#### Response

Those who attended the debate would be in a clear position to determine the rationale behind why elected members voted for, or against, the proposal to support or oppose affirmation for the Perth freight Link.

Those voting in favour cited issues such as relieving traffic congestion on South Street, Leach Highway and Canning Highway and gaining critical access to Murdoch hospital precinct.

## 6. QUESTION TIME (Continued)

### 6.2 E Nielsen – Booragoon (Continued)

Those voting against spoke in support of protecting the interest of Coolbellup residents and Horse Paddock Swamp.

The reason I voted Yes, is because as Mayor of the City I am elected to represent the interest of residents of the whole district and the Perth Freight Link will be of great benefit to all our residents across the City.

#### Question 2

*Having known about this for some 12-13 years why did it only recently become evident that residential properties are now under direct threat (second paragraph Open Letter, refers)? This refutes the claim in the fifth paragraph of the letter that over the past 15 years you (Mayor Aubrey) 'have been in constant contact with the property owners we knew to be affected.'*

#### Response

The City of Melville had no knowledge of potential residential land acquisitions prior to being informed of this in May 2015. The Mayor wrote directly to Minister Nalder on 14 May 2015, expressing his concern that no information had been provided on the potential land acquisition.

As clearly stated in the letter to residents, the Mayor has been in constant contact with the property owners "we knew to be affected." They are all enthusiastically supporting the reinstatement of the Fremantle Eastern Bypass alignment and the construction of the tunnel.

It was not possible to be in contact with property owners we didn't know to be affected.

#### Question 3

*Has the Mayor seen the videos published on social media from the Senate Rural and Regional Affairs and Transport Legislation Committee 27 May 2015 in which Senator Scott Ludlam raises a variety of concerns? If so, would it not be prudent to pause and reflect on the issues raised by Senator Ludlam before pushing ahead?*

<https://www.facebook.com/SenatorLudlam/videos/vb.17351204469/10153372687434470/?type=2&theater>

<https://www.facebook.com/SenatorLudlam/videos/vb.17351204469/10153383259919470/?type=2&theater>

#### Response

The Mayor advised that he had seen and listened to the published videos and that he did not believe that there were any issues arising which should delay the processes that are currently underway.

**6. QUESTION TIME (Continued)****6.2 E Nielsen – Booragoon (Continued)**Question 4

*Questions were raised at the Legislative Assembly Estimates Committee last Tuesday, 9 June 2015 asking the government how it intended to handle 'placarded loads' (dangerous goods) going through the tunnel if one was built. Mr Nalder considered the question a 'bit premature' and Mr S. Troughton said 'we are having a look at that and having a bit of a think' and noted that placarded loads are not permitted through the Graham Farmer Freeway tunnel (Northbridge Tunnel).*

- a. *Is the Mayor in a position to offer any suggestions on safe handling of placarded goods through a tunnel before putting a motion before Council to support a tunnel (sixth paragraph Open Letter, refers)?*

Response

The Mayor advised that placarded trucks constitute only a small proportion of the overall freight task and these will be directed to a non-tunnel option.

Question 5

*Why does the City of Melville not join forces with Cockburn, East Fremantle and Fremantle and persuade the State Government to move forward with the construction of a container park/port at Wattleup, in the vicinity already indicated by the Premier in 2012 to be his favourite location?*

Response

As would be expected the City of Melville is dedicated to representing the interests of its residents, particularly when Melville lives, homes and jobs are at stake. The Perth Freight Link has the capacity to remove 75,000 vehicles per day onto a free-flowing bypass, removing congestion from our major arteries, reducing pollution and trucks on our roads and saving almost 100 businesses, approximately 1000 jobs, and 100 homes and properties.

The continued self-interest shown by other local governments when Melville lives, homes and jobs are at stake is disappointing, particularly when there are also many transport benefits accrued to the South West metropolitan region as a whole.

**6.3- L O'Malley – Palmyra**Question 1

*What date did the City of Melville become aware of Main Roads plans to widen Leach Highway thereby impacting Palmyra homes?*

Response

The Mayor responded by saying that the City become aware in early May 2015.

**6. QUESTION TIME (Continued)****6.4- S Hoffman – Palmyra**Question 1

*Is it true that the Freight link will outgrow the Port?*

Response

The Mayor responded by saying he was not sure what the question means but said the Port has the capacity to move and double in size and the potential is for the Port to handle an extra 1 million containers per annum.

Question 2

*If the Freight Link goes through will it destroy the heart of Fremantle?*

Response

The Mayor responded by saying that this is a question for Fremantle to answer and to negotiate, to determine what the effects would have on Fremantle

**6.5 - D & T Smirke – Palmyra**Question 1

*Why is The City of Melville supporting a flawed road that doesn't reach the Port, and will not change the amount of trucks that go past Palmyra?*

Response

If the alignment is chosen we will do a report which will come to next month's Council Meeting and that will determine where the actual link will align. If the link aligns the old Fremantle Eastern Bypass, then the trucks will not go through Palmyra.

Question 2

*Why are the affected residents having to rely on support from the public and other council like (Fremantle, East Fremantle and Cockburn) instead of the City of Melville, our shire Council?*

Response

The City of Melville is moving forward tonight and next month in order to give appropriate support for an appropriate alignment. The only option that protects the people of Palmyra is the Perth Freight Link aligned with the Fremantle Eastern Bypass.

Question 3

*Why won't the City of Melville (including Russell Aubrey) not stand with the affected residents, whose homes are scheduled to be demolished, in the media and say he wants this Freight Link stopped?*

**6. QUESTION TIME (Continued)****6.5 - D & T Smirke – Palmyra (Continued)**Response

The Mayor responded by saying he has been excluded from all options to line up with the residents. He has never been invited to a meeting or a meeting in his own City, he has not been informed about any of the meetings held by the residents. The Mayor also advised that he has been knocking on doors delivering papers and moving a Notice of Motion so that the community has transparency in determining what the City of Melville intends to do.

Over the last 15 years the Mayor has been aligned with the residents and the City of Melville to get the best outcome in terms of development of the road network in the City.

Question 4

*Why has the City of Melville not joined with the City of Cockburn, Fremantle and Town of East Fremantle to stop Roe 8 and the Perth Freight Link?*

Response

The Mayor responded by saying the City is acting on behalf of all the residents of the City of Melville.

Question 5

*You support Roe 8 and the re-introduction of Roe 9 so why won't you oppose the Perth Freight link that will demolish your Palmyra and Willagee ratepayers' homes?*

Response

The Mayor responded by saying that Roe 9 will prevent the demolition of those houses in Palmyra and Willagee. It is the only option that does prevent the demolition of houses in Palmyra and Willagee and that is why our Councillors will support it.

**6.6 - S Kepert – Bicton**Question 1

*Can the Mayor please substantiate any of the 'facts' that he provided on June 12 to selected residents in Willagee and Palmyra who may be losing their homes to the Perth freight link, considering figures quoted came from the 'PFL Business Case Executive Summary, which did not provide any reference data and no business case has been provided to either the public or Infrastructure Australia for analysis?*

Response

The Mayor advised that 450,000 tons of greenhouse gas has been saved and that data has been taken to be correct as it is a Government document. The Mayor is not in a position to substantiate it and it can only be relayed to the residents and relied upon as being accurate information that has been provided to the City by the Government.

**6. QUESTION TIME (Continued)****6.7 – G O'Donovan – Applecross**Question 1

*Given that ratepayers and residents have not been provided with traffic modelling, nor any details as to the impacts of the Perth Freight Link on residents and businesses and given that the City has not surveyed ratepayers and residents for our views regarding the Perth Freight Link, how does the City justify considering passing a resolution favouring the proposed Perth Freight Link?*

Response

The Mayor responded by saying that the process tonight will be a request for a report to be written that outlines what will be the best alignment for the Perth Freight Link, given that the City has never done any traffic modelling relating to this project.

Question 2

*Would you please- state the source or sources of the statements on the reverse of the letter under the heading "Myth Busters - Perth Freight Link" and make available to ratepayers on the City of Melville website a copy of all source materials?*

Response

The Mayor responded by saying that all the information has come from Government sources and is readily available to all concerned.

**6.8 – K Dravnieks – Kardinya**Question 1

*Can the Mayor justify his announcement to develop funding models for an urban forest to mitigate the effects of climate change as reported in the herald on June 6, while at the same time continue to support the destruction of 100 hectares of priceless Beelie Regional Park for the Perth Freight Link, as the park is used by many residents and is also a critical habitat for wildlife?*

Response

The Mayor responded by saying that the park in question – the Horse Paddock Swamp - it will not go through lakes, as 'top down' techniques will be used. This is a very expensive way of construction but very successful and which has been used on much larger pieces of wet land on the Perth to Bunbury road, these techniques are already in place, there is an offset provided to this area estimated to be 100 hectares of bushland.

**6. QUESTION TIME (Continued)****6.9 - W Christensen – Palmyra**Question 1

*Why has the Council been so complicit with an unsubstantiated “make it up as you go” planning process that is adversely affecting its residents interests damaging the Local environment and foreclosing more forward looking options?*

Response

The City of Melville and the ‘Save Our Suburbs’ community group fought a hard battle to stop Transport Minister Alanah MacTiernan deleting the Fremantle Eastern Bypass and turning Stock Road into an 8-lane highway and Leach Highway into a 10-lane highway, with all the additional cost to our community .

The Fremantle Eastern Bypass was deleted in 2003 and now the current Transport Minister, Dean Nalder, has to deal with the consequences of that short sighted action.

The initiative of Minister Nalder to reinstitute the Fremantle Eastern Bypass road reservation (Roe Highway Stage 9) is consistent with the City of Melville position and my personal quest to ‘Save Our Suburbs’.

**6.10 - E Nicholson – Applecross**

Classified recently by the International Agency for Research on Cancer (IARC), an arm of the World Health Organisation (WHO), Glyphosate (including Roundup which contains Glyphosate) was classified as “[probably carcinogenic to humans](#)”. Several European countries, including Holland, Denmark and Sweden, have banned or restricted the use of glyphosate herbicides by local authorities, because of alleged links with a variety of health problems – not just cancer – ranging from birth defects and kidney failure to [celiac disease](#), colitis and autism.

Question 1

*Will the City be amending/reviewing its usage of this chemical? If so, how? If not, why not?*

Response

The City does not profess to be an expert on the health effects from the use of approved chemicals. The City only uses approved pesticides and herbicides that have been approved for use by the Australian Pesticides and Veterinary Medicines Authority.

Should there be any change to the classification of glyphosate as an approved herbicide then the City would take the appropriate action.

**6. QUESTION TIME (Continued)****6.10 - E Nicholson – Applecross (Continued)**Question 2

*I refer to the Officers' Recommendation of the agenda item CD14/8060 - BLUE GUM PARK TENNIS CLUB LEASE EXTENTION(sic) on the 20 May 2014 OCM of Council and I refer particularly to the highlighted text.*

*When will the "ongoing rehabilitation of the remaining degraded area" as outlined in 1e) of the Officers' Recommendations commence?*

*"e. The Blue Gum Park Tennis Club contributing \$7,650 cash over five years to the ongoing rehabilitation of the remaining degraded area adjacent to the extended leased area"*

Response

The rehabilitation of the degraded area will be undertaken during the coming winter months.

Question 3

*When will items 2 & 3 of the Officers' Recommendations commence or be completed if already in progress?*

- "2. That an operational management plan is developed by the Blue Gum Park Tennis Club to the satisfaction of the City, which demonstrates the Club's commitment to the ongoing management of the tennis courts to lessen any detrimental environmental impact on the surrounding bushland.*
- 3. That an annual meeting and site inspection of the Blue Gum Reserve is convened by the City inviting the Blue Gum Park Tennis Club and the Friends of Blue Gum Reserve to discuss the implementation of the approved operational management plan and to identify any necessary improvements."*

Response

Item 2.

An Operational Management plan has been developed.

Item 3.

Meetings between the Club and the Environmental team were held in March 2015 relating to the development of the management plan. An annual meeting between the City, the Friends of Booragoon and Blue Gum Lakes and the Club was planned for 21 April 2015, however, was postponed until the negotiations regarding the financial contribution from the tennis club are completed.

## 6. QUESTION TIME (Continued)

### 6.11 - E McCarthy – Willagee

#### Question 1

*How will the Perth Freight link affect Willagee? Specifically, the Willagee Structure Plan and Rezoning*

#### Response

The Perth Freight Link will not affect the rezoning of Willagee.

#### Question 2

*Transport in and out of Willagee?*

#### Response

Main Roads has indicated a local road only option is being considered and that issues associated with entrance and exit for Willagee will be addressed

#### Question 3

*Diesel Particulates at Webbers Reserve affecting children?*

#### Response

The Perth Freight Link will provide free flowing access to and from the Port. This means no stop-start traffic through our suburbs, no waiting times at traffic lights and general congestion is significantly reduced.

This is estimated to save 450,000 tonnes of greenhouse gas emissions by 2031.

**The following questions were received at the June Council meeting, however, responses were not provided at the meeting. The responses to the questions are as follows**

### 6.12 – H. Turner – Palmyra

#### Question 1

*What are the plans in place to compensate residents on Leach Highway for the – decreased value of their homes?*

*Increase in noise to our homes?*

*Increase in toxicity – known to cause cancer?*

*This road will make homes adjacent to Leach Highway both unsaleable and unliveable*

**6. QUESTION TIME (Continued)****6.12 – H. Turner – Palmyra (Continued)**Question 2

*What are the plans in place to eradicate the massive increase in known carcinogens that will be dumped into our homes? The World Health Organisation states unequivocally that diesel fumes cause lung cancer and increased rise of bladder cancer. UK studies show traffic fumes especially diesel account for 96,000 preventable deaths per year.*

Responses

Despite the extensive effort of the City of Melville and the Save Our Suburbs community group, the Fremantle Eastern Bypass (Stage 9 of Roe Highway) was deleted from the Metropolitan Region Scheme by the Labor Government of the day in 2003. This diverted Fremantle Port traffic through the City of Melville suburbs of Willagee and Palmyra in perpetuity.

Currently, the Minister for Transport, Dean Nalder, is investigating the potential to re-institute Roe Highway Stage 9 alignment and re-direct traffic back on a path that was set aside 60 years ago, taking it along a Bypass route away from Melville properties.

I have been working with all known interested groups for 15 years to achieve this goal and relieve Melville of the very significant impacts imposed by the deletion of the Fremantle Eastern Bypass (Stage 9).

Unfortunately, compensation is a matter for the State Government to determine, but with the initiative of the Minister it is hoped that the amenity of all Melville residents will be significantly improved and we will succeed in "Saving Our Suburbs".

**6.13 – G O'Donovan – Applecross**Question

*Has the City been advised that Stock Road may become an 8 Lane highway of which 4 lanes will be freight only (under the Perth Freight Link Project)? and has the City been advised that Leach Highway will become a 10-Lane highway (of which 4 lanes will be freight only)?*

Response

Only the construction of the Perth Freight Link with the institution of Roe Highway (Stage 9) will remove up to 75,000 vehicles per day off Melville roads and provide free flowing access between the Fremantle Port and Perth Airport.

The option to incorporate Roe Highway Stage 9 transfers heavy traffic back on the road reservation set aside for it 60 years ago and negates the need to demolish homes and properties in Palmyra. This option has only been revisited since Minister Nalder has been in office.

No other funded option has the capacity to meet the important requirement of removing large volumes of vehicular traffic away from Melville's hospitals, businesses and residential properties.

