



City of  
**Melville**

## **NOTES**

### **AGENDA BRIEFING FORUM**

**6:30pm Tuesday, 13 February 2024**

Held in the Council Chambers, Melville Civic Centre,  
10 Almondbury Road, Booragoon

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

**Notes to be confirmed at the next Ordinary Council Meeting**

These minutes are hereby confirmed as true and accurate

Mayor K Mair

\_\_\_\_\_ Date \_\_\_\_\_



## Our Vision

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

## Our Mission

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

## Our Values

### Excellence

Striving for the best possible outcomes

### Participation

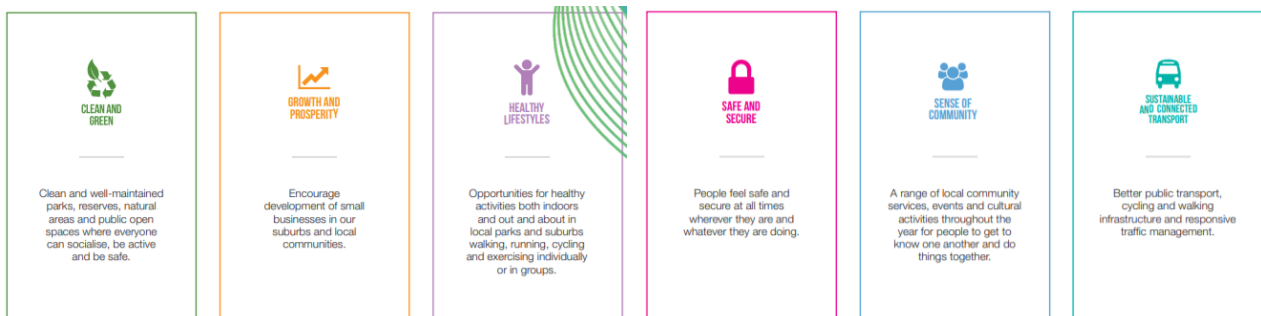
Involving, collaborating and partnering

### Integrity

Acting with honesty, openness and with good intent

### Caring

Demonstrating empathy, kindness and genuine concern



## Making A Deputation

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

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

## Public Question Time

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

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

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## **Purpose of Agenda Briefing Forum**

The purpose of this Forum is to provide an opportunity for Elected Members to ask questions and obtain additional information in respect to reports and items on the attached Council Agenda. It is not a decision making forum, nor is it open for debate on matters. Members of the public are able to present deputations in respect to matters on the Council Agenda at this Forum, prior to matters being formally deliberated upon at the next Ordinary Council Meeting.

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## 1 OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting, officially declared the meeting open at 6:30pm and invited Cr S Hong to read the Acknowledgement of Country and advised those present of the Purpose of the Agenda Briefing Forum, the Disclaimer, the Affirmation of Civic Duty and Responsibility and the Audio Recording Advice.

## 2 ATTENDANCE AND APOLOGIES

### In Attendance

K Mair

Mayor

#### Councillors

Cr C Ross

Cr D Lim

Cr N Robins (*from 6:38pm*)

Cr S Hong

Cr G Barber

Cr J Edinger

Cr J Spanbroek

Cr M Woodall

Cr S Green

Cr T Lee

Cr T Fitzgerald

Cr K Wheatland

#### Ward

Applecross - Mount Pleasant Ward

Applecross - Mount Pleasant Ward

Bateman - Kardinya - Murdoch Ward

Bateman - Kardinya - Murdoch Ward

Bicton - Attadale - Alfred Cove Ward

Bicton - Attadale - Alfred Cove Ward

Bull Creek - Leeming Ward

Bull Creek - Leeming Ward

Central Ward

Central Ward

Palmyra - Melville - Willagee Ward

Palmyra - Melville - Willagee Ward

### Officers

Ms G Bowman

Chief Executive Officer

Mr M McCarthy

Director Environment & Infrastructure

Ms D Whyte

Acting Director Corporate Services

Mr G Ponton

Acting Manager Statutory Planning

Ms J Ahola

Acting Manager Natural Areas & Parks

Ms S Courtney

Coordinator Communication

Ms C Newman

Head of Governance

Mr S Curulli

Senior Governance Officer

Ms N Wu

Acting Governance Officer

At the commencement of the meeting:

Public Gallery	7
Electronic	2
Press	0

**Apologies**

Nil.

**On Approved Leave of Absence**

Nil.

### **3 DECLARATIONS BY MEMBERS**

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

Nil.

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

Nil.

