

**MINUTES
OF THE
ORDINARY MEETING OF THE COUNCIL
HELD ON
TUESDAY, 15 OCTOBER 2019
AT 6.30PM IN THE COUNCIL CHAMBERS
MELVILLE CIVIC CENTRE**

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1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and officially declared the meeting open at 6:30pm. Mr B Taylor, Manager Governance and Property, 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 Meeting Procedures Local Law to ensure the efficient, effective and orderly decision making within this forum.

2. PRESENT

His Worship the Mayor R Aubrey

COUNCILLORS

Cr T Barling (Deputy Mayor) (*from 6:31pm*)
Cr N Robins
Cr C Robartson, Cr M Woodall
Cr N Pazolli
Cr G Wieland, Cr J Barton
Cr D Macphail, Cr K Mair
Cr P Phelan, Cr K Wheatland

WARD

Bateman – Kardinya – Murdoch
Bateman – Kardinya - Murdoch
Bull Creek - Leeming
Applecross – Mount Pleasant
Bicton – Attadale – Alfred Cove
Central
Palmyra – Melville - Willagee

3. IN ATTENDANCE

Mr M Tieleman
Mr S Cope
Mr M McCarthy
Mr A Ferris
Mr L Hitchcock

Mr P Prendergast (*until 8:46pm*)
Mr T Cappellucci (*until 8:46pm*)
Mr B Taylor
Ms C Newman
Ms J Head

Chief Executive Officer
Director Urban Planning
Director Technical Services
Director Corporate Services
Executive Manager Governance and
Legal Services
Manager Statutory Planning
Senior Planning Officer
Manager Governance and Property
Governance Coordinator
Governance Officer

At the commencement of the meeting there were approximately 26 members of the public and one representative from the Press in the Public Gallery.

Cr Barling entered the meeting at 6:31pm.

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

Cr S Kepert	Applecross – Mount Pleasant
Ms C Young	Director Community Development

4.2 APPROVED LEAVE OF ABSENCE

Nil.

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

Nil.

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

Nil.

6. QUESTION TIME

6.1 Questions Received with Notice

Nil.

6.2 Questions Received without Notice

6.2.1 Mr E Nielsen, Booragoon

P19/0523 – Three Multiple Dwellings at Lot 1 (4A) View Road, Mount Pleasant

Question 1

Having read the City's comments under the heading 'Overshadowing' and particularly this sentence...

*'...that "provisions of privacy and solar access and overshadowing **do not apply** within the CBACP area", it is concluded that in terms of overshadowing, the development as proposed meets the ACP [sic] expectations for development within the H4 area, **irrespective of its specific impacts**' (DAU 20/08/19, refers).*

...and having learned of the devastating personal and economic impact on the affected neighbour I ask our Elected Members to explain how they could justify voting in 'good faith' in favour of such a project should they decide to do so?

Response

The Council report sets out the reasons why the proposed development is considered to be appropriate, having regard to the relevant planning framework.

Question 2

Why is there not a zone of transition at the boundary between the H4 and R20 in situations like this, with building heights in the H4 starting with 2 storeys, graduating back over a couple of blocks to 3 storeys, before finally reaching maximum allowable height of 4 storeys?

Response

A zone of transition, as alluded to by the questioner, exists. It is presently possible to build three storey developments in the R20 area in which 6 View Road is situated, as demonstrated in other developments in the near vicinity, where the extended setbacks, explained below, are not required.

The Canning Bridge Activity Centre Plan (CBACP) was prepared by the City Of Melville in conjunction with the City of South Perth and a number of state agencies including the (then) Department of Planning. The original CBACP required 4 metre side setbacks in the H4 zone partly to minimise the impact of development on adjoining land. Following a review of the CBACP the setback requirements in the H4 zone have been increased to 8 metres for the third and fourth floor where a proposal is located next to a property outside of the CBACP. This further reduces the impact of a building in terms of bulk and scale.

6. *Question Time continued, Mr E Nielsen*

Question 3

Looking at the Car Stacker arrangement (attached) a number of issues are immediately noticeable...

- a) *Possible hemming in of vehicles where owners cannot be located to move the offending vehicle(s).*
- b) *Safety issues involving persons falling into the Car Stacker Pit or being injured by the mechanism.*
- c) *Limited space in driveway for manoeuvring of vehicles when swapping vehicles around on the Stacker.*
- d) *Noise from the operation of the Car Stacker and vehicles with modified mufflers impacting on neighbours particularly late at night/early morning.*

Has the City given proper consideration to any of these issues and if not why has it found it appropriate to ignore them?

Response

The car stackers are considered to be appropriate for the development as proposed. The design allows for vehicles to be moved around within the stacker. The stacker will be required to conform to relevant safety considerations however this is not a matter which is considered as a part of this development application. In terms of noise, the car stacker mechanism makes a similar amount of noise as a standard garage door. An acoustic report is required as a part of the proposed conditions to ensure the stacker will comply with relevant noise standards.

6.2.2 City of Melville Residents and Ratepayers Association Inc

Question 1

In light of The West Australian's 9 October article "Financial woes could take three years to fix: City of Perth CEO Murray Jorgensen", that indicated Mr Jorgensen had "found the five directors, 31 managers and 10 other staff all had 12-month termination clauses in their contracts" please confirm how many City of Melville employees in each category (CEO, Directors, Senior Employees, senior managers and other staff) have termination clauses of a) 3-months or greater and b) 12 months or greater?

6. *Question Time continued, City of Melville Residents and Ratepayers Association Inc*

Response

It is relevant to note that the Local Government (Administration) Regulations 1996 section 18B states that a contract governing a person who is a CEO, or a senior employee, is to provide for a maximum amount of money (or a method of calculating such an amount) to which the person is to be entitled if the contract is terminated before the expiry date, which amount is not to exceed whichever is the lesser of:

- (a) the value of one year's remuneration under the contract; or
- (b) the value of the remuneration that the person would have been entitled to had the contract not been terminated.

It can therefore be confirmed that there are no contract terms that exceed 12 months remuneration for termination at will by the local government.