**7. AWARDS AND PRESENTATIONS**

NIL

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY MEETING OF THE COUNCIL – 12 MAY 2015**  
**Minutes 12 May 2015****COUNCIL RESOLUTION**

At 7.15pm Cr Robartson moved, seconded Cr Schuster

**That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 12 May 2015, be confirmed as a true and accurate record.**

At 7.15pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

**8.2 NOTES OF AGENDA BRIEFING FORUM – 2 JUNE 2015**  
**Notes 2 June 2015****COUNCIL RESOLUTION**

At 7.15pm Cr Willis moved, seconded Cr Aubrey –

**That the Notes of the Agenda Briefing Forum held on Tuesday, 2 June 2015, be received.**

At 7.15pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

At 7.15pm Mr Tieleman left the meeting and returned at 7.20pm.

**8.3 FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE – 25 MAY 2015****COUNCIL RESOLUTION**

At 7.15pm Cr Barton moved, seconded Cr Robartson –

**That the Minutes of the Financial Management, Audit, Risk and Compliance Committee Meeting held on Monday 25 May 2015 be noted.**

At 7.15pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

**NB:**

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

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

Nil.

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

Nil.

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

At 7.16pm Cr Schuster moved, seconded Cr R Willis

**That the application for new leave of absence submitted by Cr Phelan and Cr Aubrey on 16 June 2015 be granted.**

At 7.16pm the Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (10/0)**

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

Nil.

**12. PETITIONS**

At 7.18pm Cr Phelan moved, seconded Cr Taylor-Rees -

**That the Council consider the matters raised in the petition from 422 electors concerning the Perth Freight Link in conjunction with consideration of two motions with notice on the agenda of this meeting.**

At 7.18pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

**15. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****Election of Presiding Member**

At 7.20pm Mayor Aubrey called for nominations for the position of Presiding Member

At 7.21pm Cr Phelan moved, seconded Cr Aubrey

**That Cr M Reynolds be appointed as Presiding Member**

At 7.21pm the Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (10/0)**

At 7.21pm Mayor Aubrey vacated the chair

At 7.21pm Cr Reynolds assumed the chair

At 7.51pm Dr Silcox left the meeting and returned at 7.53pm.

At 8.32pm Mayor Aubrey left the meeting, and returned at 8.34pm.

At 8.34pm Cr Aubrey left the meeting, and returned at 8.36pm.

At 8.45pm Cr Pazolli left the meeting, and returned at 8.49pm.

At 9.00pm Mr Prendergast left the meeting, and returned at 9.04pm.

**15.1 Preferred Alignment of the Proposed Perth Freight Link**

At 7.22pm Mayor Aubrey moved, seconded Cr Phelan –

**That the Council:**

**Requests the Chief Executive Officer prepare a report to be presented to the earliest possible Council meeting which identifies the City's preferred alignment of the proposed Perth Freight Link with specific consideration to:**

- 1 Acknowledging the environmental sensitivity shown in selecting, within the boundaries of the road reservation set aside in the Metropolitan Regional Scheme, the proposed alignment of Roe 7 Extension between the lakes and through to Stock Road and the use of minimally intrusive engineering techniques to protect wetland areas and the proposed environmental offsets to be provided.**
- 2. The reaffirmation of the City's support for the construction of the extension of Roe Hwy from Stock Rd through to Stirling Bridge along the former Fremantle Eastern Bypass alignment, as currently under consideration by the State Government, as the alignment which provides minimum residential, commercial and social impact on the communities of Melville, Fremantle and East Fremantle whilst providing the most efficient link in the transport network.**
- 3. Acknowledging, by letter from the Mayor, the support of:  
Hon Tony Abbott the Prime Minister of Australia;  
Hon Colin Barnett the Premier of Western Australia;  
Hon Matthias Cormann the Federal Minister for Finance;  
Hon Dean Nalder the Minister for Transport;  
Hon Mike Nahan the Treasurer of the State of Western Australia;**

**15.1 Preferred Alignment of the Proposed Perth Freight Link (Continued)**

and all other members of the Cabinet of the State Government of Western Australia and local State Government representatives in providing the funding package for the construction of the Perth Freight Link and expressing the City's desire for the construction to proceed at the earliest possible occasion to bring relief from the increasing impacts of heavy traffic congestion in the South West region on road users, residents, business operators and the economy.

**Motion of Dissent with the Presiding Member's Ruling**

At 7.38pm Cr Pazolli moved, seconded Cr Barton, the following Procedural Motion in accordance with Clause 11.1(f) of Standing Orders Local Law 2003 –

**That the ruling of the Presiding Member relating to a statement by Cr Pazolli be disagreed with.**

At 7.38pm the Presiding Member submitted the Procedural Motion which was declared

**LOST (4/6)**

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

<b>Vote Result Detailed</b>	
Cr Barton	Yes
Cr Pazolli	Yes
Cr Taylor-Rees	Yes
Cr Schuster	Yes
Cr Aubrey	No
Cr Phelan	No
Cr Reynolds	No
Cr Robartson	No
Cr Willis	No
Mayor Aubrey	No

**15.1 Preferred Alignment of the Proposed Perth Freight Link (Continued)**

At 8.01pm Mayor Aubrey moved, seconded Cr Schuster that –

**Cr Robartson be granted an extension of time to speak**

At 8.02pm the Presiding Member submitted the motion which was declared  
**CARRIED (8/2)**

<b>Vote Result Summary</b>	
Yes	8
No	2

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Taylor-Rees	No

**15.1 Preferred Alignment of the Proposed Perth Freight Link (Continued)****AMENDMENT 1**

At 8.06pm Cr Schuster moved,

That Point 3 be amended as follows-

3. **Further the Chief Executive Officer will consider preparing a letter from the Mayor, acknowledging the support of:**  
**Hon Tony Abbott the Prime Minister of Australia;**  
**Hon Colin Barnett the Premier of Western Australia;**  
**Hon Matthias Cormann the Federal Minister for Finance;**  
**Hon Dean Nalder the Minister for Transport;**  
**Hon Mike Nahan the Treasurer of the State of Western Australia;**

**and all other members of the Cabinet of the State Government of Western Australia and local State Government representatives in providing the funding package for the construction of the Perth Freight Link and expressing the City's desire for the construction to proceed at the earliest possible occasion with the eastern sections of Perth Freight Link (i.e. ROE8) to bring relief from the increasing impacts of heavy traffic congestion in the South West region on road users, residents, business operators and the economy.**

With the agreement of the mover and seconder, the amendment was incorporated into the motion

**AMENDMENT 2**

At 8.15pm Cr Taylor-Rees, seconded Cr Barton

That point 4 be added as follows –

4. **Request Traffic modelling to be made available by Main Roads on Section 2 of the current planned route to the City and the residents of the City of Melville by July Ordinary Council Meeting 2015.**

At 8.31pm the presiding member submitted the amendment which was declared  
**CARRIED (9/1)**

**15.1 Preferred Alignment of the Proposed Perth Freight Link (Continued)**

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

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Phelan	No

**Motion be Put**

Cr Barton moved a procedural motion in accordance with Standing Orders Clause 11.1(d) that the question be now put.

At 9.14pm Cr Barton moved, seconded Cr Pazolli –

**That the question be now put.**

At 9.14pm the Presiding Member submitted the motion which was declared

**CARRIED (9/1)**

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

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Phelan	No

**15.1 Preferred Alignment of the Proposed Perth Freight Link (Continued)****MOTION**

That the Council:

1. Requests the Chief Executive Officer prepare a report to be presented to the earliest possible Council meeting which identifies the City's preferred alignment of the proposed Perth Freight Link with specific consideration to:
  - a) Acknowledging the environmental sensitivity shown in selecting, within the boundaries of the road reservation set aside in the Metropolitan Regional Scheme, the proposed alignment of Roe 7 Extension between the lakes and through to Stock Road and the use of minimally intrusive engineering techniques to protect wetland areas and the proposed environmental offsets to be provided and;
  - b) The reaffirmation of the City's support for the construction of the extension of Roe Hwy from Stock Rd through to Stirling Bridge along the former Fremantle Eastern Bypass alignment, as currently under consideration by the State Government, as the alignment which provides minimum residential, commercial and social impact on the communities of Melville, Fremantle and East Fremantle whilst providing the most efficient link in the transport network.
2. Further the Chief Executive Officer will consider preparing a letter from the Mayor, *acknowledging* the support of:  
Hon Tony Abbott the Prime Minister of Australia;  
Hon Colin Barnett the Premier of Western Australia;  
Hon Matthias Cormann the Federal Minister for Finance;  
Hon Dean Nalder the Minister for Transport;  
Hon Mike Nahan the Treasurer of the State of Western Australia;  
  
and all other members of the Cabinet of the State Government of Western Australia and local State Government representatives in providing the funding package for the construction of the Perth Freight Link and expressing the City's desire for the construction to proceed at the earliest possible occasion with the eastern sections of Perth Freight Link (i.e. ROE8) to bring relief from the increasing impacts of heavy traffic congestion in the South West region on road users, residents, business operators and the economy.
3. Request the Chief Executive Officer to obtain Traffic modelling from Main Roads on Section 2 of the current planned route to the City and the residents of the City of Melville by July Ordinary Council Meeting 2015.

At 9.16pm the Presiding Member submitted the substantive motion, as amended was declared

**CARRIED (7/3)**

**15.1 Preferred Alignment of the Proposed Perth Freight Link (Continued)**

<b>Vote Result Summary</b>	
Yes	7
No	3

<b>Vote Result Detailed</b>	
Cr Aubrey	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Pazolli	No
Cr Taylor-Rees	No

Reasons for Motion

The matter of the alignment and construction of Roe 7 Extension through to Fremantle Port has become highly contentious and has attracted a lot of negative media for the State Government.

A high degree of confusion and misinformation has been evident in the public forum and a significant number of properties, businesses and jobs in the City of Melville are seen to be under threat.

Since the City reaffirmed its support for the construction of Roe 7 Extension through to Stock Road only three months ago, the Department of Transport has revealed that it is considering an alternative alignment for the Perth Freight Link, potentially diverting it along the road reserve for the former Fremantle Eastern Bypass which includes a tunnel construction under properties in White Gum Valley.

The Fremantle Eastern Bypass alignment was always the preferred option for the City prior to the deletion of the Fremantle Eastern Bypass from the Metropolitan Region Scheme, following a hard fought battle by the City and its residents back in 2002 and 2003.

At this critical stage I believe it is entirely reasonable for the community to be provided with a clear indication of the City's support to protect their financial, residential, commercial interests along with their physical well being and lifestyles.

At 9.17pm the Acting Presiding Member adjourned the meeting for a comfort break.  
At 9.22pm the meeting resumed and Mayor Aubrey assumed the Chair.

## 15.2 Perth Freight Link

At 9.26pm, Cr Taylor-Rees moved, seconded Cr Barton -

**That the Council requests the Chief Executive Officer to;**

- 1. Maintain continuing communication with, and gain information from, Main Roads WA on options being considered or planned for Section 2 of the Perth Freight Link, with particular regard to the impacts on residents, business-owners and commercial property owners (together referred to in this Motion as "Melville Stakeholders") of the City of Melville and of affected suburbs (Palmyra, Willagee and Melville) from resumption of homes and commercial premises, disruption of communities, traffic noise and noise abatement measures, air pollution, reduced setbacks from traffic, loss of amenity, and increased temperatures due to replacing vegetation with hard surfaces, such as bitumen;**
- 2. Convey this information regularly and on a timely basis to the full Council and affected Melville Stakeholders, together with assurances of the Council's support in protecting their rights;**
- 3. Use all endeavours to ensure full consultation between Main Roads WA and Melville Stakeholders in relation to the Perth Freight Link prior to the letting of contracts by Main Roads WA;**
- 4. Make representations to Main Roads WA and to the Minister for Transport, on a timely and best endeavours basis, aimed at any eventual Perth Freight Link plan incorporating adequate measures to protect all potentially negatively affected Melville Stakeholders from those impacts;**

**15.2 Perth Freight Link (Continued)**

5. To request Main Roads WA and the Minister for Transport to provide information on the process and basis for awarding compensation for properties resumed as a result of the Perth Freight Link;
6. Request the Minister for Transport to advise on all possible impacts to Melville Stakeholders of the present proposed Perth Freight Link and of future proposals and to submit the Minister's communications in writing to the July 2015 Ordinary Meeting of Council; and
7. Request the Minister for Transport to provide traffic modelling to indicate expected impacts to the local road network within the City of Melville that will result from proposed changes to the existing road infrastructure as a result of the Perth Freight Link and that this be available to City of Melville residents.

**REJECT AND REPLACE -**

At 9.32pm Cr Phelan moved, Cr Reynolds seconded –

**That the Council requests the Chief Executive Officer to;**

1. **Keep Elected Members continually updated on all events to the development of the Perth Freight Link that potentially impact upon City of Melville residents and properties and affected stakeholders until the planning and approval process for the Proposal is completed.**
2. **Use appropriate means to inform and update the City of Melville community regarding major decisions and events related to the development of the Perth Freight Link.**

**AMENDMENT TO REJECT AND REPLACE -**

At 9.44pm, Cr Aubrey moved

That the following item 2 be added and number 2 be renumbered to 3:

2. **Keep the Council proactively engaged with the State Government and relevant departments to represent the interests of all affected ratepayers.**

With the agreement of the mover and seconder, the amendment was incorporated into the Reject and Replace motion

**That the Council requests the Chief Executive Officer to;**

1. **Keep Elected Members continually updated on all events to the development of the Perth Freight Link that potentially impact upon City of Melville residents and properties and affected stakeholders until the planning and approval process for the Proposal is completed.**

## 15.2 Perth Freight Link (Continued)

2. Keep the Council proactively engaged with the State Government and relevant departments to represent the interests of all affected ratepayers.
3. Use appropriate means to inform and update the City of Melville community regarding major decisions and events related to the development of the Perth Freight Link.

At 9.58pm, The Presiding Member submitted the Reject and Replace motion which was declared

**LOST (4/6)**

Vote Result Summary	
Yes	4
No	6

Vote Result Detailed	
Cr Aubrey	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Robartson	No
Cr Pazolli	No
Cr Schuster	No
Cr Taylor-Rees	No
Cr Willis	No

### Amendment

At 10.02pm, Cr Schuster moved –

That the motion be amended as follows:

Item 3 be amended by the inclusion of **Section 2 of the Perth Freight Link** after the word “for” in the third line.

Item 4 be amended by the inclusion of **(Section 2)** after the word “plan” in the third line.

Item 6 be amended by the inclusion of the word **before** after the word “writing” in the last line

It was also agreed that recommendation 7 be deleted.

With the agreement of the mover and seconder, the amendments was incorporated into the motion

**15.2 Perth Freight Link (Continued)****MOTION**

That the Council requests the Chief Executive Officer to;

1. Maintain continuing communication with, and gain information from, Main Roads WA on options being considered or planned for Section 2 of the Perth Freight Link, with particular regard to the impacts on residents, business-owners and commercial property owners (together referred to in this Motion as "Melville Stakeholders") of the City of Melville and of affected suburbs (Palmyra, Willagee and Melville) from resumption of homes and commercial premises, disruption of communities, traffic noise and noise abatement measures, air pollution, reduced setbacks from traffic, loss of amenity, and increased temperatures due to replacing vegetation with hard surfaces, such as bitumen;
2. Convey this information regularly and on a timely basis to the full Council and affected Melville Stakeholders, together with assurances of the Council's support in protecting their rights;
3. Use all endeavours to ensure full consultation between Main Roads WA and Melville Stakeholders in relation to the Perth Freight Link prior to the letting of contracts for Section 2 of the Perth Freight Link by Main Roads WA;
4. Make representations to Main Roads WA and to the Minister for Transport, on a timely and best endeavours basis, aimed at any eventual Perth Freight Link plan (section 2) incorporating adequate measures to protect all potentially negatively affected Melville Stakeholders from those impacts;
5. To request Main Roads WA and the Minister for Transport to provide information on the process and basis for awarding compensation for properties resumed as a result of the Perth Freight Link;
6. Request the Minister for Transport to advise on all possible impacts to Melville Stakeholders of the present proposed Perth Freight Link and of future proposals and to submit the Minister's communications in writing before the July 2015 Ordinary Meeting of Council

At 10.15pm the Mayor submitted the motion as amended, which was declared

**CARRIED UNANIMOUSLY (10/0)**

## 15.2 Perth Freight Link (Continued)

### Reasons for Motion

Cr Taylor-Rees provided the following reasons in support of the motion –

- To give clear indication of all possible impacts to residents, business owners, commercial property owners and the City of Melville.
- To give indication of the loss of rateable property and the impact to the City of Melville.
- To gain clarity for our stakeholders on the possible forced acquisition of their properties and to those who will be impacted with new buffer zones and transport routes - from this the traffic noise and pollution implications to the suburbs of Palmyra, Melville and Willagee.
- As the Local Government to show support for the uncertainty and stressful situation our residents and business owners have faced over the past months by actively canvassing the Minister for Transport and Main Roads on their behalf.
- To clearly establish how local road networks within the City of Melville will be impacted

**13. ITEMS FROM THE FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE – 25 MAY 2015**

The following item from the Financial Management, Audit, Risk and Compliance Committee Meeting of 25 May 2015 requires consideration by the Council.