### **4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

#### **Approved Deputations**

- Mr I Peacock, Myaree, Ms P Sampson, Myaree, and Ms A Cabanek, Myaree on Behalf of Melville City Climate Action Network  
Item E24/29 Public Open Space - The Esplanade Mt Pleasant
- Mr M Danswan, Bull Creek  
Item E24/30 Response to Petition – Wheatly Drive, Bull Creek

#### **Approved Written Submission**

Nil.

### **5 DISCLOSURE OF INTEREST**

#### **5.1 Financial or Proximity Interests**

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

- Cr J Spanbroek – Proximity Interest.  
Item E24/30 Response to Petition - Traffic Treatment Options - Wheatley Drive, Bull Creek
- Cr K Wheatland – Financial Interest.  
Item E24/32 Resource Recovery Group Withdrawal/Windup - CEO Delegations

#### **5.2 Disclosure of Interest That May Cause a Conflict**

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

Nil.

## **6 PUBLIC QUESTION TIME**

At 6:34pm the Presiding Member opened Public Question Time.

### **6.1 Questions Received with Notice**

Nil.

### **6.2 Questions Received at the Meeting**

Nil.

### **6.3 Questions Taken on Notice at Previous Meeting**

This item is detailed in the agenda for the Ordinary Meeting of Council to be held Tuesday, 20 February 2024.

At 6:34pm the Presiding Member closed Public Question Time.

## **7 AWARDS AND PRESENTATIONS**

This item will be dealt with at the Ordinary Meeting of Council to be held Tuesday, 20 February 2024.

## **8 APPLICATIONS FOR NEW LEAVE OF ABSENCE**

This item will be dealt with at the Ordinary Meeting of Council to be held Tuesday, 20 February 2024.

## **9 CONFIRMATION OF MINUTES**

This item will be dealt with at the Ordinary Meeting of Council to be held Tuesday, 20 February 2024.

## **10 NEW BUSINESS OF AN URGENT NATURE**

Nil.

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

- E24/32 Resource Recovery Group Withdrawal/Windup - CEO Delegations

## **12 PETITIONS**

This item will be dealt with at the Ordinary Meeting of Council to be held Tuesday, 20 February 2024.

## 13 REPORTS

### Items Brought Forward

At 6:36pm the Presiding Member brought forward item E24/29 Public Open Space – The Esplanade Mt Pleasant for the convenience of those providing a deputation.

#### **E24/29 Public Open Space - The Esplanade Mt Pleasant**

**Deputations** At 6:36pm Mr I Peacock, and Ms A Cabanek, gave a deputation which concluded at 6:41pm. At 6:53pm Mr I Peacock, and Ms A Cabanek returned to the Public Gallery.

**Officer Presentation** At 6:52pm Mr M McCarthy, Director Environment and Infrastructure, Ms J Ahola, Acting Manager Natural Areas & Parks and Ms G Bowman, Chief Executive Officer responded to questions which concluded at 7:18pm.

**Disclosure of Interest** Nil

**Notes from Forum** General Discussion took place regarding the item and officer recommendation.

At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:

- Construction and ongoing maintenance cost breakdown to be provided by Director Environment and Infrastructure
- Further information in relation as to whether the parking in this area would be paid parking.
- Information on the consultation process and how many respondents made comment in relation to parking in the area.

### **SUMMARY**

- At the April 2023 Ordinary Meeting of Council, Council resolved to forthwith progress conversion of 100% of the site at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant to public open space.
- At the July 2023 Ordinary Meeting of Council, Council resolved to adopt the following consultation, development and completion timeline for the site at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant. Public consultation, concept plans, report and recommendation to be presented to Council at the February 2024 Ordinary Meeting of Council and to provide funding for construction to commence immediately on approval with a proposed completion date by December 2024.
- In response to the resolution from the July 2023 Ordinary Meeting of Council, the City has completed the public consultation and concept design phases of the open space project at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant.
- The City now seeks the Council's endorsement of the concept design and to progress with the detail design of the public open space at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant.
- The City requests \$1,700,000 over the 2023-2024 and 2024-2025 financial years to progress the development of the public open space at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant.
- The City requests \$80,000 per annum for the Operational and Asset Renewal expenditure requirements of the public open space at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant in future financial years.

**OFFICER RECOMMENDATION****That the Council:**

- 1. Support the concept design for the Public Open Space at 13 The Esplanade and 64 Kishorn Road, Mt Pleasant; and**
- 2. Adopts the establishment of a project budget in 2023-2024 financial year of \$100,000 with the remaining balance of \$1,600,000 to form part of the 2024-2025 financial year budget. Both to be funded by the Public Open Space and Urban Forest Reserve; and**
- 3. Adopts the establishment of operational budgets and asset renewal budgets of \$40,000 in the 2024-2025 financial year and \$80,000 per annum in future financial years.**

At 6:38pm, Cr N Robins entered the meeting.