The Local Government Act no longer specifies the requirement for contract information of senior employees to be made available to the public. The contract information is a confidential document between the local government and the employee and therefore the details of specific clauses will not be disclosed.

Question 2

When and where did Council resolve to grant approval for the Chief Executive Officer to delegate authorities as prescribed in the City's Meeting Procedures Local Law, in particular the CEO authorities in respect to Deputations (s 7.10), and if so what were the specifics of that delegated authority?

Response

There is no delegation. The right given to the CEO is prescribed in the City of Melville Meeting Procedures Local Law 2017

Question 3

A summary of this question is:

When and where did Council expressly, knowingly and formally rescind/amend/change the specific provisions of CP-014 Public Question Time at Council or Committee in relation to ABF question time as included in Council's resolution at the 18 October 2016 OMC (item 17.1, page 96).

Response

At the Ordinary Meeting of Council held 11 December 2018, the Council adopted revised Council Policy CP-014 Public Question Time at Council or Committee Meetings. The Policy applies to Ordinary and Special Meetings of the Council, Agenda Briefing Forums and Committee meetings with delegated powers or duties. A copy of the Council Policy is available on the City's website.

6. *Question Time continued, City of Melville Residents and Ratepayers Association Inc*

Question 4

Comments and allegations about a City supplier were made by the questioner. A summary of this question is:

What are the specifics of the City's processes used to vet suppliers and/or contractors prior to awarding them contracts/work, including their creditworthiness, liquidity, past prosecutions and breaches of the law; how where these processes applied to the City's recent awarding of multiple contracts to Action Demolition (WA) Pty Ltd. Has anyone at the City declared a real or perceived conflict of interest in relation to Action, Rhino or any other businesses under the control of its sole director, and/or does any Councillor or City officer have any form of personal relationship with Action's sole director?

Response

This question is taken on notice.

6.3 Questions Taken on Notice at Previous Meeting

Agenda Briefing Forum – 1 October 2019

6.3.1 Mr M McLerie, Bicton

In relation to the Petition to Oppose Construction of Footpath at Beach Street Bicton, as listed at 13.1 in the Agenda for the 15 October 2019 Ordinary meeting of Council.

Question 1

1.1. How and when will the City engage the Beach St residents to contribute to the preparation of the report to be provided to Council?

Response

The City has already received feedback from residents regarding the proposed path and this information will be included in the report to Council

Question 2

1.2. The plan and schedule for the preparation and delivery of the report to Council?

Response

The report will be included in the Council agenda for the 19 November 2019 meeting.

Question 3

1.3. The plan and schedule for the planned road re-surfacing, kerb repair and other works?

6. *Question Time continued, Mr M McLerie*

Response

This information will be included in the report to the 19 November 2019 Council meeting agenda, noting that these other works are on hold pending Council resolution on the path.

Question 4

1.4. *How much money has the City has spent to date on the proposed Beach St footpath, inclusive of staff time and external costs?*

Response

Up until 2019, the costs to date mainly relate to design work and correspondence and are estimated to be around \$15,000

Question 5

1.5. *What is the full estimated budget cost for the footpath as detailed in the July 2019 notice to residents?*

Response

The budget for the path is \$150,289 as listed in the 2019-2020 capital works budget, which includes a provisional sum to cover costs such as reticulation repairs and verge/crossover reinstatements.

Question 6

1.6. *Which Senior Employee was responsible for prioritising and approving the proposed Beach St footpath to be put forward in the 2019/20 budget?*

Response

No single employee prioritises and approves path construction. The City employs a multi-level approach where capital works projects are reviewed and considered by various disciplines of the organisation through a structured approach.

Question 7

1.7. *What is the City's process is for establishing and prioritising capital expenditure on all new footpaths across the City?*

Response

The City uses Council policy, the Strategic Community Plan, Corporate Plan, Infrastructure Strategy and Path Asset Management plans to determine new path construction/renewals and their priority. These strategies and plans are supported by the Path capital works budget approval process.

7. AWARDS AND PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY MEETING OF THE COUNCIL – 17 SEPTEMBER 2019**
Minutes 17 September 2019**COUNCIL RESOLUTION**

At 6:46pm Cr Wieland moved, seconded Cr Macphail –

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 17 September 2019, be confirmed as a true and accurate record.

At 6:46pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

8.2 NOTES OF AGENDA BRIEFING FORUM – 1 OCTOBER 2019
Notes 1 October 2019**COUNCIL RESOLUTION**

At 6:46pm Cr Phelan moved, seconded Cr Robins –

That the Notes of Agenda Briefing Forum held on Tuesday, 1 October 2019, be received.

At 6:47pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

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

- Cr Pazolli – Item CD19/8120 – 2020-2021 Community Sporting and Recreation Facility Funding, Indirect Financial Interest

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

- Mayor Aubrey – Item P19/3825 – Development Assessment Panel Application - 15 Storey Mixed-Use Development at Lots 311, 800 & 801 (10,12 & 14) Forbes Road and 802, 803, & 804 (40a, 40b and 40c) Kishorn road, Applecross, Under the Code
- Cr Barton – Item P19/3825 – Development Assessment Panel Application - 15 Storey Mixed-Use Development at Lots 311, 800 & 801 (10,12 & 14) Forbes Road and 802, 803, & 804 (40a, 40b and 40c), Under the Code
- Cr Phelan – Item CD19/8120 – 2020-2021 Community Sporting and Recreation Facility Funding, Under the Code
- Cr Wheatland – Item CD19/8120 – 2020-2021 Community Sporting and Recreation Facility Funding, Under the Code
- Cr Barling – Item P19/3825 – Development Assessment Panel Application - 15 Storey Mixed-Use Development at Lots 311, 800 & 801 (10,12 & 14) Forbes Road and 802, 803, & 804 (40a, 40b and 40c), Under the Code

10. DEPUTATIONS

Nil.

11. APPLICATIONS FOR NEW LEAVES OF ABSENCE

Nil.

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

- T19/3825 – Canning Bridge Riverall Renewal, Confidential attachement.

That the meeting be closed to members of the public, if required, to allow for items deemed confidential in accordance with Sections 5.23 (2) (c) of the *Local Government Act 1995* to be discussed behind closed doors.