**M15/5421 – ANNUAL REVIEW OF INTERNAL AUDIT PLAN (REC) (ATTACHMENT)**

Ward	:	All
Category	:	Operational
Subject Index	:	Internal Audit Activity Report
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	:	M14/5362 Review of Internal Audit Plan 26 May 2014
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Ken Wan Process Improvement Auditor

**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>

**M15/5421 – ANNUAL REVIEW OF INTERNAL AUDIT PLAN (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

This report presents the annual review of the Internal Audit Plan conducted by the Process Improvement Auditor with input from the Executive Management Team for the Financial Management, Audit, Risk and Compliance Committee's review and recommends that the reviewed Internal Audit Plan for 2015/2016 be submitted to the Council for adoption.

**BACKGROUND**

A risk based audit plan covering areas of high audit significance is prepared and reviewed at least once every 12 months by the Process Improvement Auditor with input from the Executive Management Team.

Significant auditable areas covering financial, operational, compliance and governance processes are risk weighted, and audit resources are allocated to those areas with higher risk ratings.

**DETAIL**

Attachments: [5421 Audit Plan](#)  
[5421 Internal Audit Control Matrix](#) These attachments provide specific detail as to the extent of the auditable area.

Seven new auditable areas have been added and are highlighted in green in the attachment for easy reference. They are:

- Item 45 – Check compliance with purchasing procedures following decentralisation of purchasing responsibility to service areas
- Item 46 – Asset maintenance planning, the process of closing out works requests, and the process of allocating priority.
- Item 47 – Parks maintenance planning, the process of closing out works requests, and the process of allocating priority.
- Item 58 – Personal training (Lifestyle Services) process for bookings and payment of staff for sessions.
- Item 59 – Illegal dumping – lack of clarity regarding Rangers and Waste roles in this area.
- Item 60 – Cab charges – issues and reconciliation
- Item 61 – Alcohol stock in the Civic Reception area – physical access and expenditures review.

**M15/5421 – ANNUAL REVIEW OF INTERNAL AUDIT PLAN (REC) (ATTACHMENT)**

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

No external engagement has been carried out.

**II. OTHER AGENCIES / CONSULTANTS**

No external engagement has been carried out.

**STATUTORY AND LEGAL IMPLICATIONS**

There is no specific legal requirement to have an internal audit function for a local government. However, an amendment to the *Local Government Act 1995* in 2005 introduced a requirement that all local governments establish an audit committee. Such committees are to provide an independent oversight of the financial systems of a local government on behalf of the Council. As such, the committee will operate to assist the Council to fulfil its corporate governance, stewardship, leadership and control responsibilities in relation to the local government's financial reporting and audit responsibilities.

For an audit committee to be effective, it is the best practice to have an internal audit function to assist it to discharge its responsibilities in areas such as internal control, risk management, and financial reporting.

**FINANCIAL IMPLICATIONS**

There is one full time staff cost for the internal audit function for 2015/2016.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Internal audit resources not allocated to areas of the highest audit significance to the City.	<p><b>Initial Risk – Medium</b></p> <p><b>Residual Risk (after risk mitigation strategy) - Low</b></p>	All auditable areas are reviewed and approved by both the Executive Management Team and the Financial Management, Audit, Risk and Compliance Committee annually to ensure internal audit resources are appropriately allocated.

There are no environmental management implications in this report.

**M15/5421 – ANNUAL REVIEW OF INTERNAL AUDIT PLAN (REC) (ATTACHMENT)****POLICY IMPLICATIONS**

There are no direct policy implications associated with this report.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

No alternate options are presented as part of this report.

**CONCLUSION**

The items identified in the audit plan will cover all high risk areas and they have been reviewed and accepted by the Executive Management Team.

**OFFICER RECOMMENDATION AND COMMITTEE RESOLUTION (5421)****APPROVAL**

At 6.36pm Mayor Aubrey moved, seconded Mr Woodgate -

**That the Financial Management, Audit, Risk and Compliance Committee recommends to the Council that the Internal Audit Plan for 2015/2016 be approved 5421 Audit Plan 5421 Internal Audit Control Matrix.**

At 6.36pm the Presiding Member submitted the motion, which was declared  
**CARRIED UNANIMOUSLY (8/0)**

**COMMITTEE RECOMMENDATION AND COUNCIL RESOLUTION (5421)**

**That the Council approves the Internal Audit Plan for 2015/2016 5421 Audit Plan 5421 Internal Audit Control Matrix.**

At 10.43pm the Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY EN BLOC (10/0)**

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

The Presiding Member advised Elected Members that when dealing with the following Reports they act in their Quasi-Judicial capacity which means that they are performing functions which involve the exercise of discretion and require the decision making process be conducted in a Judicial Manner. The judicial character arises from the obligation to abide by the principles of natural justice and requires the application of the relevant facts to the appropriate statutory regime.

#### **P15/3638 - CHANGE OF USE TO 'USE NOT LISTED (CAFÉ)' AT LOT 4 (7) ARCHIBALD STREET WILLAGEE (SMREC) (ATTACHMENT)**

Ward	:	Palmyra/Melville/Willagee
Category	:	Operational
Application Number	:	DA-2015-361
Property	:	Lot 4 (No. 7) Archibald Street, Willagee
Proposal	:	Change of Use- 'Use Not Listed (Café)'
Applicant	:	Melissa Simpson
Owner	:	Yaw Kwang NG
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Nil.
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>

**P15/3638 - CHANGE OF USE TO 'USE NOT LISTED (CAFÉ)' AT LOT 4 (7) ARCHIBALD STREET WILLAGEE (SMREC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- Planning approval is sought for the proposed change of use to 'Use Not Listed (Café)' at 7 Archibald Street, Willagee.
- The subject premise currently operates as a 'Shop' (Willagee Mini Mart), a use which has been operating without the benefit of planning approval for approximately seven to eight years.
- The approved use for the premises was 'Fish and Chip Shop' ('Use Not Listed – Takeaway') under Schedule 3 of Community Plan Scheme No. 5 (CPS5).
- Under CPS5 provisions, the proposed café use is an 'S' Discretionary Use within the Living Area precinct, the approval of which requires a Special Majority decision of the Council.
- Under the Willagee Structure Plan, the site is located within the Carawatha Local Centre Sector, where uses such as a café of the recently adopted Willagee Structure Plan.
- The Willagee Structure Plan zones the subject premises as being located within the Carawatha Local Centre. In the context of the Structure Plan, the use of the premises as a café is supported in principle in land use terms in this location.
- The subject site is located within a small complex of commercial uses, close to North Lake Road, opposite the recently completed Carawatha Park and play area.
- The complex does not benefit from off street car parking, although a number of communal bays are provided for the benefit of users of the centre, albeit these are located within the effective road reserve, on both Archibald Street and Jemerson Street.
- As no dedicated off street car parking is available the proposal requires an exercise of judgement in respect of the car parking requirements required by Council Policy.
- In accordance with CPS5 and Council Policy the application was advertised via a sign on site and individual letters to adjoining property owners. One submission was received which raised concerns regarding the use of car parking bays on existing adjoining commercial private property.
- Despite the objection received, it is considered that the development is acceptable when assessed against the amenity provisions contained under Clause 7.8 of CPS5.
- The discretion sought to the car parking requirements requires an Absolute Majority decision of Council.
- It is recommended that the Change of Use to 'Use Not Listed' (Café) be conditionally approved.

**P15/3638 - CHANGE OF USE TO 'USE NOT LISTED (CAFÉ)' AT LOT 4 (7) ARCHIBALD STREET WILLAGEE (SMREC) (ATTACHMENT)**



**BACKGROUND**

The subject site is one of a number of commercial units that combine to create a small local centre in this location. The centre was traditionally located within the Living Area Precinct under the provisions of CPS5, with the individual uses being classed as additional uses in that context. The advent of the Willagee Structure Plan has recognised the Local Centre status of the complex, zoning it as such under the adopted Structure Plan provisions. However, until such time that the zoning of the site is amended to align it with the Structure Plan provisions, the current CPS5 zoning of Living Area continues to apply.

In addition to the tenancies at 3, 5 & 7 Archibald Street, the Local Centre also includes a Doctors Practice and Business Centre. Whilst the latter have the benefit of dedicated car parking bays, the remaining tenancies do not, operating with sole reliance in parking terms on the availability of parking bays located within the road reserve on Archibald and Jemerson Streets.

**Scheme Provisions**

MRS Zoning	: Urban
CPS5 Zoning	: Living Area
R-Code	: R20
Use Type	: Use not Listed-Cafe
Use Class	: 'S'- Discretionary

**Site Details**

Lot Area	: 227 m2
Street Tree(s)	: None Applicable.
Street Furniture (drainage pits etc)	: None Applicable.
Site Details	: Please refer to aerial photo above.

**P15/3638 - CHANGE OF USE TO 'USE NOT LISTED (CAFÉ)' AT LOT 4 (7) ARCHIBALD STREET WILLAGEE (SMREC) (ATTACHMENT)****DETAIL**

Willagee Structure Plan has been operating on an interim basis as a Planning Policy pending final approval of amendments to CPS 5 to enable it to operate as a Structure Plan. This amendment (Amendment 67) was gazetted on 22 May 2015, and accordingly the Willagee Structure Plan is now an operative Structure Plan. It is noted however that the full functionality of the Structure Plan is also dependent upon finalisation of a further amendment to CPS5 (Amendment 71) to align R-Coding's and zonings with those contained in the Structure Plan. Until Amendment 71 is gazetted, the zonings, R-Codings and land use permissibility of CPS5 will continue to apply.

In assessing development applications, the provisions of the Willagee Structure Plan now apply except for circumstances where there is still a direct conflict with the provisions of CPS5. As noted above, these direct conflicts will be addressed upon Gazettal of Amendment 71. In the interim period, where a conflict exists, the intent of the Structure Plan can be acknowledged (and used in guiding any exercise of discretion) however the provisions of CPS5 need to be applied in determining the application.

Similarly, in this interim period where a conflict exists between the Willagee Structure Plan and CPS5, the applicable Special and Absolute Majority decision making clauses of CPS5 continue to apply, as would the associated consultation requirements.

In this context, the decision making clauses of CPS5 do not provide delegation for decision making where an 'S' use is proposed within a Living Area Precinct. In such cases, a Special Majority decision of the Council is required before an approval can be given for a development that involves this type of use. In addition, the discretion sought in respect to car parking provision requires an Absolute Majority decision of the Council.

The proposal has been assessed against all of the relevant provisions of CPS5 and applicable Council Policies. The proposal requires the exercise of judgement in respect of those matters outlined below.

**P15/3638 - CHANGE OF USE TO 'USE NOT LISTED (CAFÉ)' AT LOT 4 (7) ARCHIBALD STREET WILLAGEE (SMREC) (ATTACHMENT)**

**CPS5 and Policy Requirements**

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation
Car Parking	4 Bays	Nil	Requires assessment against amenity provisions of Clause 7.8 of CPS5.	Absolute Majority decision of the Council
Signage (wall sign)	<ul style="list-style-type: none"> <li>No more than 2 signs on any one wall</li> <li>Not to be located above ground level</li> <li>Collective area must not exceed 2 sqm</li> </ul>	<ul style="list-style-type: none"> <li>Two signs</li> <li>Located above ground level comprising 3.48sqm</li> </ul>	Requires assessment against Part 8 of Council Policy CP-093: Signage and Outdoor Advertising	Manager Statutory Planning

[3638 Site Plan Floor Plan Elevation and Signage](#)

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Advertising Required:	Yes
Neighbour's Comment Supplied:	One Comment
Reason:	In accordance with Clause 7.5 of CPS5
Support/Object:	Support in principle, although concern is expressed regarding the availability of car parking bays for the centre.

Submission Number	Summary of Submission	Support/ Objection	Officer's Comment	Action (Condition/ Uphold/ Not Uphold)
1.	Support the change of use to café but express concern that sufficient car parking be provided.	Support	Sufficient parking is available on Archibald and Jemerson Streets to cater for the parking needs of the proposed café use.	Not uphold

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**P15/3638 - CHANGE OF USE TO 'USE NOT LISTED (CAFÉ)' AT LOT 4 (7) ARCHIBALD STREET WILLAGEE (SMREC) (ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**

None required.

**STATUTORY AND LEGAL IMPLICATIONS**

Should the Council refuse the application for planning approval; the applicant will have the right to have the decision reviewed by the State Administrative Tribunal (SAT) in accordance with part 14 of the *Planning and Development Act 2005*.

**FINANCIAL IMPLICATIONS**

No financial implications result for the City as a consequence of this application.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

The proposal is considered to satisfy all of the relevant provisions of the Willagee Structure Plan and Council Policies, specifically CP-079: Car Parking and Access and CP-093: Signage and Outdoor Advertising

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The application is recommended for approval for the reasons outlined in the Comment section below. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or if any conditions of planning approval are imposed that the Applicant considers unreasonable, the Applicant can apply to have the decision reviewed by the SAT.

**COMMENTS**

The application requires a Special Majority decision of Council as the use proposed is a discretionary one under the Use Class provisions of CPS5, for which a Special Majority decision of the Council is required.

This is necessary as land use provisions of the CPS5 continue to apply until such time that the Structure Plan provisions are added to the Scheme text as an amendment to CPS5. When this occurs, the provisions of the adopted Willagee Structure Plan, which includes the rezoning of the site to form part of the Carawatha Local Centre Hub, will override the Scheme provisions.

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**P15/3638 - CHANGE OF USE TO 'USE NOT LISTED (CAFÉ)' AT LOT 4 (7) ARCHIBALD STREET WILLAGEE (SMREC) (ATTACHMENT)****Land Use**

Under CPS5 provisions, the application site and adjoining lots are located within a Living Area precinct, the actual small commercial centre here not being recognised as such when CPS5 was gazetted in 1999. In reality of course, there has been a grouping of commercial tenancies in this location for many years, and this is recognised in CPS5 as each of the uses are listed as “additional uses” within the Scheme text. Under the provisions of Local Planning Scheme No 6, the area will be zoned Neighbourhood Centre Mixed Use R60. On the basis that there is an existing commercial use in operation from the premises, the use of the premises as a café is considered to be similarly acceptable in principle in land use terms, and is supported on that basis. The use will complement the other commercial uses that exist there, and will provide a useful community service, which will complement the new Carawatha Park located directly across the road.