At 7:14 pm, Cr K Wheatland left the meeting.

At 7:15 pm, Cr K Wheatland returned to the meeting.

At 7:18pm the Presiding Member brought forward item E24/30 Response to Petition – Traffic Treatment Options - Wheatley Drive, Bull Creek for the convenience of those providing a deputation.

### **E24/30 Response to Petition - Traffic Treatment Options - Wheatley Drive, Bull Creek**

**Deputations** At 7:19pm Mr M Dawson gave a deputation which concluded at 7:27pm. At 7:38pm Mr M Danswan returned to the Public Gallery.

#### [Deputation – Mr M Danswan – E24/30](#)

**Officer Presentation** At 7:37pm Mr M McCarthy, Director Environment and Infrastructure responded to questions which concluded at 8:02pm.

**Disclosure of Interest** Cr J Spanbroek – Proximity Interest

**Notes from Forum** General Discussion took place regarding the item and officer recommendation.

At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:

- Data on the cost of the tree boulevard/verge tree planting.
- Data from public consultation, in particular how many letters were sent out and if in person meetings were held.
- The cost of Macrae Road traffic treatment, as associated consultation.
- Crash history/accidents on Camm Avenue.
- The independent report reviewing the investigation.
- Consult with Main Road of the potential trial changes to ease the traffic on Wheatley Drive.

### **SUMMARY**

- The City of Melville (the City) received complaints from residents regarding the speed of traffic on Wheatley Drive. Following site investigations and assessment of the existing traffic conditions and activity generators, it was concluded that the installation of traffic calming measure is warranted.
- On April 2021, consultation letters proposing the installation of blister islands on Wheatley Drive as shown in Attachment 1 was sent to affected residents seeking their comments. Due to the lack of community support and design issues encountered with the blister islands, it was decided to investigate other traffic calming options.
- As a temporary measure of traffic treatment, two Speed Check Signs were installed on Wheatley Drive to alert motorists of the speed at which they are travelling.
- The City investigated many different traffic treatment types to put together a list of the most viable options. In March 2023, consultation letters were sent to affected residents seeking their comments on four proposed options to mitigate the speed of traffic on Wheatley Drive. The proposed options are shown in Attachments 2 to 4 in addition to the fourth option of do nothing. The comments received from residents indicated most support to Option 1, which is the installation of raised intersection treatments and speed platform.
- In December 2023, the City received a petition signed by 213 residents on Wheatley Drive and surrounding streets seeking a range of traffic calming measures.
- Results from the traffic surveys shows that traffic volumes were within acceptable limits, however the 85th percentile speeds ranged from 54-60 km/h which is above the 50km/h speed limit. Crash analysis showed most crashes occurred mid-block and speed was a

contributing factor in the crashes.

- As detailed in the report below the petitioners proposed traffic treatments are not considered the best solution for Wheatley Drive as they are not the appropriate form of control needed to address speed, can create access issues for residents and are less effective when provision must be made for driveways. The suggested measures in the petition would also encroach on the verge and shoulders/bike lanes, create complexity in the design, may not be cost-effective and may introduce other safety issues.
- It is recommended that the City continue with the implementation of raised intersection treatments and speed platforms to reduce speed and improve road safety on Wheatley Drive.

## OFFICER RECOMMENDATION

### **That Council:**

- 1. Endorse the proposed traffic treatment consisting of raised intersection and speed plateaus on Wheatley Drive as detailed in Attachment 2 (Option 1) instead of the proposal requested in the petition.**
- 2. Request the CEO to inform the lead petitioner of the resolution.**

At 7:37 pm, Cr S Hong left the meeting.

At 7:38 pm, Cr S Hong returned to the meeting.

At 7:47pm Mr S Curulli left the meeting.

At 7:51pm Mr S Curulli returned to the meeting.

### 13.1 Reports from Committees

#### Special Financial Management, Audit, Risk and Compliance Committee Meeting held on 5 February 2024

##### M24/23 City of Melville Community Annual Report 2022-2023

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:04pm Ms S Courtney, Coordinator Communications was available to answer questions on the matter.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

Note: A question in relation to this item was asked at item C24/113 City of Melville Annual Financial Report 2022-2023 – Please see page 16.