13. PETITIONS**13.1 Petition – Oppose Construction of Footpath at Beach Street, Bicton**

A petition signed by 44 Beach Street affected residents was received by the City of Melville on Monday 23 September 2019.

The first page of the petition signed by 6 electors reads:

“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council:

We/ (sic) oppose the construction of any footpath at Beach Street Bicton 6157 WA. To be left totally without one as it is now September 21 2019”.

Pages 2 to 4 of the Petition signed by 38 electors reads:

“We, the undersigned, do respectfully request that the Council:

We/ (sic) do not want any footpath at Beach Street Bicton 6157 WA. To/ (sic) leave as is now.”

The intent of the petition(s) is to request that no footpath be constructed at Beach Street, Bicton.

A petition relating to the planned construction of a footpath at Beach Street was considered at the Ordinary Meeting of Council held 17 September 2019 where the following was resolved:

“That the petition be acknowledged and a report be prepared.”

This subsequent petition on the matter will be considered in the development of the report associated with the petition presented at the 17 September 2019 meeting and the resolution from that meeting.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

At 6:50pm Cr Barton moved, seconded Cr Wieland –

That the petition be acknowledged and a report be prepared as resolved at the Ordinary Meeting Council held 17 September 2019.

At 6:50pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

13.2 Petition – Parking Riseley Street

The City has received petitions signed by 2184 persons (approximately 1049 electors and 1135 non electors) opposing parking restrictions in Applecross as follows:

Petition 1 – 1756 signatures (approximately 956 residents and 800 other)

Wording on page 1, signed by 2 residents and 4 other as follows:

“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council:

Petition against the Increasing restrictions from the City of Melville for Parking:
CUSTOMERS

We are customers of a variety of businesses in the areas of Riseley Street and Canning Highway Applecross who oppose these restrictions and request that there be Parking meters that offer 3 hours free parking. This allows customer to give patronage to the business in the Riseley Precinct Area which many customers have supported for several years without being at risk of getting a parking fine”

Wording on the subsequent pages

“We, the undersigned, do respectfully request that the Council:

Petition against the increasing restrictions from the City of Melville for Parking:
CUSTOMERS

We are customers of a variety of business in the area of Riseley Street and Canning Highway Applecross who oppose these restrictions and request that there be Parking meters that offer 3 hours free parking. This allows customers to give patronage to the business in the Riseley Precinct Area which many customers have supported for several years without being at risk of getting a parking fine.”

Petition 2 – 179 Signatures (approximately 70 residents and 109 other)

Wording on page 1, signed by 1 resident and 5 other as follows:

“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council:

We as employees (and customers supporting those employees) from a variety of businesses in the area of Riseley Street and Canning Highway Applecross oppose these restrictions and request that there be some viable safe options made available for the staff who work in the businesses in this area. These restrictions thus makes it unsafe to walk to our car after dusk because the remaining parking options are too far and therefore unsafe to walk to. It is our intent that you become clearly aware the new restrictions that the City of Melville has put in place now present a security concern for our staff. Please note, the extra cost per staff to pay for parking, based on \$8.50 per day, 48 weeks of the years adds up to \$2040. This is not a cost that is feasible to accommodate in our budget. We would ask that the City of Melville consider a solution such as parking permits for staff that work in this area.”

13. *PETITIONS – Parking Riseley Street continued*

Wording on the subsequent pages

“We, the undersigned, do respectfully request that the Council:

We as employees from a variety of businesses in the area of Riseley Street and Canning Highway Applecross oppose these restrictions and request that there be some viable safe options made available for the staff who work in the businesses in this area. These restrictions make it difficult to park a safe reasonable distance from work. With the new restrictions this makes it unsafe to walk to our car after dusk because the remaining parking options are too far and therefore unsafe to walk to. It is our intent that you become clearly aware the new restrictions that the City of Melville has put in place now present a security concern for our staff. Please note, the extra cost per staff to pay for parking, based on \$8.50 per day, 48 weeks of the years adds up to \$2040. This is not a cost that is feasible to accommodate in our budget. We would ask that the City of Melville consider a solution such as parking permits for staff that work in this area.”

Petition 3 – 220 Signatures (Employees of the businesses – no residential addresses given)

“We, the undersigned, all being electors of the City of Melville, respectfully request that the Council:

We as employees (and customers supporting those employees) from a variety of businesses in the area of Riseley Street and Canning Highway Applecross oppose these restrictions and request that there be some viable safe options made available for the staff who work in the businesses in this area. These restrictions make it difficult to park a safe reasonable distance from work. With the new restrictions this makes it unsafe to walk to our car after dusk because the remaining parking options are too far and therefore unsafe to walk to. It is our intent that you become clearly aware the new restrictions that the City of Melville has put in place now present a security concern for our staff. Please note, the extra cost per staff to pay for parking, based on \$8.50 per day, 48 weeks of the years adds up to \$2040. This is not a cost that is feasible to accommodate in our budget. We would ask that the City of Melville consider a solution such as parking permits for staff that work in this area.”

Wording on the subsequent pages

“We as employees from a variety of businesses in the area of Riseley Street and Canning Highway Applecross oppose these restrictions and request that there be some viable safe options made available for the staff who work in the businesses in this area. These restrictions make it difficult to park a safe reasonable distance from work. With the new restrictions this makes it unsafe to walk to our car after dusk because the remaining parking options are too far and therefore unsafe to walk to. It is our intent that you become clearly aware the new restrictions that the City of Melville has put in place now present a security concern for our staff. Please note, the extra cost per staff to pay for parking, based on \$8.50 per day, 48 weeks of the years adds up to \$2040. This is not a cost that is feasible to accommodate in our budget. We would ask that the City of Melville consider a solution such as parking permits for staff that work in this area.”