Car Parking

The properties 3, 5 & 7 Archibald Street do not have allocated parking within their boundaries, relying instead on the existence of embayed parking located within the road reserve. There are 16 such bays located immediately around the centre, on both Archibald and Jemerson Streets. The provision of these bays within the road reserve, and their intended use by patrons of this centre, is consistent with the objectives of Council Policy CP-079 Car Parking and Access.

Despite the actual lack of dedicated off street car parking, it is noted that the bays available within the road reserve do provide an acceptable level of car parking to support the centre. This view is reached having regard to the following:

- No 3 Archibald Street is an approved Place of Worship operating during the evening, seven days a week between 7.30 pm – 10.30 pm.
- No 5 Archibald Street is an approved hairdresser operating between 9-5pm Tuesdays - Saturdays and requires a maximum five bays as per Council Policy CP-079 Car Parking and Access.
- No 9 Archibald has three tenancies within the lot and the parking for those tenancies is provided for onsite.
- Bicycle parking is proposed to be provided by the applicant at the rear of the tenancy for the benefit of both staff and patrons.

Signage

It is proposed to replace the existing signage displayed on the premises, with two signs, one located on the front facing wall above the awning, and the other on the fascia of the awning itself.

These proposed signs have been assessed against the provisions of the City's Signage Policy, and are considered to be acceptable in that context on the basis that:

- The property is surrounded by other commercial tenancies and faces a public park.
- The signage provides relevant information about the business.
- Two signs are appropriate for the tenancy and their design, scale and siting on the building is consistent with policy expectations.

**P15/3638 - CHANGE OF USE TO 'USE NOT LISTED (CAFÉ)' AT LOT 4 (7) ARCHIBALD STREET WILLAGEE (SMREC) (ATTACHMENT)****CONCLUSION**

Based on the above, the application is considered to satisfy the objectives of CPS5, the Willagee Structure Plan and Council's Policies. The development will ensure the availability of an appropriate use which will bring vibrancy and vitality to a small commercial centre. For these reasons, the proposal is recommended for planning approval with conditions subject to a Special Majority decision of the Council.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3638)  
SPECIAL MAJORITY APPROVAL**

At 10.17pm Cr Schuster moved, seconded Cr Phelan –

**That the Council by Special Majority decision approves the change of use to "Use not Listed (Café)" at lot 4 (7) Archibald Street Willagee subject to the following condition:**

- 1. The use shall at all times operate with no more than two staff members working at any one time.**

At 10.17pm the Mayor submitted the motion, which was declared

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

**P15/3639 - CHANGE OF USE FROM CONSULTING ROOMS TO MEDICAL CENTRE AND ALTERATION AND ADDITIONS TO EXISTING MIXED USE DEVELOPMENT AT LOT 1 (595) CANNING HWY, ALFRED COVE (SMREC) (ATTACHMENT)**

Ward : Bicton/Attadale  
 Category : Operational  
 Application Number : DA-2014-1471  
 Property : Lot 1 (595) Canning Highway, Alfred Cove  
 Proposal : Change of Use from Consulting Rooms to Medical Centre and Alteration and Additions to Existing Mixed Use Development  
 Applicant : N. Silich  
 Owner : Ashland Corporation Pty Ltd  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Nil  
 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>

**P15/3639 - CHANGE OF USE FROM CONSULTING ROOMS TO MEDICAL CENTRE AND ALTERATION AND ADDITIONS TO EXISTING MIXED USE DEVELOPMENT AT LOT 1 (595) CANNING HWY, ALFRED COVE (SMREC) (ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- Planning approval is sought for a change of use from 'Consulting Rooms' to 'Medical Centre' at 595 Canning Highway, Alfred Cove. Additions and alterations to the existing mixed use development are also proposed.
- The proposed alterations and additions will comprise of single storey internal and external works to the building associated with the change of use.
- The proposal is generally compliant with the provisions of Community Planning Scheme No.5 (CPS5) and Council Policies with the exception of plot ratio.
- The application was the subject to public consultation on two occasions, and no submissions were received.
- It is considered that subject to appropriate conditions, the proposed development satisfies the requirements of CPS5 and Council Policy.
- Given an exercise of judgement is sought in respect of plot ratio, approval of the development requires a Special Majority decision of the Council.



**P15/3639 - CHANGE OF USE FROM CONSULTING ROOMS TO MEDICAL CENTRE AND ALTERATION AND ADDITIONS TO EXISTING MIXED USE DEVELOPMENT AT LOT 1 (595) CANNING HWY, ALFRED COVE (SMREC) (ATTACHMENT)**

**BACKGROUND**

In June 2004 Planning Approval DA-2004-456 was granted by the Development Advisory Unit for a three storey mixed use development at the subject site.

**Scheme Provisions**

MRS Zoning : Urban  
 CPS5 Zoning : Community Centre Precinct  
 R-Code : R40  
 Use Type : Medical  
 Use Class : S - Discretionary

**Site Details**

Lot Area : 1,913 m<sup>2</sup>  
 Street Tree(s) : Yes  
 Street Furniture (drainage pits etc) : Yes  
 Site Details : Refer to aerial photo above

**DETAIL**

**CPS5 and Policy Requirements**

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation
Plot Ratio	0.5	Current Plot Ratio 0.61.  Proposed Plot Ratio 0.65	Requires assessment against amenity provisions of Clause 7.8 of CPS5.	Special Majority decision of Council

[3639 Site Plan Floor Plan Elevations](#)

**STAKEHOLDER ENGAGEMENT**

Advertising Required: Yes  
 Neighbour's Comment Supplied: No  
 Reason: In accordance with Clause 7.5 of CPS5  
 Support/Object: No comments received

**P15/3639 - CHANGE OF USE FROM CONSULTING ROOMS TO MEDICAL CENTRE AND ALTERATION AND ADDITIONS TO EXISTING MIXED USE DEVELOPMENT AT LOT 1 (595) CANNING HWY, ALFRED COVE (SMREC) (ATTACHMENT)**

**II. OTHER AGENCIES / CONSULTANTS**

Required: Yes  
Reason: Abuts Regional Road  
Support/Object: Support

Agency	Summary of Submission	Support/Objection	Officer's Comment	Action (Condition/ Uphold/ Not Uphold)
Main Roads	No objection in principle on the basis that compensation will not be paid if land is resumed for the purpose of road widening.	Support	The proposed additions are at the rear of the lot therefore will not be effected by the reservation.	<b>Uphold</b>

**STATUTORY AND LEGAL IMPLICATIONS**

Should the Council refuse the application for planning approval; the applicant will have the right to have the decision reviewed by the State Administrative Tribunal (SAT) in accordance with part 14 of the *Planning and Development Act 2005*.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City associated with this application

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

The application has been assessed against all of the relevant Council Policies, including CP-079: Car Parking and Access and CP-0087: Non Residential Development. It is considered that the development meets the objectives of the Council Policies in all respects.

**P15/3639 - CHANGE OF USE FROM CONSULTING ROOMS TO MEDICAL CENTRE AND ALTERATION AND ADDITIONS TO EXISTING MIXED USE DEVELOPMENT AT LOT 1 (595) CANNING HWY, ALFRED COVE (SMREC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The application is recommended for conditional approval for the reasons outlined in the Comment section of this report. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or if any conditions of planning approval are imposed that the Applicant considers unreasonable, the Applicant can apply to have the decision reviewed by the SAT.

**COMMENT**

The proposal has been assessed against all of the relevant provisions of CPS5, and the applicable Council Policies. As stated an exercise of judgement is sought in respect of plot ratio.

The subject site comprises five ground floor commercial units and six residential apartments on the upper floors.

The applicant currently operates a Dental Consultancy from the complex. It is proposed that this business be expanded, and this expansion results in the change of use from consultant room to medical centre. The expansion of the business will require the following alterations and additions to the premises:

- The construction of additional commercial space for the dental clinic by extending out to the rear;
- Internal upgrades to the existing part of the building used by the practice;
- The provision of a universal access bay;
- The demolition and replacement of storerooms and waste storage areas.

In approving the original mixed use development in 2004 (DA-2004-456 refers), the plot ratio was approved at 0.61. This was deemed appropriate at the time as it was concluded that the bulk and scale of the building was appropriate given its location at the busy junction of North Lake Road and Canning Highway, and its zoning within a Community Centre Precinct. The development now proposed will result in a slight increase to the maximum plot ratio of the development from 0.61 to 0.65, which constitutes an additional 85sqm of floor area. This increase will not alter the bulk or outward scale of the building, as the additional plot ratio area is located at ground floor level at the rear of the premises where it will not be seen from the main roads that flank the site. It is noted that the maximum permitted plot ratio of the site is proposed to be increased to 1.0 under the provisions of the draft Local Planning Scheme No. 6.

**P15/3639 - CHANGE OF USE FROM CONSULTING ROOMS TO MEDICAL CENTRE AND ALTERATION AND ADDITIONS TO EXISTING MIXED USE DEVELOPMENT AT LOT 1 (595) CANNING HWY, ALFRED COVE (SMREC) (ATTACHMENT)**

**CONCLUSION**

The alterations and additions can be accommodated without prejudice to the locality, in both land use terms and with regard to its design and overall appearance. It is therefore recommended that the Council, by a Special Majority decision, approve the application with conditions.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3639)  
SPECIAL MAJORITY APPROVAL**

At 10.18pm Cr Barton moved, seconded Cr Schuster –

**That the Council by Special Majority decision approves the application for Change of Use to Medical Centre and Alteration and Additions to Existing Mixed Use Development on Lot 1 (595) Canning Highway, Alfred Cove subject to the following conditions:**

- 1. All storm water generated on site is to be retained on site.**
- 2. Prior to the initial occupation of the development, the surface finish of the boundary wall is to be finished externally to the same standard as the rest of the development to the satisfaction of the Manager Statutory Planning.**
- 3. 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 are to be located so not to obstruct vehicle sight lines of the subject site, the adjacent road network or of adjoining properties to the satisfaction of the Manager Statutory Planning and are to be removed prior to initial occupation of the development.**
- 4. Prior to the initial occupation of the development, the bin compounds as shown on the approved plans are to be constructed and maintained in perpetuity to the satisfaction of the Manager Statutory Planning. The bin compounds are to be constructed to satisfy the following requirements:**
  - (a) Provided with a tap and connected to an adequate supply of water. The tap is to be located in a position so that it will not be susceptible to being damaged by the bins being removed for collection.**
  - (b) Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness;**
  - (c) Having walls not less than 1.8 metres in height and having an access point of not less than 1 metre in width for resident/tenants to access the area and fitted with a self-closing gate;**

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**P15/3639 CHANGE OF USE FROM CONSULTING ROOMS TO MEDICAL CENTRE AND ALTERATION AND ADDITIONS TO EXISTING MIXED USE DEVELOPMENT AT LOT 1 (595) CANNING HWY, ALFRED COVE (SMREC) (ATTACHMENT)**

- (d) Access point for collection is to be of suitable size for the size of the bins used and the collection method proposed.**
- (e) Containing a smooth and impervious floor of not less than 75 millimetres in thickness; and provided with adequate and appropriate drainage to sewer. This pertains to commercial properties where approval is required from the Water Corporation for discharge of liquid waste.**
- (f) Where located within a building, the bin compound is to be ventilated in accordance with Australian Standard 1668.2: The Use of Ventilation and Air Conditioning in Buildings (as amended).**
- (g) Conveniently located for disposal of waste and recyclables by residents/tenants.**
- (h) Not readily accessible by the public.**
- (i) Bin storage areas for the residential and non-residential bins are to be separated by a physical barrier.**

At 10.18pm the Mayor submitted the motion, which was declared

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

**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**

Ward : Applecross/Mt Pleasant  
 Category : Operational  
 Application Number : DA-2014-1552  
 Property : Lot 901 (No. 88) Tweeddale Road, Applecross  
 Proposal : Two Storey Dwelling (with Undercroft)  
 Applicant : Mr K Kennedy  
 Owner : Mr A Castelli  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : None 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>

**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)****KEY ISSUES / SUMMARY**

- Planning approval is sought for the construction of a two storey dwelling (with undercroft) at 88 Tweeddale Road, Applecross.
- The proposed development requires assessment under the design principles of the Residential Design Codes (R-Codes) in respect of lot boundary setbacks, site works and retaining walls and visual privacy, and against the amenity provisions of Clause 7.8 of Community Planning Scheme No. 5 (CPS5) in respect of building height.
- Having assessed the details of the proposed development on that basis, it is considered that the development can be accommodated without any adverse impact on the amenity of the streetscape and adjoining neighbours.
- Overlooking does not comply with the Design Principles of the R-Codes in relation to visual privacy and therefore conditions of approval are recommended to be imposed requiring screening in accordance with section 5.4.1 of the R-Codes.
- In accordance with CPS5 and the R-Codes, the application was advertised via a sign on site, a press notice and letters to surrounding property owners. No submissions have been received.
- As the development proposes a variation to height, an Absolute Majority decision of the Council is required.
- It is recommended that approval be granted subject to conditions.

**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**



**BACKGROUND**

**Scheme Provisions**

MRS Zoning	: Urban
CPS5 Zoning	: Living Area – River Foreshore Precinct
R-Code	: R12.5
Use Type	: Residential
Use Class	: 'P' – Permitted Use

**Site Details**

Lot Area	: 1,400sqm
Street Tree(s)	: Yes – One tree to be removed, two to remain
Street Furniture (drainage pits etc)	: None applicable
Site Details	: Refer to site photo above

**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**

**DETAIL**

Planning approval is sought for the construction of a two storey dwelling at 88 Tweeddale Road, Applecross.

The proposed development requires assessment under the Design Principles of the Residential Design Codes (R-Codes) in respect of lot boundary setbacks, site works and retaining walls and visual privacy and against the amenity provisions of Clause 7.8 of Community Planning Scheme No. 5 (CPS5) in respect of building height.

**CPS5 and Policy Requirements**

Development Requirement	Deemed to Comply	Proposed	Comments	Delegation to approve variation
Building Height	9m (flat/skillion roof)	11.2m	Requires assessment against amenity provisions of Clause 7.8 of CPS5.	Absolute Majority decision of Council

[3640 Site Plans Shadow Diagram Elevations Perspectives](#)

**R-Code Requirements**

Development Requirement	Deemed to Comply	Proposed	Comments	Delegation to approve variation
Eastern setbacks	Undercroft - 1.8m  Ground floor - 2.8m - 2.8m - 1.7m	Undercroft - 1.5m  Ground floor - 2m-2.4m - 1.3m-3.7m - 1.3m-2.3m	Requires assessment under Design Principles	Manager Statutory Planning (MSP)
Site Works and Retaining	0.6m	3.3m	Requires assessment under Design Principles	MSP
Visual Privacy	Unenclosed outdoor active habitable spaces - 7.5m	3.8m	Requires assessment under Design Principles	MSP

**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Advertising Required:	Yes
Neighbour's Comment Supplied:	Yes
Reason:	Required pursuant to Clause 7.5 of CPS5 and Part 4 of the R-Codes
Support/Object:	Support

**II. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies / consultants is required in this instance.

**STATUTORY AND LEGAL IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

No financial implications result from the City as a consequence of this proposal

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

The proposal is considered to satisfy all of the relevant provisions of Council's policies including CP-078: – Residential Development.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The application is recommended for approval for the reasons outlined in the Comment section below. Should the Council have an alternative view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or, if any conditions of planning approval are imposed that are considered to be unreasonable, the applicant can apply to have the decision of Council reviewed by the State Administrative Tribunal.