#### SUMMARY

- The finalised City of Melville Community Annual Report 2022-2023 is submitted for the Committee's consideration and recommendation to the Council for acceptance by absolute majority decision.
- The Community Annual Report 2022-2023 was delayed from the usual Council endorsement date of December each year. This was due to the delay of the audited annual financials from the Resource Recovery Group (RRG) and the City's majority shareholder status. Anticipating a delay for the final 2023 audited financials the City obtained an extension from the Department of Local Government, Sport and Cultural Industries to submit 2023 audited financial statements by 31 December 2023.
- The Community Annual Report 2022-2023 Part A was provided to the Council through the Elected Member's portal and Elected Member Bulletin (EMB) for feedback at the end of January 2024.
- The Community Annual Report 2022-2023 Part A, together with the Community Annual Report 2022-2023 Part B (Annual Financial Report) includes all the information required by the *Local Government Act 1995 (WA)* and other relevant legislation.
- In accordance with the *Local Government Act 1995 (WA)* section 5.54, the annual report is to be accepted by absolute majority decision no later than 31 December 2023 after the close of the financial year. The City obtained an extension to deliver its Community Annual Report after 31 December due to the challenges mentioned above.

#### COMMITTEE RECOMMENDATION

**That the Council, by Absolute Majority Decision, accepts the City of Melville Community Annual Report 2022-2023, which includes Parts A and B.**

**C24/113 City of Melville Annual Financial Report 2022-2023**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:04pm Ms D Whyte, Acting Director Corporate Services responded to questions which concluded at 8:05pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	<p>General Discussion took place regarding the item and officer recommendation.</p> <p>At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:</p> <ul style="list-style-type: none"> <li>• Clarification on the Debt to Equity Ratio on page 7 of report (higher the better or should it be lower the better).</li> </ul> <p>Note: This question was asked in relation to item M24/23 City of Melville Community Annual Report 2022-2023 – please see page 15.</p>

**SUMMARY**

- Local Government Financial statement audits are conducted by the Office of the Auditor General (OAG). The OAG appointed KPMG to conduct the audit work for the City of Melville, with the OAG being responsible for issuing the audit opinion.
- This report presents the 2022-2023 Annual Financial Report and a summary of variances. It is recommended that after review and discussion with the OAG and KPMG, the Committee notes the report and recommends the report for consideration by the Council.
- The OAG issued the Auditor's opinion on 21<sup>st</sup> December 2023 subsequent to a meeting with the Mayor, Chief Executive Officer (CEO), the chair of the Financial Management, Audit, Risk and Compliance Committee (FMARCC), the A/Director of Corporate Services and the City's Finance Team.
- The City's end of year process, and the preparation of the Annual Financial Report including the auditor's opinion, was delayed due to issues that related to the Resource Recovery Group (RRG), which needed to be resolved prior to the closure of the audit process.
- The adoption of the Annual Financial Report will take place at the Ordinary Meeting of Council on Tuesday, 20<sup>th</sup> February 2024.
- The overall closing funds/unrestricted cash amount available to be carried forward to 2023-2024 is \$0.438m.
- In accordance with Council resolution (Special Meeting of Council held 28 June 2023 Item C23/45 – Consideration and Adoption of the 2023-2024 Budget); the surplus funds will be transferred to the Rates Equalisation Reserve.

**COMMITTEE RECOMMENDATION****That the Council:**

1. **Notes the Office of the Auditor General's Audit Management Findings letter (Attachment 1); and**
2. **Notes the City of Melville 2022-2023 Annual Financial Report (Attachment 2); and**
3. **Notes the City of Melville Variance Report on Statement of Financial Activity for 2022-2023 (Attachment 3).**

At 8:05 pm, Cr J Spanbroek left the meeting.

## 13.2 Reports of the Chief Executive Officer

### Management Services

Nil

### Corporate Services

#### **C24/112 2023-2024 Mid Year Budget Review**

**Deputations** Nil

**Officer Presentation** At 8:05pm Ms D Whyte, Acting Director Corporate responded to questions which concluded at 8:08pm.

**Disclosure of Interest** Nil

**Notes from Forum** General Discussion took place regarding the item and officer recommendation.

At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:

- Fees and Charges Schedule. clarification on the “No Fee Room Hire” at Willagee and Blue Gum Community Centres - reducing the barriers to access for cultural protocol.

#### **SUMMARY**

- This report presents the results of the 2023-2024 Mid-Year Budget Review for the period 1 July 2023 to 31 December 2023 and highlights the significant positive and negative variations that require budget amendments.
- This report recommends that the Council notes the results of the 2023-2024 Mid-Year Budget Review, and by Absolute Majority, approves the recommended budget amendments required to the 2023-2024 Budget as a result of the review.
- This report presents additions to the 2023-2024 Fees and Charges Schedule and recommends that they be adopted by Absolute Majority decision of the Council.