13. *PETITIONS – Parking Riseley Street continued*

Petition 4 – 29 Signatures (approximately 23 residents and 6 other)

“We, the undersigned, do respectfully request that the Council:
Petition against the increasing restrictions from the City of Melville for Parking:
CUSTOMERS. We are customers of a variety of businesses in the area of Riseley
Street and Canning Highway Applecross who oppose these restrictions and request
that there be Parking meters that offer 3 hours free parking. This allows customers
to give patronage to the business in the Riseley Precinct which many customers
have supported for several years without being at risk of getting a parking fine.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

At 6:52pm Cr Mair moved, seconded Cr Phelan–

That the petition be acknowledged and a report be prepared.

At 6:53pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

13.3 Petition – Development of 5 Grimsay Road, Ardross

A petition signed by 100 residents was received by the City of Melville on Thursday, 10 October 2019. The petition reads as follows -

“We, the undersigned, all being electors of the City of Melville respectfully request that the Council:

Reject the proposed development of six x multiple dwellings at 5 Grimsay Road , Ardross WA 6153 on the basis that the proposed plan does not comply with State Planning Policy 7.3 R- Codes:

5.3.3 Parking - whilst 10 bays comply, parking is an issue on Grimsay Road. There are already a large number of vehicles parked on Grimsay Road throughout the day. This causes congestion during the 'school run'. We do not want any new development to contribute further to this issue (due to residents/visitors having more than one car (per residence) and having to park on the street. Acknowledging that two units have two bays.

5.4 Driveway does not allow vehicles to pass in opposite directions at one or more points. Significant safety issue if residents are forced to reverse onto Grimsay Road. There is high foot, bike and car traffic due to Grimsay Road being an arterial access road to Ardross Primary school (approx. 0.33km) and then Applecross Senior High School (0.48km).

6.2 Pedestrian footpath markings are absent posing a pedestrian safety issue.

6.4.1 Visual privacy - the current plan creates significant privacy issue/s for:

- 7 Grimsay Road - main upstairs living and outdoor living area impacted. Overshadowing issues identified.
- 46 Drew Road - outdoor living area impacted.
- 3 Grimsay Road - outdoor living area impacted

Other - side entry to the foyer raises security concerns.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

At 6:54pm Cr Mair moved, seconded Cr Pazolli –

That the petition be acknowledged and a report be prepared.

At 6:54pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

14. REPORTS OF THE CHIEF EXECUTIVE OFFICER

14. REPORTS OF THE CHIEF EXECUTIVE OFFICER

**P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)**

Ward : Applecross - Mount Pleasant
 Category : Operational
 Application Number : DA-2019-585
 Property : 4A View Road, MOUNT PLEASANT WA 6153
 Proposal : Three Multiple Dwellings
 Applicant : Harden Jones Architects
 Owner : G J Ware and S Ware
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : DAU 20 August 2019 U19/0523
 Responsible Officer : Mark Scarfone
 Coordinator Planning 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 & 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	<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>

P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- Development approval is sought for a four storey multiple dwelling development comprising three apartments. The proposed development is located within the H4 zone of the Canning Bridge Activity Centre Plan and is considered to satisfy the relevant development provisions of the CBACP, Local Planning Scheme No. 6 (LPS6), and Local Planning Policy.
- In accordance with Council Delegation DA-20: *Planning and Related Matters*, the application was referred to the Development Advisory Unit (DAU) on 20 August 2019. The DAU determined that the application be recommended for approval subject to conditions.
- Following the DAU meeting, the development application was called up to Council for determination in accordance with the procedure outlined in Local Planning Policy 1.1 – Planning Process and Decision Making.
- Notwithstanding the objection received, it is recommended that the proposed four storey development be approved subject to conditions.



BACKGROUND

The Canning Bridge Activity Centre Plan (CBACP) was gazetted in April 2016 and amended in June 2018 and August 2019.

P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)

The adjoining property at No6 View Road is zoned Residential R20 under the provisions of LPS6. At the March 2019 Ordinary Council Meeting, the Council endorsed changes to the development controls in the H4 areas of the CBACP. The WAPC recently made a decision to support the majority of the proposed changes with the exception of visual privacy. The approved changes were introduced to improve the relationship between buildings within the H4 area of the CBACP, and those that fall outside the Activity Centre Plan area. One of these changes (Clause 5.8) requires an 8m setback to be provided to the 3rd and 4th storeys of any development proposed. The proposed development has incorporated this 8m setback requirement as required.

No. 4A View Road (the subject site) is located in the H4 precinct of the CBACP which permits residential development of up to four stories.

The proposed development was presented to the Development Advisory Unit (DAU) meeting held on 20 August 2019 and where it was resolved to recommend approval with conditions. Following the publication of the DAU report and associated attachments on the City's website, a call up request was received from Cr's Pazolli and Kepert. This request was made on the grounds that the DAU report does not adequately address the points raised in the submission received.

In accordance with the procedure outlined in Local Planning Policy 1.1 Planning Process and Decision Making, City officers met with the Elected Members to discuss the proposed development in detail. Following this meeting the Elected Members reaffirmed their position that the application should be determined by Council.

Scheme Provisions

MRS Zoning	:	Urban
LPS Zoning	:	Residential
R-Code	:	R -AC0
Use Type	:	Residential
Use Class	:	Preferred

Site Details

Lot Area	:	503m ²
Retention of Existing Vegetation	:	No retention of onsite vegetation
Street Tree(s)	:	Yes
Street Furniture (drainage pits etc)	:	No
Site Details	:	Refer to Figure 1 above

[3882 20190909 4A VIEW RD MT PLEASANT DA006](#)

[3822 POS Position Statement PP7 3 R](#)