**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)****COMMENT***Building Height*

As outlined above, the maximum height of the proposed development is 11.2m in lieu of 9m. The height is considered to satisfy Design Principle 5.1.6 P6 of the R-Codes and the amenity provisions of Clause 7.8 of CPS5 for the following reasons:

The variation results mainly by virtue of the 7.7m downward slope that exists across the lot from front to rear. An illustrative depiction of the impact of this slope, and the resultant over height building portion is provided by Figure 1 This illustrates that the proposed dwelling is essentially designed in accordance with the City's height requirements, except for a portion of the upper floor of the building behind the front setback line. It is considered that the over height building portion can be accommodated in this case without detriment to residential or visual amenity, and without prejudice to the objectives of Council's Height Policy. It is considered that the proposed dwelling will harmonise with the established streetscape pattern satisfactorily, it being well aligned in terms of its scale.

In considering the height impact in general terms, the following is of relevance:

- The lot has a predominantly north-south orientation, and as such the over height portion of the building will not create any adverse shadow impact given that any shadow will fall on the lot itself.
- The height proposed will not impact on views of significance on views for occupiers of properties located on the south side of Tweeddale Road, as those properties are sited in an elevated position relative to the subject site.
- No objections were received from the surrounding landowners, with one adjoining property providing support for the design.
- The rear adjoining dwelling is oriented to the north to access river and city views and therefore any bulk impact is negligible from the proposed development.

**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**



SECTION B-B  
1:100

Figure 1: Maximum Building Height Variation Sought

*Boundary Setbacks*

The setback variations to the eastern boundary have been considered against the Design Principle P3.1 of the R-Codes and are considered acceptable for the following reasons:

- Any real bulk impact would derive from the first floor which is compliant in terms of its setbacks.
- There are no major openings or outdoor living areas on the adjoining dwelling that directly abut the walls with a reduced setback.
- Any impact from building bulk from the rear portions of the eastern boundary are minimal as the wall at the highest point will be adjacent to unused land that is sloped down to the rear boundary. The wall does not directly abut any outdoor living areas.
- The eastern elevation is well articulated through staggered setbacks, the varied use of colours and materials and minor openings.

*Site Works and Retaining*

The proposed site works and retaining are considered to comply with the Design Principles of Clause 5.3.7 and 5.3.8 of the R-Codes because they respond to the slope of the block appropriately, protect the existing streetscape and allow for the functional use of outdoor living spaces. The fill is considered acceptable because it is not visible from the public domain (i.e. the street frontage reads as a two storey house).

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**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**

The proposed retaining within the front setback is required to accommodate for driveways on the sloping lot. The front fence and front elevation of the proposed dwelling are well articulated and any impact of the retaining at its highest point is contained within the centre of the lot.

The impact of the large retaining wall on the western boundary is consistent with that of a boundary wall permitted under Council Policy. The adjoining dwelling has its ground floor level raised significantly higher than the natural ground level where it abuts the retaining wall at its highest point on the boundary. The impact of the retaining wall on any major openings on the adjoining lot is therefore significantly reduced.

*Visual Privacy*

The application involves consideration against Design Principle P1.1 of the R-Codes in relation to overlooking from the raised lap pool area. The degree of overlooking is considered acceptable as the raised lap pool does not overlook any active habitable or outdoor living areas of adjacent dwellings. The cone of vision only falls over sloping land on the adjoining lot that is banked down towards the rear of the lot. The retained outdoor living area on the adjoining lot does not fall within the cone of vision.

All other major openings and outdoor living areas that are raised more than 0.5m above natural ground level and do not comply with the visual privacy requirements are recommended to be conditioned to comply with the Deemed-to-Comply provisions of section 5.4.1 of the R-Codes.

**CONCLUSION**

Based on the above, the application is considered to satisfy the objectives of CPS5, the R-Codes and Council policies. It is considered that the proposed development can be accommodated without detriment to residential or visual amenity, and for these reasons, the proposal is recommended for conditional planning approval.

**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3640)  
ABSOLUTE MAJORITY APPROVAL**

At 10.19pm Cr Pazolli moved, seconded Cr Schuster

**That the Council by Absolute Majority decision approves the planning application for the construction of a two storey (with undercroft) at Lot 901 (No. 88) Tweeddale Road, Applecross subject to the following conditions:**

- 1. All stormwater generated on site is to be retained on site.**
- 2. Prior to the initial occupation of the development, the following elevations of the raised outdoor living areas (as marked in RED on the approved plans) shall have installed, fixed obscure screening to a minimum height of 1.6 metres above the finished floor level, or any other screening alternative that complies with the purpose and intent of C1.1 or C1.2 of Clause 5.4.1 (for Single Houses or Grouped Dwellings) of the Residential Design Codes:**
  - Western openings within the ground floor alfresco;**
  - Northern opening within the ground floor alfresco;**
  - Northern opening of cabana;**
  - Western elevation of the raised spa area;**
  - Northern elevation of the bedroom 3 balcony on the first floor; and**
  - Northern elevation of the bedroom 4 balcony on the first floor**

**The screening measures must thereafter be retained in perpetuity to the ongoing satisfaction of the Manager Statutory Planning.**

- 3. Prior to the initial occupation of the development, the following major openings (as marked in RED on the approved plans) shall have installed, fixed obscure screening to a minimum height of 1.6 metres above the finished floor level, or any other screening alternative that complies with the purpose and intent of C1.1 or C1.2 of Clause 5.4.1 (for Single Houses or Grouped Dwellings) of the Residential Design Codes:**
  - Western openings in the media room wall on the ground floor; and**
  - Western openings in the activity room wall on the first floor.**

**The screening measures must thereafter be retained in perpetuity to the ongoing satisfaction of the Manager Statutory Planning.**

- 4. Prior to the initial occupation of the development, the screen walls along the eastern boundary (as marked in RED on the approved plans) shall be raised to have a minimum height of 1.6 metres above the finished floor level, or any other screening alternative that complies with the purpose and intent of C1.1 or C1.2 of Clause 5.4.1 (for Single Houses or Grouped Dwellings) of the Residential Design Codes. The screening measures must thereafter be retained in perpetuity to the ongoing satisfaction of the Manager Statutory Planning.**
- 5. 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 Manager Statutory Planning.**

**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**

6. The development shall be serviced by a concrete or brick paved vehicle crossover with a maximum width of 6m and an aggregate width of 9m and located a minimum of 2m 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 Manager Statutory Planning.
7. No development (including fencing, letter boxes or any other structure) or landscaping over 0.75m in height is to be located within the 1.5m x 1.5m sightline truncation where the vehicle access point meets the road reserve to the satisfaction of the Manager Statutory Planning.
8. Any street walls and fences (including the height of any retaining walls) constructed within the front setback area shall be visually permeable 1.2m above natural ground level and are to satisfy Clause 5.2.4 C4 of the Residential Development policy to the satisfaction of the Manager Statutory Planning.
9. Prior to the initial occupation of the development, the external surface of the retaining walls which are visible from the adjoining properties are to be finished to the same standard as the rest of the development to the satisfaction of the Manager Statutory Planning.
10. Prior to commencement of works, the Applicant shall arrange payment for the removal and replacement costs of street trees in accordance with Council Policy-029: Street Tree Policy to the satisfaction of the Manager Statutory Planning.
11. 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 are to be located so not to obstruct vehicle sight lines of the subject site, the adjacent road network or of adjoining properties to the satisfaction of the Manager Statutory Planning and are to be removed prior to initial occupation of the development.
12. 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 Manager Statutory Planning:
  - 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'.

**P15/3640 - TWO STOREY DWELLING (WITH UNDERCROFT) AT LOT 901 (88)  
TWEEDDALE ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**

- **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 Manager Statutory Planning and may only be removed upon occupation of the development.**

At 10.19pm the Mayor submitted the motion, which was declared

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

The Presiding Member advised Elected Members that the Meeting was now moving out of the Quasi-Judicial phase.

**CD15/8072 - DISABILITY ACCESS AND INCLUSION POLICY CP – 084 UPDATE (REC)  
(ATTACHMENT)**

Ward : All  
 Category : Strategic  
 Subject Index : Disability Services – Access and Inclusion  
 Customer Index : Disability Services Commission  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : None  
 Works Programme : Not Applicable  
 Funding : Not Applicable  
 Responsible Officer : Leanne Hartill  
 Manager Neighbourhood Development

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**CD15/8072 - DISABILITY ACCESS AND INCLUSION POLICY CP – 084 UPDATE (REC)  
(ATTACHMENT)****KEY ISSUES / SUMMARY**

- To update the Disability Access and Inclusion Policy CP-084 by making further references to principles of positive social justice outcomes, community inclusion and equal opportunity for people with disabilities.

**BACKGROUND**

The City is committed to access and inclusion for all citizens as demonstrated by the Disability Access and Inclusion Plan, Age Friendly Melville Directions from Seniors and People Places Participation, a Strategic Community Plan 2012 – 2022. All of these key informing documents have been developed with an extensive community engagement process to reflect the priorities and aspirations of the community and inform the City about the sort of community in which people wish to live.

The Disability Access and Inclusion Policy has been reviewed and updated to ensure it remains a contemporary document meeting the requirements of our community.

**DETAIL**

The substantive content of the Disability Access and Inclusion Policy CP – 084 has been reviewed and remains unchanged. The wording of the policy has been amended to more specifically make reference to promoting positive social justice outcomes such as promotion of access, equal opportunity and community inclusion for people with disabilities.

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

No specific external engagement has been carried out in relation to the changes to this policy because the policy changes reflect internal commitments that reflect existing information in community engagement processes (Strategic Community Plan – People Places Participation 2012-2022, Disability Action Inclusion Plan 2012-2017, members of City of Melville's Access and Advisory Panel).

**II. OTHER AGENCIES / CONSULTANTS**

Relationships and collaborative networks have been made with a range of community organisations and agencies (e.g. Disability Services Commission, Ethnic Disability Advocacy Centre, Headspace, Consumers of Mental Health WA, Melville Cares, Activ, Kids are Kids) and other local government Access and Inclusion officers. The promotion of social justice outcomes for people with disabilities is a supported principle.

**CD15/8072 - DISABILITY ACCESS AND INCLUSION POLICY CP – 084 UPDATE (REC)  
(ATTACHMENT)****STATUTORY AND LEGAL IMPLICATIONS**

The changes made to the policy do not affect the overall operation and application of any current legislation requirements. These are: *Disability Services Act 1993*; *Disability Services Regulations 2004*; *Disability Discrimination Act 1992 (Cth)*; *Local Government Act 1995*; *Equal Opportunity Act 1984*.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the Council in this application.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The Disability Access and Inclusion Policy CP–084 outlines the City of Melville’s commitment to community inclusion, participation and access which contributes positively to richer community life. The amendment to the policy acknowledges that this will contribute to better social justice outcomes for the community. This change supports a longer term commitment to equality and access for members of the community particularly those with disabilities. This change will also support the principles of the Disability Access Inclusion Plan 2012-2017.

**POLICY IMPLICATIONS**

There are no other policy implications of the changes made to this policy.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The alternative option is to keep the Disability Access and Inclusion Policy CP- 084 unchanged.

**CONCLUSION**

The Disability Access and Inclusion Policy CP – 084 has been reviewed and amended to include more specific references to equality, access and social justice for people with disabilities.

**OFFICER RECOMMENDATION (8072)****APPROVAL**

At 10.20pm Cr Aubrey moved, seconded Cr Reynolds –

**That the Council endorses the attached amended Disability Access and Inclusion Policy CP – 084 8072 CP-084 Disability Access and Inclusion Policy.**

**CD15/8072 - DISABILITY ACCESS AND INCLUSION POLICY CP – 084 UPDATE (REC)  
(ATTACHMENT)**Amendment

With the agreement of the mover and seconder, the amendment was incorporated into the motion.

*That the Council amends the Disability Access and Inclusion Policy wording under the heading “Policy Scope” by the insertion of the words “and all City buildings and facilities” after the words “.on behalf of the City”.*

*The Policy would then read as follows:*

*“This policy relates to all staff and Elected Members and contractors providing services on behalf of the City, and all City buildings and facilities.”*

**COUNCIL RESOLUTION (8072)****APPROVAL**

That the Council endorses the attached amended Disability Access and Inclusion Policy CP – 084 8072 [CP-084 Disability Access and Inclusion Policy](#) subject to the following amendment -

*That the Council amends the Disability Access and Inclusion Policy wording under the heading “Policy Scope” by the insertion of the words “and all City buildings and facilities” after the words “... on behalf of the City”.*

*The Policy would then read as follows:*

*“This policy relates to all staff and Elected Members and contractors providing services on behalf of the City, and all City buildings and facilities.”*

At 10.21pm the Mayor submitted the substantive motion, as amended, which was declared  
**CARRIED UNANIMOUSLY (10/0)**

Reasons for Amendment

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

“The existing wording to my mind meets the requirement of a policy designed to ensure equality of access to services (as this policy is), however services are often delivered in buildings and facilities, and the draft policy itself references “facilities” in the third paragraph under “Policy Statement”. Hence in my view the Scope should be expanded to buildings and facilities.”

**CD15/8073 – NON-MONETARY GRANTS POLICY – COMMUNITY PARTNERSHIP FUND  
(AMREC) (ATTACHMENT)**

Ward	:	All
Category	:	Strategic
Subject Index	:	Community Grants Program – Non-Monetary Grants Booking Applications and Hire
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	:	None
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Leanne Hartill Manager Neighbourhood Development

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**CD15/8073 – NON-MONETARY GRANTS POLICY – COMMUNITY PARTNERSHIP FUND  
(AMREC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- A Notice of Motion was tabled by Cr Schuster at the April 2015 Ordinary Meeting of Council.
- This was deferred to the May 2015 Ordinary Meeting of Council and a request made for an Officer's Report on the matters raised in the Notice of Motion.
- The Notice of Motion was in regard to proposed budget consideration for charitable venue hire and review of the Grants Policy.
- A report to May 2015 Ordinary Meeting of Council recommended the development of an In-Kind Grant Council Policy and investigations associated with the implications of such a Policy.
- This report documents a Council Policy for endorsement in relation to the provision of non-monetary or in-kind grants as part of the existing Community Partnership Fund program.

**BACKGROUND**

At the April 2015 Ordinary Meeting of Council, a Notice of Motion was tabled by Cr Schuster in regard to proposed budget consideration for charitable venue hire and review of the grants policy. This was deferred to the May 2015 Ordinary Meeting of Council and a request made for an Officer's Report on the matters raised in the Notice of Motion.

The Notice of Motion was as follows:

*"That the Council:*

- 1. Request the Chief Executive Officer to consider the inclusion in the 2015/2016 budget and future years the sum of \$10,000, to be used to offset the fees that would otherwise be paid for Council managed and operated venue (building and reserves) hire by organisations that have Deductible Gift Recipient status under Australian law for a one off event or annual event, or otherwise where the ultimate beneficiary of any funds raised by the proposed event is a holder of Deductible Gift Recipient status, compliant upon no profit being taken by the organiser;*
- 2. In the event that in any year the existing budget allowance of \$5,000 for donations to disaster relief is not used in part or wholly the remaining balance be transferred to reserves to assist in funding this item in the following budget year; and,*
- 3. Request the Chief Executive Officer to amend any existing operational Policy and procedures to account for this motion."*

**CD15/8073 – NON-MONETARY GRANTS POLICY – COMMUNITY PARTNERSHIP FUND  
(AMREC) (ATTACHMENT)****DETAIL**

The intent of the Notice of Motion was to support charitable organisations seeking to hold fund raising events in City buildings or land by way of in-kind venue provision. There is acknowledgement that such activities strengthen our community and add to community vibrancy through activating spaces and community participation.

The eligibility criteria for this support were proposed to be Deductible Gift Recipient Status. Further investigation has shown this may not be the most appropriate and equitable criteria to use as many not for profit community groups and organisations do not have this status.

Such groups are still valuable community assets that contribute to community wellbeing in many ways.