#### **OFFICER RECOMMENDATION**

##### **That the Council:**

1. **Notes the 2023-2024 Mid-Year Budget Review and Attachments 2023-2024 Mid-Year Budget Review Summary Amendments and 2023-2024 Significant Capital Works Expenditure Budget Amendments; and**
2. **By Absolute Majority Decision adopts the 2023-2024 Mid-Year Budget Review with the amendments to be made to the Rate Setting Statement adopted in the 2023-2024 Annual Budget, as detailed in Attachment 2023-2024 Mid-Year Budget Review Summary Amendments; and**
3. **By Absolute Majority Decision adopts the additions to the 2023-2024 Fees and Charges Schedule as detailed in Attachment Additions to 2023-2024 Fees and Charges Schedule.**

At 8:06 pm, Cr J Spanbroek returned to the meeting.

**C24/104 Investment Statements for November 2023**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:09pm Ms D Whyte, Acting Director Corporate Services responded to questions which concluded at 8:09pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report presents the investment statements for the period ending 30 November 2023 for the Council's information and noting.

**OFFICER RECOMMENDATION**

**That the Council notes the Investment Report for the period ending 30 November 2023.**

At 8:09 pm, Cr M Woodall left the meeting.

**C24/105 Schedule of Accounts Paid for November 2023**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:10pm Ms D Whyte, Acting Director Corporate Services was available to answer questions on the matter which concluded at 8:10pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report presents the details of payments made under delegated authority to suppliers for the period of November 2023 and recommends that the Schedule of Accounts Paid be noted.

**OFFICER RECOMMENDATION**

**That the Council notes the Schedule of Accounts paid for the period November 2023 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in the attachments to this report – Listing of Payments Made – Council Report NOV 2023 (Attachment 1) and Card Payments for November 2023 (Attachment 2).**

**C24/106      Statements of Financial Activity for November 2023**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:11pm Ms D Whyte, Acting Director Corporate Services was available to answer questions on the matter.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report presents:

- The Statements of Financial Activity by Nature or Type and Rate Setting Statement by Program and Nature or Type, for the period ending 30 November 2023 and recommends that they be noted by the Council.
- The variances for the month of 30 November 2023 and recommends that they be noted by the Council.
- The Budget amendments required for the month of 30 November 2023 and recommends that they be adopted by Absolute Majority decision of the Council.
- Year-end processes are still underway and therefore the final figures may be different from what is presented in this report.

**OFFICER RECOMMENDATION**

1. **That the Council Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 30 November 2023 as detailed in the following attachments:**
  - **Statement Nature Type November 2023 (Attachment 1)**
  - **Rate Setting Program November 2023 (Attachment 2)**
  - **Rate Setting Nature Type November 2023 (Attachment 3)**
  - **Net Working Capital November 2023 (Attachment 4)**
  - **Reconciliation Net Working Capital November 2023 (Attachment 5)**
  - **Notes Rate Setting Statement November 2023 (Attachment 6)**
  - **Budget Amendments November 2023 (Attachment 7)**
  - **Summary Rate Debtors November 2023 (Attachment 8)**
  - **Rates Collections Graph November 2023 (Attachment 9)**
  - **General Debtors Aged 90 Days November 2023 (Attachment 10)**
2. **That the Council, by Absolute Majority Decision, adopts the budget amendments, as detailed in the attached Budget Amendment Reports for November 2023 (Attachment 7).**

**C24/107 Investment Statements for December 2023**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:11pm Ms D Whyte, Acting Director Corporate Services responded to questions which concluded at 8:13pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report presents the investment statements for the period ending 31 December 2023 for the Council's information and noting.

**OFFICER RECOMMENDATION**

**That the Council notes the Investment Report for the period ending 31 December 2023.**

At 8:12 pm, Cr M Woodall returned to the meeting.

**C24/108 Schedule of Accounts Paid for December 2023**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:13pm Ms D Whyte, Acting Director Corporate Services responded to questions which concluded at 8:14pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report presents the details of payments made under delegated authority to suppliers for the period of December 2023 and recommends that the Schedule of Accounts Paid be noted.

**OFFICER RECOMMENDATION**

**That the Council notes the Schedule of Accounts paid for the period December 2023 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in the attachment Payment Details December 2023 (Attachment 1) and Card Payment details December 2023 (Attachment 2).**

**C24/109      Statements of Financial Activity for December 2023**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:14pm Ms D Whyte, Acting Director Corporate Services was available to answer questions on the matter.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report presents:

- The Statements of Financial Activity by Nature or Type and Rate Setting Statement by Program and Nature or Type, for the period ending 31 December 2023 and recommends that they be noted by the Council.
- The variances for the month of 31 December 2023 and recommends that they be noted by the Council.
- The Budget amendments required for the month of 31 December 2023 and recommends that they be adopted by Absolute Majority decision of the Council.