**P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)**

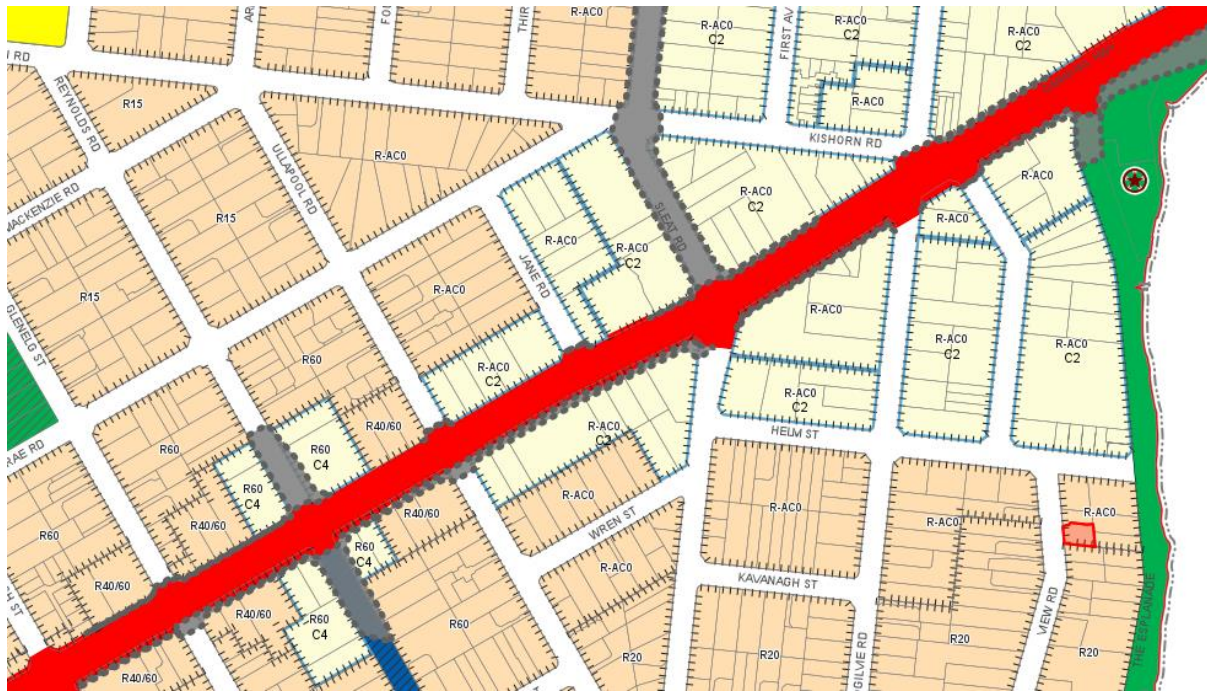


Figure 2- Subject site identified in red

The proposal has been assessed against all the relevant provisions of Local Planning Scheme No. 6 (LPS6), the CBACP and all relevant local planning and council policies. The proposal satisfies all of the requirements found therein with the exception of those matters listed in the Table below.

Canning Bridge Activity Centre Plan

Development Requirement	Requirements	Proposed	Comments	Delegation to approve variation
Rooftop - Height to lift overrun and fire stairs	3m	4m	Requires assessment against the Desired Outcomes of the CBACP	Development Advisory Unit (DAU)
Overshadowing	The provision of solar access and overshadowing do not apply within the CBACP.	N/A	See report below.	Development Advisory Unit (DAU)

P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)

Northern setbacks at all levels	4m	Ground floor: 3.5m First floor: 3.5m Second floor: 3.2m – 3.5m Third floor: 3.2m – 3.5m	Requires assessment using Performance Criteria.	Manager Statutory Planning (MSP)
First Floor Setback (South)	4m	3.5m	Requires assessment using Performance Criteria.	Manager Statutory Planning (MSP)

R-Code Requirements:

The Canning Bridge Activity Centre Plan (CBACP) was gazetted in April 2016. As stated on page 18, the Design Guidelines contained within the CBACP replace the requirements of the Residential Design Codes.

Since the adoption of the CBACP, the Design WA suite of documents was released. This suite of documents includes a position statement by the Western Australian Planning Commission which confirms that the R-Codes do not apply in areas where a properly adopted activity centre plan exists. A copy of this position statement is attached to this report.

STAKEHOLDER ENGAGEMENT

Advertising Required: No
Reason: Development generally meets the requirements in Clauses 1 to 20 in the CBACP and no adverse impact identified.

Neighbour's Comment Supplied: Yes – A letter of objection and a legal behalf of the adjoining landowner were received by the City.
Support/Object: Object

While formal advertising was not undertaken by the City, a submission has been received. In accordance with Council Delegation DA-20: *Planning and Related Matters* where an objection is received in regard to a departure to the requirements of relevant policy, the application is required to be referred to the Development Advisory Unit (DAU) for determination.

P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)

Submission Number	Summary of Submission	Support/Objection	Officer's Comment	Action (Condition/ Uphold/ Not Uphold)
1	Overshadowing	Object	See assessment below	Not Uphold
	Height	Object	See assessment below	Not Uphold
2	Procedural issues relating to the relationship between the CBACP and SPP 7.3 Volume 2	Object	See assessment below	Not Uphold

II. OTHER AGENCIES / CONSULTANTS

City of Melville Design Review Panel

The application was considered by the City's Design Review Panel (DRP) on 3 April 2019 and 3 July 2019. The DRP offered a number of suggestions to improve the design quality. The applicant has responded positively to the comments and suggested improvements of the DRP, and this response is considered to have enhanced the quality of the development outcome proposed.

Some of those improvements include;

- 1) Relocating car parking to the rear of the site and providing a more active frontage to the street.
- 2) Further articulation provided along the northern elevation.
- 3) Provision of a more direct interface with the street and an identifiable entry area.
- 4) Provision of a concept landscape plan with increased areas for landscaping.

STATUTORY AND LEGAL IMPLICATIONS

If an applicant is aggrieved by this determination of this application, there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

FINANCIAL IMPLICATIONS

There are no financial implications for the City relating to this proposal.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)**POLICY IMPLICATIONS**

The proposal satisfies all of the relevant provisions of the applicable Local Planning Policies.

COMMENTOvershadowing

Clause 5.7 of the CBACP states that ‘provisions of privacy and solar access and overshadowing do not apply within the CBACP’. There is no specific provision relating to overshadowing of lots outside of the CBACP. In view of this the proposed development has been assessed against the desired outcomes provided by the CBACP, taking into account the setback requirements applicable in the H4 zone.

The desired outcomes of the CBACP seek to ensure that development outcomes throughout the precinct are optimised. The proposed development achieves the permitted height in storeys while maintaining an 8 metre setback to the southern boundary for the upper two floors and exceeding the minimum setback requirements to the rear. The Design Review Panel concluded that the development represents a creative response to what is a constrained site. It is considered that the overall design outcome is a good one.