The current situation for groups seeking in-kind support is through a formal request to the Chief Executive Officer (CEO) (under Delegated Authority) to waive the fees and charges associated with a venue or Reserve hire. This has been the practice for some time and it is estimated that in a 12 month period, approximately 12 events have the booking, hire fees and charges waived. Often, Officers recommend the provision of in-kind support to groups or organisations which are holding a one off or annual fund raising event, and are not for profit groups providing a service to the community.

Examples of such events include charitable Garage Sales (Reserve hire), Car Boot Sales (Reserve hire) aimed at fund raising, Clean Up Australia Day Events (Reserve hire), Australia Day events (Parks and Reserves hire), Red Cross training sessions (Community Centre hire) and Neighbourhood Watch (Reserve hire).

Within a 12 month period there are an estimated 350 bookings for the Civic Centre Main Hall, over 800 bookings for all our reserves and parks, and over 45 bookings for specific events (including City of Melville events). Total number of bookings including those mentioned, and also filming requests and the Friendly Neighbourhood Trailer hire are estimated at over 1,200 per annum. The majority of these bookings are at the community hire rate reflecting a high usage of our various venues by associated community groups and organisations.

Usages at the City's Community Centres are currently at the following rates: Willagee Community Centre is 75%, Bull Creek Community Centre is 100%, and Blue Gum Community Centre is at 80%. Willagee and Blue Gum maintain these rates to ensure flexibility in casual programming to respond to community requirements, whereas Bull Creek operates a permanent Playgroup and seniors day centre activities. These bookings again are predominantly for community groups, organisations and activities where the relevant community hire fees are paid.

The approach for the waiving of Fees and Charges is ad-hoc. It is a reactive process whereby groups must instigate this request in the course of their booking. Officers have investigated approaches used by other Local Government Authorities and propose a Non Monetary Grant Policy to manage these requests. This Policy will provide clarity for the community and Officers in the granting of such assistance, and will also support the outcome desired by the Notice of Motion.

**CD15/8073 – NON-MONETARY GRANTS POLICY – COMMUNITY PARTNERSHIP FUND  
(AMREC) (ATTACHMENT)**

The proposed Policy will require a new delegation to ensure application for non-monetary grants are assessed and approved in a timely manner. It is proposed that authority to process a request for a non-monetary grant under this policy be delegated to the Chief Executive Officer and on-delegated to the Director Community Development for a value of \$500, Coordinator level for up to \$300 and Manager level for up to \$500, being the maximum once off amount able to be requested by a community group or organisation in any 12 month period. The proposed delegation [8073 Approval of Non Monetary Grants Community Partnership Fund](#) provides for the expected value of applications.

From over 1,200 bookings per annum, it is has been estimated that one to two percent of the hirers currently request fees and charges to be waived.

The current Community Partnership Fund (CPF) provides \$140,000 per annum for funding to community groups and organisations. There are three levels of funding (from \$1,000 to \$10,000 grants), Friendly Neighbourhood Grants (up to \$250), and Youth Development Funding (up to \$500). CPF also regularly offers other funding opportunities (up to \$1,000) to community groups and organisations for special events in the annual calendar (Harmony Week, Family and Children Week, NAIDOC Week, etc.). Venue hire costs can be covered in the Community Partnership Fund Guidelines; however the CPF does not support direct fund raising activities or events, which would be a direct monetary donation to the groups' fund raising activity. There is the opportunity for longer term benefits in building the capacity of these not for profit groups by contributing to their overall operations in providing support with non-monetary grants, rather than giving a direct monetary donation.

Through the Community Partnership Fund, recipients of funding need to acknowledge the City's financial contribution via recognition in promotion materials. Currently, there is no recognition of the City's support by community groups which have received in-kind contributions (for e.g. waiving of venue hire fees). This policy will ensure that if a group is successful in obtaining a CPF grant that includes a non-monetary component, they are precluded from seeking any further waiver of hire fees. Previously there have been instances where groups have been successful in receiving a funding though the CPF and then sought additional support through the waiver of fees.

The proposed Non-Monetary Grants Policy - Community Partnership Fund seeks to ensure access to in-kind support by community groups and not-for-profit organisations for the provision of fund raising activities and special annual events where the activity celebrates a particular occasion. As an example, this may be applicable to events associated with Christmas or Australia Day or other special celebratory annual events.

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

No specific external engagement has been carried out in relation to the development of this policy as the policy reflects and supports existing information from community engagement processes (Strategic Community Plan – People Places Participation 2012-2022).

**CD15/8073 – NON-MONETARY GRANTS POLICY – COMMUNITY PARTNERSHIP FUND  
(AMREC) (ATTACHMENT)**

**II. OTHER AGENCIES / CONSULTANTS**

No Agencies have been engaged for input to this specific item.

**STATUTORY AND LEGAL IMPLICATIONS**

Not applicable.

**FINANCIAL IMPLICATIONS**

This policy provides the opportunity to capture financial data in relation to non-monetary or in-kind support to community and not for profit organisations. The cost to the City will be an indirect one and included in financial reporting.

For the 2013/2014 financial year the following income was received for hire of parks and other facilities centrally managed:

Parks and Reserves	\$228,246
Main Hall	\$62,033
Wireless Hill Cottage	\$534

The Main Hall income is likely to be reduced this financial year with the departure of the Nations Youth Group which had a weekly booking.

Currently, where Fees and Charges are waived, these relate to hire fees and Account Number 100.25300.7900.000. (CEO - Community Assistance) is available to offset these costs. Estimated cost of annual fees and charges currently waived is \$1,500.

The Non Monetary Grants Policy - Community Partnership Fund will be further assessed after a one year trial to ensure its impact on budgets is sustainable and there is not a significant reduction in income of fees and charges for venue/reserve hire. The maximum amount available for any once-off annual grant to an eligible group will be \$500.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Lack of understanding of the financial impact of the introduction of an In-Kind Grant Policy.	Minor consequences which are unlikely, resulting in a <b>Low</b> level of risk.	Thorough investigation and research regarding eligibility criteria for such a grant.
Reputational: Community groups ( possible applicants) are dissatisfied with the new policy	Minor consequences which are unlikely, resulting in a <b>Low</b> level of risk.	Promotion of the new transparent and consistent policy and updating of Community Partnership Funding Guidelines.
Financial: The number of groups seeking non-monetary grants support substantially increases.	Moderate consequences which are unlikely, resulting in a <b>Medium</b> level of risk.	Review of the Policy after the first year including budgetary impacts.

**CD15/8073 – NON-MONETARY GRANTS POLICY – COMMUNITY PARTNERSHIP FUND  
(AMREC) (ATTACHMENT)****POLICY IMPLICATIONS**

There is no current Council Policy that relates to Grants. There are operational Procedures and Work Instructions that relate to the Community Partnership and Youth Funding programs.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

An alternate option may be to continue the ad-hoc manner of groups receiving in-kind support through the Chief Executive Officer's delegated authority to waive fees and charges relating to venue or equipment hire. This does not provide clarity to the community or clearly demonstrate the City's support of such events.

**CONCLUSION**

In order to achieve the aspirations of our community, the City's partnerships with not for profit groups and organisations must continue to be strengthened. The provision of non-monetary grants and other funding to the community sector is a way for the City to further the aims and goals identified in the Strategic Community Plan. When funding priorities are linked to Council objectives they support those priorities through inviting the community to partner with the City to deliver shared goals.

The Non-Monetary Grants Policy provides the City with a consistent, open and transparent program that can support community and not for profit groups carrying out fund raising events and annual activities. The current Community Partnership Fund does not provide monies for fund raising activities for community and not for profit groups as this would be a direct donation to a specific group which may or may not have any benefits for City of Melville residents.

Non-monetary grants can be at a lesser dollar value to facilitate broad community benefit, and build capacity of not for profit organisations and community groups utilising City resources and infrastructure whilst contributing to the overall positive activities that benefit the broader community.

In addition the Non-Monetary Grants Policy, as part of the Community Partnership Fund provides an opportunity for the City to monitor the level of support provided, ensuring acknowledgement of that support is promoted during the community event or activity.

**CD15/8073 – NON-MONETARY GRANTS POLICY – COMMUNITY PARTNERSHIP FUND  
(AMREC) (ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8073)  
ABSOLUTE MAJORITY**

At 10.21pm Cr Schuster moved, seconded Cr Willis –

**That the Council;**

1. **Endorses the Non-Monetary Grants Policy – Community Partnership Fund (attached)**[8073 CP-095 Non Monetary Grants Policy - Community Partnership Fund](#)
2. **Adopts the attached delegation**[8073 Approval of Non Monetary Grants Community Partnership Program](#) **by Absolute Majority decision to facilitate the operation of the Non-Monetary Grants Policy – Community Partnership Fund**

At 10.22pm the Mayor submitted the motion, which was declared  
**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (10/0)**

**M15/5429 - DELEGATES TO WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING (REC)**

Ward : All  
 Category : Operational  
 Subject Index : Western Australian Local Government Association  
 Customer Index : Western Australian Local Government Association  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Nil  
 Works Programme : Not Applicable  
 Funding : Not Applicable  
 Responsible Officer : Jeff Clark  
 Governance and Compliance Program Manager

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**M15/5429 - DELEGATES TO WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING (REC)****KEY ISSUES / SUMMARY**

- Voting delegates and proxy voting delegates may be nominated to attend the Western Australian Local Government Association Annual General Meeting.
- The Council may nominate two voting and proxy delegates to represent the City at the Annual General Meeting.

**BACKGROUND**

The City of Melville is a member of the Western Australian Local Government Association (WALGA). Membership entitles the City to nominate two voting delegates and two proxy voting delegates to attend the Annual General Meeting of WALGA and vote on the City's behalf.

**DETAIL**

The WALGA Annual General Meeting will be held at the WALGA Convention on Wednesday 5 August 2015. The City is entitled to nominate two voting delegates and two proxy voting delegates to attend the Annual General Meeting of WALGA and vote on the City's behalf. The City's nominations are required to be advised to WALGA by 9 July 2015. Each year the City nominates Elected Members to attend and vote on the agenda items.

The agenda for the Annual General Meeting has not been completed at the time of preparation of this report.

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

No engagement with the City's community is required for this report.

**II. OTHER AGENCIES / CONSULTANTS**

No engagement with other agencies or consultants is required for this report.

**STATUTORY AND LEGAL IMPLICATIONS**

There are no statutory or legal implications in this report.

**FINANCIAL IMPLICATIONS**

There are no financial implications in this report.

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**M15/5429 - DELEGATES TO WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING (REC)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There is no strategic, risk or environmental management implications with this report.

**POLICY IMPLICATIONS**

There is no Council Policy that relates to selection of delegates.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council may choose to not nominate delegates and consequently, the City's vote on matters affecting Local Government both in Western Australia and nationally would be lost.

**CONCLUSION**

The City has an entitlement to be represented at the Annual General Meeting and the Council may choose two voting delegates and two proxy voting delegates.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5429)****APPROVAL**

At 10.26pm Cr Willis moved, seconded Cr Aubrey –

**That the Council nominates the following Elected Members as the City of Melville's voting delegates:**

- 1. Cr Robartson**
- 2. Cr Macphail**

**and the following Elected Members to be proxy voting delegates:**

- 1. Cr Willis**
- 2. Cr Reynolds**

**to the Western Australian Local Government Association Annual General Meeting to be held on 5 August 2015.**

At 10.26pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

**M15/5000 – 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 April 2015 up to and including 22 May 2015 and recommends that the information be noted and endorsed.

**M15/5000 – 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>Party</b>	<b>Description</b>	<b>ECM Reference</b>
1040	The City of Melville and Melville Theatre Company ) Roy Edinger Hall Palmyra)	Renewal of the Management Licence for three years commencing 1 July 2015 and expiring 30 June 2018	3499366
1042	The City of Melville and Amalgamated Melville Homing club	Renewal of Management Licence for two years and six months commencing 1 January 2015 and expiring 30 June 2017.	3509036
1062	The City of Melville and Melville Cares Incorporated (27 Hammad Street, Palmyra)	Renewal of the Management Licence for five years commencing 18 April 2015 and expiring on 17 April 2020	3518980
1069	The City of Melville and Melville Cares Incorporated (21-23 Hammad Street, Palmyra)	Renewal of the Management Licence for five years commencing on 1 July 2015 and expiring on 30 June 2020.	3522711
1071	The City of Melville and Melville History Society Inc	Deed of Lease renewal for three years commencing 1 July 2015 and expiring on 30 June 2018	3526141

**M15/5000 – COMMON SEAL REGISTER (REC)**

1077	The City of Melville and Telstra Corporation Ltd	Telstra Corporation Ltd - Portion of Lot 4740 on Deposited Plan 28826 (Bob Gordon Reserve) - Telecom Site Term of lease is 10 years with two options to renew the lease for a further five years	3568887
1082	The City of Melville No 9 The Strand, Applecross	Temporary Withdrawal of Caveat to Permit Mortgage	3540832
1086	The City of Melville	Contract of Employment - Dr Shayne Silcox	Personal File
1089	The City of Melville and the Swan River Trust	Collaborative Arrangement between the Swan River Trust and City of Melville Formal document to secure funding for Foreshore Restoration Project	3583678

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

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

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

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

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**M15/5000 – COMMON SEAL REGISTER (REC)****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 is 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 April 2015 up to and including 22 May 2015.**

At 10.43pm the Mayor submitted the motion, which was declared

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

**C15/6000 - INVESTMENT STATEMENTS FOR APRIL 2015 (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>
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<input checked="" type="checkbox"/>	Information	<b><i>For the Council/Committee to note.</i></b>

**KEY ISSUES / SUMMARY**

This report presents the investment statements for the period ending 30 April 2015 for the Council's information and noting.

**C15/6000 - INVESTMENT STATEMENTS FOR APRIL 2015 (REC)**

**BACKGROUND**

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

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

**DETAIL**

Summary details of investments held as at 30 April 2015 are shown in the tables below.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 April 2015	
<b>SUMMARY BY FUND</b>	
	<b>AMOUNT</b> \$
MUNICIPAL	\$ 30,112,353
RESERVE	\$ 87,473,578
TRUST	\$ 272,939
CITIZEN RELIEF	\$ 204,517
	<b>\$ 118,063,387</b>
<b>SUMMARY BY INVESTMENT TYPE</b>	
	<b>AMOUNT</b> \$
11AM	\$ 1,416,589
31DAYS AT CALL	\$ 1,000,000
60DAYS AT CALL	\$ 1,000,000
TERM DEPOSIT	\$ 109,416,153
BOND	\$ 2,000,000
FRTD	\$ 3,000,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 118,063,387</b>
<b>SUMMARY BY CREDIT RATING</b>	
	<b>AMOUNT</b> \$
AA	\$ 6,000,000
AA-	\$ 75,032,742
A+	\$ 13,000,000
A	\$ 1,900,000
A-	\$ 21,900,000
BBB+	\$ -
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 118,063,387</b>

**C15/6000 - INVESTMENT STATEMENTS FOR APRIL 2015 (REC)**

The following statements detail the investments held by the City for the period ending 30 April 2015.