**OFFICER RECOMMENDATION**

1. **That the Council notes the Rate Setting Statement and Statements of Financial Activity for the month ending 31 December 2023 as detailed in the following attachments:**
  - **Statement Nature Type December 2023**
  - **Rate Setting Program December 2023**
  - **Rate Setting Nature Type December 2023**
  - **Net Working Capital December 2023**
  - **Reconciliation Net Working Capital December 2023**
  - **Notes Rate Setting Statement December 2023**
  - **Budget Amendments December 2023**
  - **Summary Rate Debtors December 2023**
  - **Rates Collections Graph December 2023**
  - **General Debtors Aged 90 Days December 2023**
2. **That the Council, by Absolute Majority Decision, adopts the budget amendments, as detailed in the attached Budget Amendment Reports for December 2023**

**C24/110 Common Seal February 2024**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:14pm Ms C Newman, Head of Governance was available to answer questions on the matter.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report details the documents to which the City of Melville Common Seal has been applied for the period from Thursday, 2 November 2023 up to and including Wednesday, 24 January 2024 for the Council's noting. This is a standing report to the Council.

**OFFICER RECOMMENDATION**

**That the Council notes the actions of the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from Thursday, 2 November 2023 up to and including Wednesday, 24 January 2024 for the Council's noting.**

**C24/111 DLG Governance Concerns - Additional Correspondence**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:15pm Ms C Newman, Head of Governance responded to questions which concluded at 8:15pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

**SUMMARY**

- On 3 March 2023, the City of Melville (the City) received correspondence from the Department of Local Government outlining a series of governance concerns.
- On 27 April 2023, representatives from the Department of Local Government (the Department) provided a briefing on the governance concerns to Elected Members and Elected Members raised opportunities for improvement.
- Officers developed a range of initiatives to address the concerns and opportunities raised, which were presented to Elected Members at an Elected Member Engagement Session held on 27 June 2023.
- The City responded to the Department's concerns on 30 June 2023.
- The Department responded to the City on 12 July 2023, seeking a Council adopted and endorsed improvement plan that covered the initiatives outlined.
- This report was presented to the 15 August 2023 Ordinary Meeting of Council outlining the City of Melville Governance Improvement Plan 2023/2024, which was endorsed by the Council and submitted to the Department of Local Government.
- On 31 October 2023, the Department responded, seeking consideration and/or action on a range of additional items.
- Representatives from the Department met with Elected Members on 5 December 2023 to discuss the additional actions raised.
- This report presents the further correspondence from the Department of Local Government and the updated City of Melville Governance Improvement Plan 2023/2024, including the additional actions and responses, for the consideration of the Council.

**OFFICER RECOMMENDATION**

**That the Council adopt and endorse the updated City of Melville Governance Improvement Plan 2023/2024 addressing the additional items raised by the Department of Local Government, in correspondence dated 31 October 2023, and confirms its commitment to working in a collaborative manner to ensure the good governance for the community of the City of Melville and the local government sector as a whole.**

## Community Development

Nil.

## Environment and Infrastructure

### E24/28 Response to Petition - Willagee Public Transport

**Deputations** Nil

**Officer Presentation** At 8:15pm Mr M McCarthy, Director Environment and Infrastructure responded to questions which concluded at 8:16pm.

**Disclosure of Interest** Nil

**Notes from Forum** General Discussion took place regarding the item and officer recommendation.

At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:

- Information/maps on walking distance and time to public transportation.

### SUMMARY

- The City of Melville (the City) received a petition for direct public transport services between Willagee and Fiona Stanley Hospital (FSH) and also direct bus services from Willagee to include destinations other than Perth and Fremantle.
- The City of Melville is strongly supportive of improved public transport however Transperth is the agency responsible for the planning and provision of bus services. In addition, it is Transperth's responsibility to optimise their budget and understand how any localised changes will affect the greater public transport network.
- The City forwarded the request to Transperth who responded saying that they receive many requests each year for specific public transport services however because funding is finite they "*must operate its services in a way that provides the greatest benefit to the community as a whole*".
- The City of Melville conducted journey plans that show a reasonable level of bus service between Willagee and FSH taking between 25 and 38 minutes each way. (Times includes the bus journey plus two walking legs).
- Travel by car was between 9 and 11 minutes each way not including time to find a park, pay for a ticket and walk to the destination.
- It was also found that direct bus services between Willagee and FSH involve longer walks to the bus stop. To reduce walk times the bus would need to meander through suburbs and experience has shown that this reduces attractiveness to many bus users.
- People with limited mobility are likely to prefer 'non-direct' bus services that involve less walking.
- Transperth is responsible for balancing these competing factors based on the data they collect.
- The City will officially forward this petition and report to TransPerth for their information and consideration and the City's TravelSmart officer is available to help residents plan their public transport journeys.