In addition to optimising development outcomes, the CBACP encourages applicants to consider the amenity of adjoining dwellings, in terms of visual privacy and overshadowing through an appropriate design response supported by the setback provisions (refer to Desired Outcome DO 5 of CBACP). In response to this, the applicant has incorporated measures to minimise overlooking such as the provision of highlight windows, rear setbacks which comply with the visual privacy provisions of Design WA and landscaping. As a result it is considered that the development meets the expectations for visual privacy and should be supported on that basis. In response to the call up request the applicant has submitted updated plans, which provide 1.6m high screening to the third floor south facing balcony to ensure there is no overlooking from this area to the south.

In terms of overshadowing the upper floor side setback of 8 metres, which is provided in accordance with the amended design guidelines for the H4 area of the Activity Centre Plan (ACP) area, is the key measure designed to safeguard amenity where development is proposed at the interface of the H4 area with land outside the CBACP boundary, as in this case. The introduction of this setback requirement, in the case of a four storey development proposal, applies to the upper two storeys, as it is this element of a four storey development that is likely to have the greatest impact on existing development that lies outside of the ACP area.

As the required 8m setback to the upper two storeys of this development is provided, and given the fact that the CBACP states at Clause 5.7 that “*provisions of privacy and solar access and overshadowing do not apply within the CBACP area*”, it is concluded that in terms of overshadowing, the development as proposed meets the CBACP expectations for development within the H4 area

P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)

With regard to specific impacts, the shadow that is cast from the development at midday on 21st June amounts to 52% of the site area of that lot. This shadow covers the whole of the outdoor living area of No.6 View Road (refer to Figure 5 below).

The dwelling at No.6 has been designed around a central courtyard which is located on its northern side boundary (refer Figure 3 below). An outdoor living area in this location is more susceptible to shadow encroachment from development to the north than it would be if it was located towards the rear of the dwelling. It is noted that a traditional single dwelling house development to two/three storeys in height would itself cause a shadow impact towards the outdoor courtyard area, and in that scenario, the overall overshadowing impact would likely be fully compliant.,

It is for these reasons, as well as the design guidelines of the CBACP, that it is considered that the development as proposed should not be resisted in planning terms, despite the concerns raised in the submission received, relating to its specific shadow impacts towards the property at No.6 View Road. In terms of overshadowing impacts therefore, the development as proposed is recommended for approval.

It is noted that the setback variation to the lower two floors on the southern side, 3.5m in lieu of 4.0m, is supported as:

1. The application site is convoluted in terms of its shape, it being narrower towards the View Road frontage, and widening out as it moves away from the street. This means that the side setback requirements of the ACP cannot be applied as a single measurable figure, the actual requirement being 3.5m where the site width is between 14m and 16m, and 4.0m where the site width is more than 16m.
2. The objective of the setback requirements are to ensure space between buildings, enable view corridors between buildings, and to safeguard amenity towards adjoining sites from the adverse impacts of overshadowing and visual privacy issues.
3. The side setback variation to the southern side for the ground and first floor elements of the proposed development does not contribute to any overshadowing impacts as the shadow cast by the compliant upper storeys of the proposed development effectively masks that from the lower building storeys. In addition there are no privacy implications from the southern side setback variation (see Figure 4 below).
4. The fact that the site is at its narrowest closest to its interface with the street frontage means that the required setback of 3.5m at that point dictates the resultant view corridor. As such the provision of a 3.5m setback in lieu of 4.0m for the remainder of the site depth has no further impact on the view corridor at this point.

P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)



Figure 3- Outdoor living area of southern property outlined in green

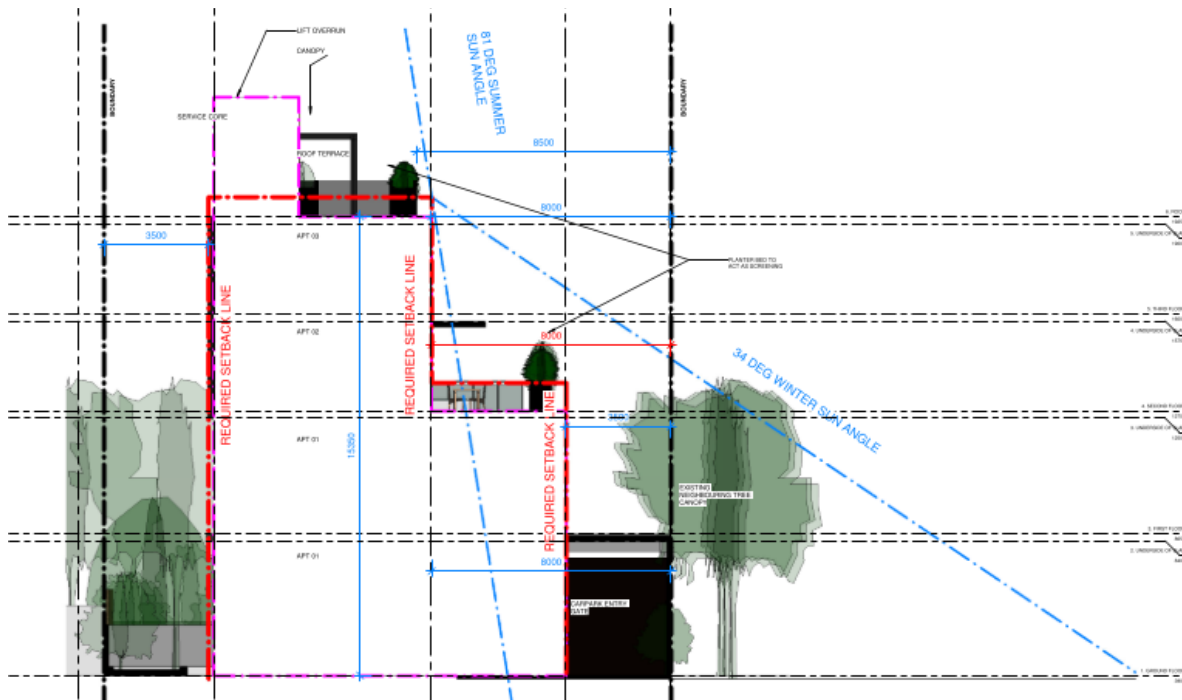


Figure 4- Section plan showing line of shadow from proposed development

**P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)**



Figure 5- Shadow plan for 12pm on 21 June

Height

The CBACP nominates a four storey and 16m height limit for the H4 Zone. The proposed development is four storeys with a height of 15.7 metres to the finished floor level of the roof terrace.