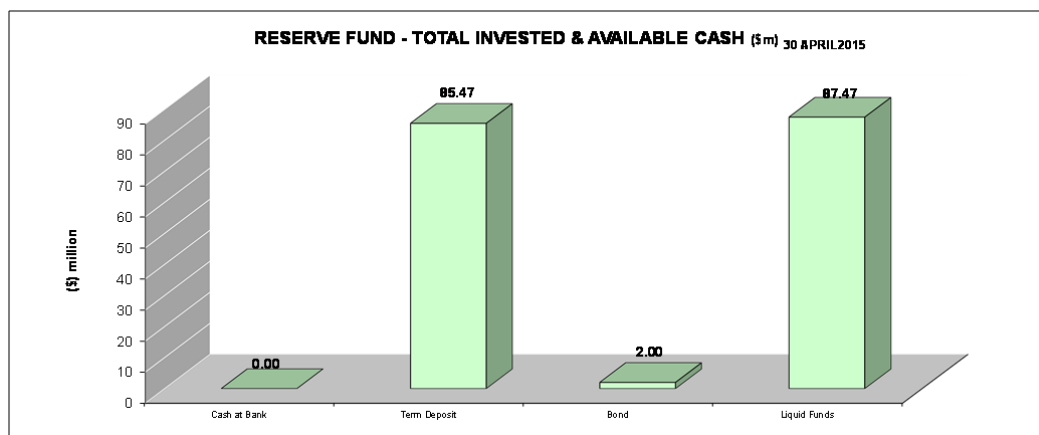
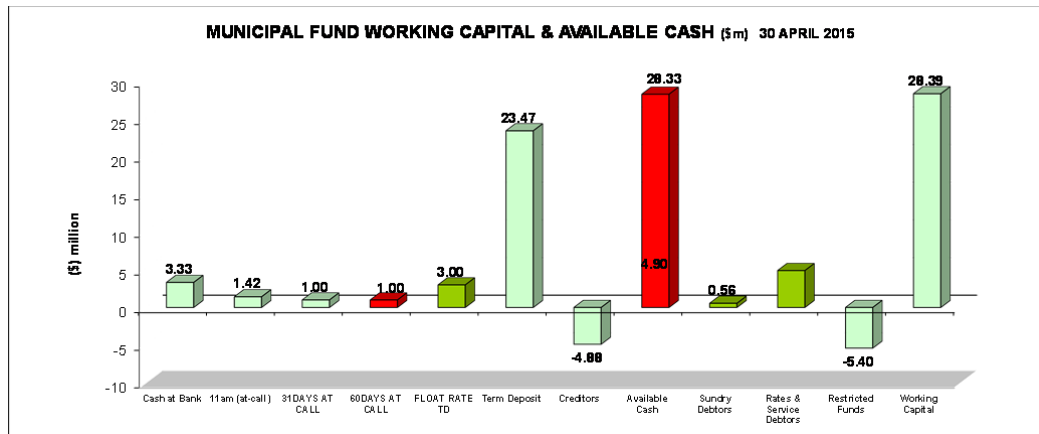
STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 April 2015						
INSTITUTION / INVESTMENT	RISK of IMPAIRMENT	INVESTMENT TYPE	Interest Rate %	S & P RATING	AMOUNT \$	MATURITY DATE
BANKWEST (11AM)	Very Low	11AM	2.50%	AA-	\$0	On call
WESTPAC (MAXI DIRECT)	Very Low	11AM	1.70%	AA-	\$100,000	On call
WESTPAC (MAXI BONUS 1)	Very Low	11AM	1.95%	AA-	\$307,182	On call
WESTPAC (MAXI BONUS 2)	Very Low	11AM	1.95%	AA-	\$1,009,407	On call
					<b>\$1,416,589</b>	
WESTPAC (31DAYS AT CALL)	Very Low	31DAYS AT CALL	3.00%	AA-	\$1,000,000	On call
					<b>\$1,000,000</b>	
WESTPAC (60DAYS AT CALL)	Very Low	60DAYS AT CALL	3.10%	AA-	\$1,000,000	On call
					<b>\$1,000,000</b>	
BANK OF QUEENSLAND (TERM)	Very Low	TERM	Various	A-	\$6,000,000	Various
BANKWEST (TERM)	Very Low	TERM	Various	AA-	\$2,000,000	Various
BENDIGO AND ADELAIDE BANK (TERM)	Very Low	TERM	Various	A-	\$5,500,000	Various
CITIBANK (TERM)	Very Low	TERM	Various	AA-	\$11,225,369	Various
COMMONWEALTH BANK (TERM)	Very Low	TERM	Various	AA-	\$14,000,000	Various
AMP BANK (TERM)	Very Low	TERM	Various	A+	\$8,000,000	Various
ANZ BANK (TERM)	Very Low	TERM	Various	AA-	\$5,000,000	Various
ING BANK (TERM)	Very Low	TERM	Various	A-	\$10,400,000	Various
MACQUARIE BANK (TERM)	Very Low	TERM	Various	A	\$1,900,000	Various
NAB (TERM)	Very Low	TERM	Various	AA-	\$23,290,784	Various
RABODIRECT (TERM)	Very Low	TERM	Various	AA	\$4,000,000	Various
ST GEORGE BANK (TERM)	Very Low	TERM	Various	AA-	\$4,100,000	Various
SUNCORP METWAY LTD (TERM)	Very Low	TERM	Various	A+	\$5,000,000	Various
WESTPAC (TERM)	Very Low	TERM	Various	AA-	\$9,000,000	Various
					<b>\$109,416,153</b>	
WESTPAC (FRTD)	Very Low	FRTD	3.42%	AA-	\$3,000,000	Various
					<b>\$3,000,000</b>	
COMMONWEALTH BANK (RETAIL BOND)	Very Low	BOND	3.79%	AA	\$2,000,000	20-Dec-15
					<b>\$2,000,000</b>	
UNITS IN LOCAL GOVT HOUSE	NA	NA	NA	NA	\$230,645	NA
<b>TOTAL FUNDS INVESTED</b>					<b>\$118,063,387</b>	
<b>CREDIT RISK COMPARISON</b>						
CREDIT RISK	AMOUNT \$	ACTUAL PROPORTION	MAX. % AMOUNT IN TOTAL PORTFOLIO	Comments		
AA	\$6,000,000	5%	80%			
AA-	\$75,032,742	64%	80%			
A+	\$13,000,000	11%	50%			
A	\$1,900,000	2%	50%			
A-	\$21,900,000	19%	50%			
BBB+	\$0	0%	20%			
UNITS IN LOCAL GOVT: HOUSE	\$230,645	0%	0.1%			Council Decision
<b>TOTAL</b>	<b>118,063,387</b>	<b>100%</b>				
<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-	5,000,000	4.24%	4.24%	20%
AMP BANK (TERM)	TERM	A+	8,000,000	6.78%	6.78%	15%
BANKWEST (11AM)	11AM	AA-	-	0.00%	-	20%
BANKWEST (TERM)	TERM	AA-	2,000,000	1.69%	1.69%	20%
BANK OF QUEENSLAND (TERM)	TERM	A-	6,000,000	5.08%	5.08%	15%
BENDIGO AND ADELAIDE BANK (TERM)	TERM	A-	5,500,000	4.66%	4.66%	15%
CITIBANK (TERM)	TERM	AA-	11,225,369	9.51%	9.51%	20%
COMMONWEALTH BANK (TERM)	TERM	AA-	14,000,000	11.86%	-	20%
COMMONWEALTH BANK (COVERED BOND)	BOND	AAA	-	0.00%	-	20%
COMMONWEALTH BANK (RETAIL BOND)	BOND	AA	2,000,000	1.69%	-	20%
COMMONWEALTH BANK (FRN)	FRN	AA	-	0.00%	13.55%	20%
ING BANK (TERM)	TERM	A-	10,400,000	8.81%	8.81%	15%
MACQUARIE BANK (TERM)	TERM	A	1,900,000	1.61%	1.61%	15%
NAB (TERM)	TERM	AA-	23,290,784	19.73%	19.73%	20%
RABODIRECT (TERM)	TERM	AA	4,000,000	3.39%	3.39%	15%
ST GEORGE BANK (TERM)	TERM	AA-	4,100,000	3.47%	3.47%	20%
SUNCORP METWAY LTD (TERM)	TERM	A+	5,000,000	4.24%	4.24%	15%
WESTPAC (MAXI BONUS 1)	11AM	AA-	307,182	0.26%	-	20%
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,009,407	0.85%	-	20%
WESTPAC (MAXI DIRECT)	11AM	AA-	100,000	0.08%	-	20%
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	1,000,000	0.85%	-	
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	1,000,000	0.85%	-	
WESTPAC (FRTD)	FRTD	AA-	3,000,000	2.54%	-	20%
WESTPAC (TERM)	TERM	AA-	9,000,000	7.62%	13.06%	20%
UNITS IN LOCAL GOVT HOUSE	NA	NA	230,645	0.20%	0.20%	
			<b>118,063,387</b>	<b>99%</b>	<b>100%</b>	

**C15/6000 - INVESTMENT STATEMENTS FOR APRIL 2015 (REC)**

<b>MATURITY COMPARISON</b>			
<b>TERM to MATURITY</b>	<b>AMOUNT</b>	<b>\$</b>	<b>ACTUAL PROPORTION</b>
			<b>MAX. % IN ANY ONE YEAR</b>
<b>MUNICIPAL &amp; TRUST FUNDS</b>			
< 1 year	43,990,053		100%
	<b>43,990,053</b>		<b>100%</b>
<b>RESERVE FUNDS</b>			
< 1 year	80,257,474		100%
	<b>80,257,474</b>		<b>100%</b>

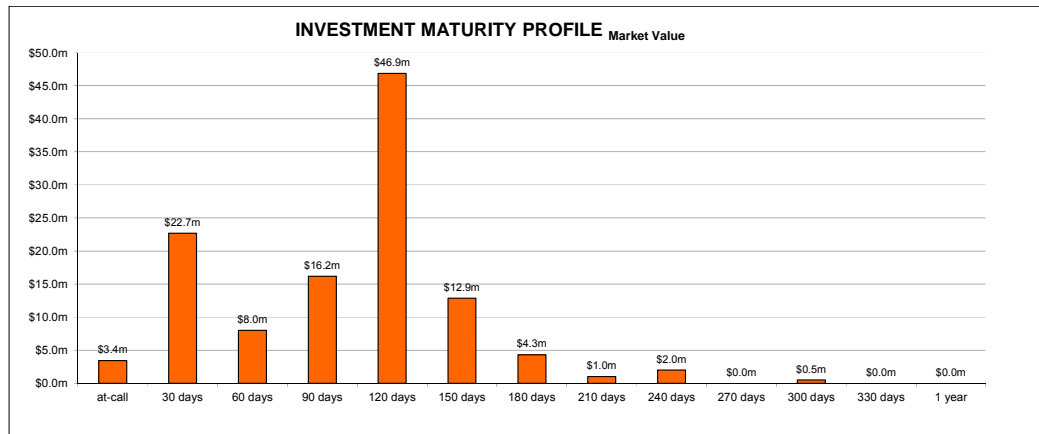
**Net Funds Held**

The graphs below summarise the Municipal Fund working capital and available cash and the funds held in the Reserve Fund at purchase price and last valuation at 30 April 2015.



**C15/6000 - INVESTMENT STATEMENTS FOR APRIL 2015 (REC)**

The graph below summarises the maturity profile of the City's investments at market value as at 30 April 2015.



**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**

Not applicable.

**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)

**FINANCIAL IMPLICATIONS**

For the period ending 30 April 2015:

- Investment earnings on Municipal and Trust Funds were \$928,820 against a year-to-date budget of \$975,000 representing a \$46,180 negative variance.
- Investment earnings on Reserve accounts were \$2,837,802 against a year-to-date budget of \$2,333,333 representing a \$504,469 positive variance.

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**C15/6000 - INVESTMENT STATEMENTS FOR APRIL 2015 (REC)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

The City's investment portfolio is invested in highly secure investments that are returning low investment returns. These return's are however 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 decrease, new restrictions put on banks by the regulators and the legislative restrictions that have been implemented by the State Government limiting term deposits to a maximum term of 12 months, resulting in the City not being able to invest in term deposits with the higher interest rates that are available on longer term investments.

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

**That the Investment Report for the month of April 2015 be noted.**

At 10.43 the Mayor submitted the motion, which was declared

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

**C15/6001 – SCHEDULE OF ACCOUNTS PAID FOR APRIL 2015 (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 : 2014/2015 Budget  
 Responsible Officer : Bruce Taylor – Manager Financial Services

**AUTHORITY / DISCRETION**

**DEFINITION**

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<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
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<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 April 2015 and recommends that the Schedule of Accounts Paid be noted.

**C15/6001 – SCHEDULE OF ACCOUNTS PAID FOR APRIL 2015 (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 month ending 30 April 2015 ([6001 April 2015](#)), including Payment Registers numbers, Cheques 456 to 458 and Electronic Funds Transfers batches 363 to 364 was distributed to the Elected Members of Council on 29 May 2015.

Payments in excess of \$25,000 for the month of April 2015 are detailed as follows:

<b>Supplier Name</b>	<b>Remittance Number</b>	<b>Remittance Details</b>	<b>Amount</b>
Access Without Barriers Pty Ltd	Chq 061463 & E043978	Progress claim 1 & 2 for refurbishment of Wireless Hill	\$201,891.91
Asphaltech Pty Ltd	E043735 & E043952	Progress claim 4 for road resurfacing at North Lake Road and progress claim 3 for road resurfacing at Calley Drive	\$140,341.76
Boral Construction Materials Group Ltd	E043592 & E043816	Road base for Melville Beach Road	\$42,228.82
City of Cockburn	E043805	Tip fees for March	\$64,450.74
Data#3 Limited	E043656 & E043881	Maintenance contract and IBM System X3650 backup server	\$43,004.15
Densford Civil Pty Ltd	E043760	Progress claim 2 for drainage upgrade at Normal Road	\$182,247.10
Dickies Tree Service	E043583 & E043807	Tree lopping & pruning services	\$43,690.35
Downer EDI Works Pty Ltd	E043915	Progress claim 1 for road resurfacing at Bawden Street, progress claims 2 & 3 for road resurfacing at Garling Street	\$421,347.43
Dowsing Concrete	E044018	Concrete works on various places	\$45,450.46
EMC Solar Construction Pty Ltd	E043976	Progress payment for installation of solar panels at Civic Centre	\$135,090.29
Fire & Emergency Services Authority WA	E043942	ESL remittance for March	\$880,340.67
Flexi Staff	E043605 & E043833	Temporary employment	\$54,227.97
Hays Specialised Recruitment	E043734 & E043951	Temporary employment	\$41,649.22
Humes Wembley Cement	E043626 & E043853	Drainage materials	\$25,503.23
JMG Air Conditioning & Electrical Services Pty Ltd	E043721 & E043939	Servicing and maintenance to air conditioners at various places	\$46,929.53
Leeming Recreation & Indoor Sports	E043904	Department of Education contribution to Leeming Recreation Centre	\$33,996.35
LGIS Liability	E043612	2013-2014 wages adjustment workers compensation insurance premium	\$87,352.30
Mayday Earthmoving	E043601 & E043828	Hire of machinery	\$37,178.35
MMM WA Pty Ltd	E043672 & E043898	Drainage installation and upgrades at various places	\$85,029.54

**C15/6001 – SCHEDULE OF ACCOUNTS PAID FOR APRIL 2015 (REC) (ATTACHMENT)**

<b>Supplier Name</b>	<b>Remittance Number</b>	<b>Remittance Details</b>	<b>Amount</b>
Southern Metropolitan Regional Council	E043885	MSW gate fees for March, green waste gate fees for March and recyclable gate fees for March	\$824,939.31
Stockland Trust Group	E043823	Refund for overpaid rates at 46-50 Benningfield Road	\$58,575.14
Synergy	E043604 & E043832	Electricity charges at various places	\$533,802.06
Titan Ford	E043624 & E043851	Purchase of Ford Ranger XL Crew Cab	\$36,004.83
TJS Cleaning Services Perth Pty Ltd	E043749	Cleaning of LeisureFit Booragoon and LeisureFit Melville	\$25,199.99
Tree Planting & Watering	E043733 & E043950	Street tree watering	\$33,078.70
Water Corporation	Chq's 061448 & 061557	Water charges	\$46,780.80
Western Australian Local Government Association	E43659 & E043888	Subscriptions, advertisement and training	\$29,885.96
Western Power	E043602	Cash call 4 for Ardross East	\$650,000.00
Youngs Plumbing & Gas Service Pty Ltd	E043671 & E043897	Plumbing and gas services at various places	\$25,648.88

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**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.