**OFFICER RECOMMENDATION**

**That the Council:**

1. **Request the Chief Executive Officer (CEO) to forward the petition and Council report to Transperth for their consideration; and**
2. **Notes that the City’s TravelSmart officer is available to assist residents to plan their public transport journeys; and**
3. **Requests the CEO inform the lead petitioner of the resolution.**

**E24/29 Public Open Space - The Esplanade Mt Pleasant**

Item E24/29 Public Open Space – The Esplanade Mt Pleasant has been brought forward earlier in the agenda for the convenience of those providing a deputation – please see page 11.

**E24/30 Response to Petition - Traffic Treatment Options - Wheatley Drive, Bull Creek**

Item E24/30 Response to Petition – Traffic Treatment Options – Wheatley Drive, Bull Creek has been brought forward earlier in the agenda for the convenience of those providing a deputation – please see page 13.

**E24/31 Response to Petition - Review of the City's Path Policy & Compliance with the Commonwealth Disability Discrimination Act (1992)**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:16pm Mr M McCarthy, Director Environment and Infrastructure was available to answer questions on the matter.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**SUMMARY**

- As part of the City’s 2021-2022 Capital Works Program, the construction of a new path along Lamond Street between Curtis Road and Latham Street was approved.
- Before construction, the City conducted community consultation over two weeks in October 2021 which included providing residents with a detailed design of the proposed works for feedback. Further correspondence to residents in Lamond Street was provided on 11 March 2022 advising of the pending path construction.
- The installation of the new path and crossover outside 54B Lamond was completed by the City’s contractors on 4 April 2022 and concerns were raised by the property owner. In response, City officers investigated these concerns and as a result, acknowledged that the vehicle access to 54B Lamond Street had not been constructed in accordance with the City’s crossover guidelines and would arrange for the works to be rectified by the contractor.
- A petition requesting the crossover be reinstated to a flatter level, initiated by the property owner of 54B Lamond Street and signed by an additional 19 City residents, was presented to

the Ordinary Council Meeting (OCM) on 17 May 2022.

- Following submission of the petition, the crossover and path outside 54B Lamond Street was removed by the property owner without the City's authority. As a result, reinstatement works to meet the City's Crossover Guidelines and Specifications were completed on 2 June 2022.
- At the OCM in July 2022, the Council resolved that the reinstated crossover could be left in place as it met the City's Crossover Guidelines and Specifications.
- A further petition was received on 20 November 2023 regarding the path policy and requesting the reinstatement of 54B and 56B Lamond Street crossovers to their original levels.
- [Path Policy](#) CP-033 and [Crossover Policy](#) CP-110 has not been changed in any way that supports non-compliance with the Commonwealth Disability Discrimination Act 1992.
- Pedestrian access to the path from the property meets appropriate standards and guidelines. The crossover gradient between the path and the driveway at the property line does not exceed 5% and the footpath crossfall is between 2.0 and 2.5%.
- The Western Australian Local Government Association (WALGA), in conjunction with Cardno Consulting Engineer's produced a generic Crossover Guideline and Specification for metropolitan Local Governments in 2016. AS1428:1 was referenced in the WALGA document and the City of Melville reviewed and updated its crossover specification in 2018 utilising the WALGA document. As noted previously the apron (crossover kerb design) is designed for vehicle access from the road to the property and is not a designated pedestrian crossing point. The City's apron design has a lower grade than the WALGA document.
- The construction of the path and crossover according to the City's Crossover Guidelines and Specification considers both the functionality for the end user and all other infrastructure assets within the road reserve. These works have improved safety and accessibility along Lamond Street by prioritising pedestrians and the consistent even path surface has replaced the previous uneven and informal verge surface.
- The crossover reinstatement at 54B Lamond Street Alfred Cove should be retained as it provides the safest and most accessible path option for the community.