The definition of height excludes any lift plant, water tower or similar utility service to a maximum height of 3metres. The proposed height of the lift and fire stair is 4 metres measured from the finished floor level of the roof deck and as such requires assessment against the Desired Outcomes of Element 3.

The proposed lift shaft and stair is setback 12.5m from the southern boundary and is setback 7.6m from the street, 3.5m from the northern boundary and 10m from the rear boundary. These setbacks, combined with the articulated form, reduce the impacts to the street and surrounding properties.

The adjoining property to the north is zoned H4 under the CBACP. The bulk impact from the subject area is reduced as this elevation has been designed with an articulated form with a variety of materials and finishes. Overlooking provisions do not apply and due to the orientation of the lot, there are no off-site shadow impacts.

As such the proposed height is considered to meet the relevant Desired Outcomes of the CBACP. The proposal is consistent with the desired scale and built form of the centre, the increased height does not result in unreasonable amenity impacts to adjoining properties and the interface between the zones is appropriately managed. The height is supported on that basis.

**P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)**Procedural issues

The legal opinion received by the City dated 8 August 2019 suggests that the R-Code provisions in relation to solar access apply to the subject site. The legal opinion therefore suggests that the proposed development should not overshadow more than 25% of the adjoining site at midday 21 June.

As stated above, the R-Codes do not apply to development within the CBACP precinct. The position statement released by WAPC in May 2019 confirms that this is the case. The proposed development therefore is required to be assessed having regard to the development controls contained within the CBACP.

The proposed development is considered to meet the relevant provisions of the CBACP and is supported on that basis.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council may choose to refuse the development application and provide a reason for doing so. If the Council chooses to refuse the application, the applicant may choose to seek a review of the decision through the State Administrative Tribunal.

CONCLUSION

The proposed development is considered to be consistent with the intent and provisions of the CBACP, the Local Planning Scheme and R-Codes. The application is recommended for conditional planning approval on that basis.

OFFICER RECOMMENDATION (3822)**APPROVAL**

That the Council approves the development at 4A View Road, Mount Pleasant subject to the following conditions, that:

- 1. this decision constitutes planning approval only and is valid for a period of two years from the date of approval. If the subject development is not substantially commenced within the two year period, the approval shall lapse and be of no further effect.**
- 2. all stormwater generated on site is to be retained on site.**
- 3. prior to the initial occupation of the development, all unused crossover(s) shall be removed and the kerbing and road verge reinstated at the owners cost to the satisfaction of the City.**
- 4. the development shall be serviced by a concrete or brick paved vehicle crossover with a minimum width of 4m 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 City.**

**P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)**

5. fencing and all structures within the front setback area are to comply with Clause 10.7 of Element 10 of the Canning Bridge Activity Structure Plan with a maximum height of 1.2m to the satisfaction of the City.
6. prior to the commencement of works, a detailed landscaping and reticulation plan for the subject site and the road verge adjacent to the site shall be submitted to and approved in writing by the City. The landscaping plan is to include details of (but not limited to):
 - a. The location, number and type of proposed trees and shrubs including planter size and planting density;
 - b. Any lawns to be established;
 - c. Any existing vegetation and/or landscaped areas to be retained;
 - d. Any verge treatments; and
 - e. The landscaping treatment to be applied to the drive way access leg boundary.

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

7. prior to the initial occupation of the development, an updated Waste Management Plan shall be prepared in accordance with Council Policy – Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments and submitted in writing for the approval of the City. Once approved, the development is to be constructed and operated in accordance with the Waste Management Plan to the satisfaction of the City.
8. prior to the commencement of works, an updated Environmentally Sustainable Design Report shall be submitted to and approved in writing by the City in response to the amended building design and shall accord with Clause 5 of the Canning Bridge Activity Structure Plan.
9. prior to the commencement of works, details of the exterior colours, materials and finishes are to be submitted to and approved in writing by the City. Once approved, the development is to be constructed in accordance with those details.
10. lighting is to be provided to all car parking areas and the exterior entrances to all buildings in accordance with Australian Standard AS 1158.3.1 (Cat. P). All external lighting to be hooded and oriented so that the light source is not directly visible to the travelling public or abutting development.

**P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)**

11. a Construction Management Plan is to be prepared by the Applicant and submitted to the City for approval at least 30 days prior to the commencement of works. The Construction Management Plan shall detail how the construction of the development will be managed including the following:
 - public safety and site security;
 - hours of operation,
 - noise and vibration controls;
 - air and dust management;
 - stormwater, groundwater and sediment control;
 - waste and material disposal;
 - Traffic Management Plans prepared by an accredited personnel for the various phases of the construction, including any proposed road closures;
 - Parking Management Plan prepared by an accredited personnel;
 - the parking arrangements for contractors and sub-contractors;
 - on-site delivery times and access arrangements;
 - the storage of materials and equipment on site (no storage of materials on the verge will be permitted) ; and
 - any other matters likely to impact upon the surrounding properties or road reserve.Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the City.
12. temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures must not obstruct vehicle sight lines Temporary structures are to be removed prior to initial occupation of the development.
13. prior to the commencement of works, a scheme for the provision of Public Art shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the Public Art shall be provided in accordance with Council Policy – 085: Provision of Art in Development Proposals and the Canning Bridge Structure Plan prior to the initial occupation of the development to the satisfaction of the City. Alternatively, the public art contribution may be satisfied by a cash-in-lieu payment at the same rate, made prior to the commencement of works.
14. prior to the commencement of works, the street tree/s to be retained within the verge are to be protected through the installation of a Tree Protection Zone (TPZ). Each TPZ is to be installed as per Australian Standard AS4970-2009 and in accordance with the following criteria to the satisfaction of the City:
 - A free-standing mesh fence erected around each street tree with a minimum height of 1.8m and a 2m minimum radius measured from the outside of the trunk of each tree.
 - If an approved crossover, front fence, footpath, road or similar is located within the 2m radius, the TPZ fencing shall be amended to be the minimum distance necessary to allow the works to be completed.