**C15/6001 – SCHEDULE OF ACCOUNTS PAID FOR APRIL 2015 (REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

This is a regular monthly report for Elected Members' information.

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

**That the Council notes the Schedule of Accounts paid for the month ending 30 April 2015 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 April 2015](#)**

At 10.43pm the Mayor submitted the motion, which was declared

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

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2015 (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 for the period ending 30 April 2015 and recommends that they be noted by the Council.
- Budget amendments for the period ending 30 April 2015 and recommends that they be adopted by Absolute Majority decision of the Council.
- The variances for the month of April 2015 and recommends that they be noted by the Council.

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2015 (AMREC)  
(ATTACHMENTS)**
**BACKGROUND**

The Statements of Financial Activity for the period ending 30 April 2015 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.

For the period ending 30 April 2015, net operating positive variances of \$8.458m and net capital positive variances of \$7.873m were recorded.

**Variations**

A summary of variances and comments are provided in attachment [6002H April 2015](#).

CITY OF MELVILLE STATEMENT OF VARIANCES IN EXCESS OF \$50,000 FOR THE PERIOD ENDED 30 APRIL 2015							
	April Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
<b>Revenues</b>							
Governance	117,579	1,613,294	1,993,930	380,636	24%	6,495,230	1,866,043
General Purpose Funding	412,829	10,588,147	11,213,884	625,737	6%	12,112,400	12,148,405
Community Amenities	67,089	1,009,788	940,851	(68,938)	-7%	1,170,728	1,152,132
Recreation and Culture	792,599	8,426,433	8,314,803	(111,630)	-1%	10,147,119	9,859,795
Transport	212,918	4,949,913	3,895,107	(1,054,805)	-21%	4,231,564	6,305,403
Other Property and Services	414,582	1,642,751	552,631	(1,090,120)	-66%	395,143	1,664,666
	2,093,673	31,666,777	30,368,070	(1,284,299)	-4%	37,998,637	36,502,475
<b>Expenses</b>							
Governance	(1,737,292)	(10,311,587)	(9,304,081)	1,007,506	-10%	(16,642,685)	(11,839,254)
Law, Order, Public Safety	(353,935)	(3,330,989)	(3,046,903)	284,085	-9%	(4,105,440)	(4,022,188)
Health	(73,822)	(777,002)	(726,381)	50,621	-7%	(937,721)	(930,660)
Education & Welfare	(472,297)	(4,664,637)	(4,216,513)	448,124	-10%	(5,637,590)	(5,609,274)
Community Amenities	(1,730,659)	(17,884,509)	(16,020,735)	1,863,775	-10%	(21,193,172)	(21,643,229)
Recreation and Culture	(2,370,433)	(25,466,372)	(23,714,948)	1,751,424	-7%	(29,964,882)	(30,593,431)
Transport	(695,942)	(9,062,883)	(7,728,151)	1,334,731	-15%	(11,348,408)	(10,928,304)
Economic Services	(8,415)	(89,530)	(144,797)	(55,267)	62%	(117,436)	(107,436)
Other Property and Services	(842,683)	(8,039,450)	(7,837,328)	202,122	-3%	(8,524,746)	(9,453,390)
	(8,304,363)	(82,764,158)	(75,888,935)	9,820,815	-8%	(103,021,227)	(99,678,817)
<b>Capital Revenue &amp; Expenditure</b>							
Purchase of Furniture & Equipment	(74,213)	(1,296,303)	(566,424)	729,879	-56%	(1,593,524)	(1,969,246)
Purchase of Plant & Equipment	(48,101)	(7,268,813)	(4,570,465)	2,698,347	-37%	(4,702,747)	(8,052,604)
Purchase of Land & Buildings	(272,531)	(2,508,737)	(1,452,122)	1,056,616	-42%	(2,034,000)	(3,938,109)
Purchase of Infrastructure Assets	(1,143,897)	(16,062,600)	(11,639,506)	4,423,094	-28%	(16,125,081)	(20,954,809)

**Revenue**

\$77.734m in Rates was raised to 30 April 2015. This is compared with a revised year to date budget of \$77.591m, resulting in a positive variance of \$143K.

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2015 (AMREC)  
(ATTACHMENTS)****Money Expended in an Emergency and Unbudgeted Expenditure**

Not applicable for April 2015.

**Budget Amendments**

Details of Budget Amendments requested for the month of April 2015 are shown in attachment [6002J April 2015](#). Highlighted are four budget amendment journals greater than \$50,000 that were processed in April 2015.

- \$ 75,000 – Transfer for Senior Assistance Fund to Care Options.
- \$ 209,909 – Adjustments to depreciation budget to align with actuals.
- \$ 743,853 – Adjustment to fleet depreciation to align with actuals.
- \$1,349,245 – Create new budget for proceeds on sale of 21 Weld Road, Palmyra.

**Rates Collections and Debtors**

Details of Rates and Sundry Debtors are shown in attachments 6002L, 6002M and 6002N. Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$905,484 were collected over the course of the month. Rates collection progress for the month of April is 1.1% above target which represents a dollar value of \$926,759. As at 30 April, 96.1% of 2014/2015 rates had been collected. This was 0.4% more than collected for the same time last year.

Total sundry debtor balances increased by \$206,014 over the course of the month from \$348,763 to \$554,777. The 90+ day's debtor balance increased by \$9,617 from \$10,317 to \$19,934.

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

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

No debts were written off under delegated authority in the month of April 2015.

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2015 (AMREC)  
(ATTACHMENTS)**

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

DESCRIPTION	LINK
Rate Setting Statement April 2015	<a href="#">6002A April 2015</a>
Statement of Financial Activity – April 2015	<a href="#">6002B April 2015</a>
Representation of Net Working Capital – April 2015	<a href="#">6002E April 2015</a>
Reconciliation of Net Working Capital – April 2015	<a href="#">6002F April 2015</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – April 2015	<a href="#">6002H April 2015</a>
Details of Budget Amendments requested – April 2015	<a href="#">6002J April 2015</a>
Summary of Rates Debtors – April 2015	<a href="#">6002L April 2015</a>
Graph Showing Rates Collections – April 2015	<a href="#">6002M April 2015</a>
Summary of General Debtors aged 90 Days Old or Greater – April 2015	<a href="#">6002N April 2015</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:

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2015 (AMREC)  
(ATTACHMENTS)****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.

(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 April 2015](#) (Notes on Statement of Variances in excess of \$50,000).

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2015 (AMREC)  
(ATTACHMENTS)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**CONCLUSION**

The attached financial reports reflect a positive financial position of the City of Melville as at 30 April 2015.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6002)**

**ABSOLUTE MAJORITY**

At 10.27pm Cr Schuster moved, seconded Cr Willis –

**That the Council:**

- Note the Rate Setting Statement and Statements of Financial Activity for the month ending 30 April 2015 as detailed in the following attachments:**

<b>DESCRIPTION</b>	<b>LINK</b>
Rate Setting Statement April 2015	<a href="#">6002A April 2015</a>
Statement of Financial Activity – April 2015	<a href="#">6002B April 2015</a>
Representation of Net Working Capital – April 2015	<a href="#">6002E April 2015</a>
Reconciliation of Net Working Capital – April 2015	<a href="#">6002F April 2015</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – April 2015	<a href="#">6002H April 2015</a>
Details of Budget Amendments requested – April 2015	<a href="#">6002J April 2015</a>
Summary of Rates Debtors – April 2015	<a href="#">6002L April 2015</a>
Graph Showing Rates Collections – April 2015	<a href="#">6002M April 2015</a>
Summary of General Debtors aged 90 Days Old or Greater – April 2015	<a href="#">6002N April 2015</a>

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**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2015 (AMREC)  
(ATTACHMENTS)**

- 2. By Absolute Majority Decision adopt the budget amendments, as listed in the Budget Amendment Reports for April 2015, as detailed in attachment [6002J April 2015](#).**

At 10.27pm the Mayor submitted the motion, which was declared

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

**LATE ITEM - M15/5431 - DELEGATES TO WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING – COMPLETION OF TERM OF OFFICE (REC)**

Ward : All  
 Category : Operational  
 Subject Index : Western Australian Local Government Association  
 Customer Index : Western Australian Local Government Association  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Nil  
 Works Programme : Not Applicable  
 Funding : Budget 2014/2015  
 Responsible Officer : Jeff Clark  
 Governance and Compliance Program Manager

**AUTHORITY / DISCRETION**

**DEFINITION**

<input checked="" type="checkbox"/>	<b>Advocacy</b>	<b><i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i></b>
<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 type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**LATE ITEM - M15/5431 - DELEGATES TO WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING – COMPLETION OF TERM OF OFFICE (REC)****KEY ISSUES / SUMMARY**

The Council may approve the attendance at the Western Australian Local Government Association Conference by Councillors who are in the year of conclusion of their term of office.

**BACKGROUND**

The City of Melville is a member of the Western Australian Local Government Association (WALGA). The City has policy CP-092 – Elected Members Professional Development that requires the Council to approve any attendance by Elected Members at any Conferences/Training/Seminars after 30 June in the year an Elected Member's term of office ends.

**DETAIL**

The WALGA Annual General Meeting and Conference will be held from Wednesday 5 to Friday 7 August 2015. The City has policy CP-092 – Elected Members Professional Development that requires the Council to approve any attendance by Elected Members at any Conferences/Training/Seminars after 30 June in the year an Elected Member's term of office ends. At the Agenda Briefing Forum held on 2 June, His Worship the Mayor, Cr Aubrey, Councillors Macphail, Pazolli and Willis expressed interest in attending the Conference. As the Councillors are in the last months of their current term, the policy requires the Council to approve the Councillors' attendance at this Conference.

The City has a practice to support attendance at relevant conferences that inform and provide professional development to Elected Members.

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

No engagement with the City's community is required for this report.

**II. OTHER AGENCIES / CONSULTANTS**

No engagement with other agencies or consultants is required for this report.

**STATUTORY AND LEGAL IMPLICATIONS**

There are no statutory or legal implications in this report.

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**LATE ITEM - M15/5431 - DELEGATES TO WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING – COMPLETION OF TERM OF OFFICE (REC)****FINANCIAL IMPLICATIONS**

There is provision in the current budget for Elected Member's attendance at conferences and training.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There is no strategic, risk or environmental management implications with this report.

**POLICY IMPLICATIONS**

Council Policy CP-092 – Elected Members Professional Development requires that the Council provides approval for attendance of Elected Members at Conferences/Training/Seminars after 30 June in the year an Elected Member's term of office ends.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council may choose to not agree to nominations to attend the WALGA Annual Conference.

**CONCLUSION**

The Council may continue the existing practice of supporting applications by Elected Members for professional development.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5431) APPROVAL**

At 10.28pm Cr Schuster moved, seconded Cr Aubrey –

**That the Council approves the attendance of Councillors Robartson, Macphail, Willis, Reynolds, Schuster, Pazolli and Mayor Aubrey to the Western Australian Local Government Association Annual Conference to be held 5 to 7 August 2015.**

At 10.29pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

**16. EN BLOC ITEMS**

At 10.43pm Cr Schuster moved, seconded Cr Pazolli –

**That the recommendations for items, M15/5421, M15/5000, C15/6000 and C15/6001 be carried En Bloc.**

At 10.43pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (10/0)**

**17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL****17.1 Amendments to Council Policy CP-064 (Telecommunications Facilities and Communications Equipment)**

**COUNCIL RESOLUTION**

**ABSOLUTE MAJORITY**

At 10.33pm Cr Aubrey seconded Cr Taylor-Rees -

**That Cr Schuster be permitted to present to Council a Motion Without Notice relating to Amendments to Council Policy CP-064 (Telecommunications Facilities and Communications Equipment)**

At 10.43pm the Mayor submitted the motion which was declared

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

**COUNCIL RESOLUTION**

**APPROVAL**

At 10.34pm Cr Schuster moved, Seconded Cr Phelan -

**That the Council amends Policy CP-064 [Telecommunications Facilities and Communications Equipment] by adding the following statements:**

- 1. Under the sub title “Policy Scope”, at the end of the second paragraph, delete the full stop after 1997 and add the words “, except in this latter case in respect to informing Elected Members of notifications from telecommunications providers, and requesting the telecommunications providers to advise affected adjoining and adjacent landowners and occupiers of the intended facility.”; and,**
- 2. Under the sub title “Advertising Requirements” after the words “--- telecommunications towers” in the first line of Clause 12, add the words in brackets “[including applications exempt from requiring planning approval]”; and,**
- 3. Under the sub title “Advertising Requirements” renumber the existing paragraph in Section 10 as “(a)”, and add an additional paragraph “(b)” as follows “When a notification is received for an exempt facility under the Commonwealth law the City shall request the relevant telecommunications provider to advise adjoining landowners and occupiers of their intended installation, using the provisions of Council Policy CP – 056 [Planning Process and Decision Making], Clauses 1.7.7 and 1.7.8 as a guide in respect to the people to be contacted.**

**17.1 Amendments to Council Policy CP-064 (Telecommunications Facilities and Communications Equipment) (Continued)****AMENDMENT**

At 10.39pm Cr Taylor-Rees moved, seconded Cr Barton -

That point 4 be added as follows –

**4. Under Sub title “Communications Facilities” Point 7 an additional point stating with measures such as surface mounting, concealment, colour coordination, camouflage and landscaping in relation to telecommunication’s, equipment and cables.**

At 10.41pm the Mayor submitted the amendment which was declared

**CARRIED UNANIMOUSLY (10/0)**

**MOTION**

**That the Council amends Policy CP-064 [Telecommunications Facilities and Communications Equipment] by adding the following statements:**

- 1. Under the sub title “Policy Scope”, at the end of the second paragraph, delete the full stop after 1997 and add the words “, except in this latter case in respect to informing Elected Members of notifications from telecommunications providers, and requesting the telecommunications providers to advise affected adjoining and adjacent landowners and occupiers of the intended facility.”; and,**
- 2. Under the sub title “Advertising Requirements” after the words “--- telecommunications towers” in the first line of Clause 12, add the words in brackets “[including applications exempt from requiring planning approval]”; and,**
- 3. Under the sub title “Advertising Requirements” renumber the existing paragraph in Section 10 as “(a)”, and add an additional paragraph “(b)” as follows “When a notification is received for an exempt facility under the Commonwealth law the City shall request the relevant telecommunications provider to advise adjoining landowners and occupiers of their intended installation, using the provisions of Council Policy CP – 056 [Planning Process and Decision Making], Clauses 1.7.7 and 1.7.8 as a guide in respect to the people to be contacted.**
- 4. Under Sub title “Communications Facilities” Point 7 an additional point stating with measures such as surface mounting, concealment, colour coordination, camouflage and landscaping in relation to telecommunication’s, equipment and cables.**

At 10.43pm the Mayor submitted the substantive motion as amended which was declared

**CARRIED UNANIMOUSLY (10/0)**

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

- “1. This matter was extensively discussed at the Elected Members Information Session on 9<sup>h</sup> June and these suggested minor amendments to our existing policy are firstly, as generally agreed at that meeting, simply designed to ensure

**17.1 Amendments to Council Policy CP-064 (Telecommunications Facilities and Communications Equipment) (Continued)**

Elected Members are advised of all telecommunications applications (both those requiring approval, and those exempt under law from needing planning approval). Secondly they at least advise to the telecommunications provider that the City requests they alert surrounding property owners and occupiers of their intended exempt facility; and,

2. I suggested using the provisions of our existing policy on advertising requirements so as to provide the telecommunications provider with some guideline to consider.”

**18. CLOSURE**

There being no further business to discuss the Mayor declared the meeting closed at 10.45pm.