## OFFICER RECOMMENDATION

### That the Council:

1. **Notes that the City's policies comply with the *Commonwealth Disability Discrimination Act 1992* and that the crossovers at 54B and 56B will not be reinstated as requested in the petition; and**
2. **Requests the Chief Executive Officer inform the lead petitioner of the resolution.**

**Urban Planning****UP24/30      Deferral of Consideration of Public Open Space Strategy Scoping Report**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:16pm, Mr G Ponton, Acting Manager Statutory Planning was available to answer questions on the matter.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**SUMMARY**

- At the Ordinary Meeting of Council (OMC) in May 2023, Council resolved to pass a Notice of Motion (UIP23/4030) to “Investigate further provision of public open space where there is an identified deficiency”.
- At the subsequent June 2023 OMC, Council expanded on this with a second Notice of Motion requesting the CEO prepare a report for Council’s consideration by November 2023, regarding the scope and resourcing requirements for investigations to ensure the City’s localities are provided with Public Open Space (POS) in accordance with community expectations and contemporary State Government planning policy and guidelines.
- Following the Council elections, there were a number of important matters that required prioritising at the late October 2023 Elected Members Engagement Sessions (EMES). As a result, the POS Scope Report was not able to be progressed and presented for strategic direction and guidance ahead of the November 2023 OMC.
- This report seeks to further defer this matter for consideration at the June 2024 OMC.

**OFFICER RECOMMENDATION**

**That the Council notes the deferral of the Public Open Space Strategy Scoping Report to be presented by the June 2024 Ordinary Meeting of Council.**

**UP24/31 Response to Petition - CP-114 Compliance & Enforcement Policy Review**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:17pm Mr G Ponton, Acting Manager Statutory Planning responded to questions which concluded at 8:19pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

**SUMMARY**

- At the 21 November 2023 Ordinary Meeting of Council (OMC), the Council considered a petition that requested that the Compliance and Enforcement Policy (CP-114) be reviewed to provide “...*much better guidance to the Chief Executive Officer in relation to the City’s compliance and enforcement activities*”.
- The focus of the petition is on how and when officers exercise Council’s *Building Act 2011* powers and duties with respect to adversely affected individual adjoining property owners and referenced the Shire of Serpentine-Jarrahdale Council’s General Compliance and Enforcement Policy Appendix 1 – Compliance Matrix as an example.
- In considering the request of the petition to introduce matrices providing guidance as to the City’s approach to offences in a building compliance context, analysis has been undertaken as to benefits and implications of introducing such an approach.
- Based on the analysis undertaken, the following options are available to Council:  
Option 1: Do not amend the policy and decide not to prepare matrices and rely on the City’s existing risk management framework to operationally assess the risk of compliance matters.  
Option 2: Request the City to prepare a matrix for building compliance matters only as part of a review of the Policy.  
Option 3: Request the City to prepare matrices for all compliance related services matters as part of a review of the Policy.
- Having regard for the information in the report, Option 3 is recommended.

**OFFICER RECOMMENDATION****That the Council:**

- 1. Request the Chief Executive Officer prepare Compliance Matrices to guide the operational implementation for all compliance related services.**
- 2. Request a review of CP-114 - Compliance and Enforcement Policy be undertaken to incorporate the Compliance Matrices.**
- 3. Request a briefing at an Elected Member Engagement Session and that the review be completed and presented for consideration no later than the November 2024 Ordinary Meeting of Council.**

**14 MOTIONS WITH PREVIOUS NOTICE****[Recission Motion](#) – **UP/4033 Canning Bridge Public Open Space Option Analysis Report****

At 8:20pm, the Presiding Member advised the Council that a recession motion has been received from Cr S Green and is signed by the required number of Elected Members. The Governance Team is in the process of validating the motion.

**15 MOTIONS WITHOUT PREVIOUS NOTICE (APPROVAL BY ABSOLUTE MAJORITY)**

Nil

**16 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC****COUNCIL RESOLUTION**

At 8:21pm Cr J Edinger moved, seconded Cr J Spanbroek

**That the meeting be closed to the members of the public.**

At 8:21pm the Presiding Member declared the motion.

**CARRIED UNANIMOUSLY (13/0)**

**E24/32 Resource Recovery Group Withdrawal/Windup - CEO Delegations**

<b>Deputations</b>	Nil
<b>Officer Presentation</b>	At 8:28pm, Mr M McCarthy, Director Environment and Infrastructure and Ms G Bowman, Chief of Executive Officer responded to questions which concluded at 8:47pm.
<b>Disclosure of Interest</b>	Cr K Wheatland – Financial Interest
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

**COUNCIL RESOLUTION**

At 8:47pm Cr K Wheatland moved, seconded Cr T Fitzgerald

**That the meeting come out from behind closed doors and be opened to members of the public.**

At 8:47pm the Presiding Member declared the motion.

**CARRIED UNANIMOUSLY (13/0)**

**17 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC**

At 8:48pm, the Presiding Member advised the Council that Item E24/32 Resource Recovery Group Withdrawal/Windup - CEO Delegations was discussed behind closed doors.

**18 CLOSURE**

There being no further business to discuss, the Presiding Member declared the meeting closed at 8:48pm.