**P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)**

- Fixed signs are to be provided on all visible sides of the TPZ fencing clearly stating 'Tree Protection Zone – No Entry'.
- The following actions shall not be undertaken within any TPZ:
 - Storage of materials, equipment fuel, oil dumps or chemicals
 - Servicing and refuelling of equipment and vehicles
 - Attachment of any device to any tree (including signage, temporary service wires, nails, screws, winches or any other fixing device)
 - Open-cut trenching or excavation works (whether or not for laying of services)
 - Changes to the natural ground level of the verge
 - Location of any temporary buildings including portable toilets
 - The unauthorised entry by any person, vehicle or machinery
- No unauthorised pruning of the canopy or roots of any Street Tree is permissible under the City of Melville's Street Tree Policy CP-029. Pruning may only be undertaken by the City's approved contractors following a written submission to and approval by the City.

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

15. prior to the commencement of works, an Acoustic Report shall be submitted to demonstrate that all mechanical services and car parking associated with the development are capable of complying with the 'Assigned Noise Levels' contained in the Environmental Protection (Noise) Regulations 1997 when the noise is received at any neighbouring residential premises to the satisfaction of the City. Once approved, the development shall operate in accordance with the recommendations set out in the report to the satisfaction of the City.

**P19/3822 - THREE MULTIPLE DWELLINGS – 4A VIEW ROAD, MOUNT PLEASANT
(REC) (ATTACHMENT)**

Procedural Motion

COUNCIL RESOLUTION

At 6:54pm Cr Pazolli moved, seconded Cr Mair–

That the Item P19/3822 - Three Multiple Dwellings – 4A View Road, Mount Pleasant be deferred to the 19 November 2019 Ordinary Meeting of Council.

At 7:09pm the Mayor submitted the motion, which was declared

CARRIED (8/4)

Vote Result Summary	
Yes	8
No	4

Vote Result Detailed	
Cr Barling	Yes
Cr Barton	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wheatland	Yes
Cr Woodall	Yes
Cr Macphail	No
Cr Robins	No
Cr Wieland	No
Mayor	No

At 7:09pm Cr Robins left the meeting and returned at 7:11pm.

At 7:10pm the Mayor brought forward Late Item P19/3825 – Development Assessment Panel Application – 15 Storey Mixed Use Development at Lots 311, 800 and 801 (10, 12 and 14) Forbes Road and 802, 803 and 804 (40A, 40B and 40C) Kishorn Road, Applecross for the convenience of the public gallery.

Disclosures of Interest

Member	Mayor Aubrey
Type of Interest	Interest under the code
Nature of Interest	Owns property within CBACP, outside the M10 area under consideration
Request	Stay, discuss and vote
Decision	Stay, discuss and vote
Member	Cr Barton
Type of Interest	Interest under the code
Nature of Interest	Relative owns property in Forbes Road, Applecross
Request	Stay, discuss and vote
Decision	Stay, discuss and vote
Member	Cr Barling
Type of Interest	Interest under the code
Nature of Interest	If re-elected will be a member of the JDAP which will determine the application.
Request	Leave
Decision	Leave

At 7:11pm having declared an Interest, Cr Barling left the meeting.

LATE ITEM P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPLECROSS (REC) (ATTACHMENT)

Ward	: Applecross/Mt Pleasant
Category	: Operational
Application Number	: DAP-2018-9/B
Property	: Lots 311, 800 & 801 (10, 12 & 14) Forbes road and 802, 803 & 804 (40a, 40b & 40c) Kishorn Road, Applecross
Proposal	: 15 Storey Mixed-Use Development Comprising 88 Multiple Dwellings, 16 Short Stay Accommodation Units, 6 Non-Residential Tenancies (Office, Restaurant, Shop, two Co-Working Spaces and a Community Hall)
Applicant	: McDonald Jones Architects
Owner	: Applecross Land Holdings Pty Ltd
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P19/3807 Development Assessment Panel Application - 20 Storey Mixed-Use Development at Lots 311, 800 & 801 (10, 12 & 14) Forbes Road and 802, 803 & 804 (40A, 40B & 40C) Kishorn Road, Applecross, Special Meeting of Council 6 March 2019
Responsible Officer	: Mark Scarfone Acting Manager Planning Services

LATE ITEM P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPLECROSS (REC) (ATTACHMENT)

AUTHORITY / DISCRETION

DEFINITION

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" 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 & 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 P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPECROSS (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- A development application for a 20 storey mixed-use development comprising 97 multiple dwellings, 15 short stay accommodation units and 6 non-residential tenancies at Nos. 10, 12 & 14 Forbes Road and Nos. 40A, 40B & 40C Kishorn Road, Applecross was refused at the Metro Central Joint Development Assessment Panel (JDAP) meeting held on the 7 March 2019.
- On the 25 March 2019, the applicant lodged an application for a review of this decision to the State Administrative Tribunal (SAT) pursuant to Section 31 of the *State Administrative Tribunal Act 2004*, and the Metro Central JDAP, DR 59 of 2019.
- On the 1 July 2019, the Metro Central JDAP reconsidered the original decision in respect of SAT application DR 59 of 2019. The Metro Central JDAP resolved to reaffirm their decision dated 20 March 2019 and refuse the DAP application.
- Following this decision, a directions hearing was held at the SAT and the matter was scheduled for further mediation on 28 August 2019. At this mediation session, the applicant presented a revised proposal for discussion.
- Following mediation, a revised development application for a 15 storey mixed-use development comprising 88 multiple dwellings, 16 short stay accommodation units and 5 non-residential tenancies has been submitted for consideration.
- The application by virtue of its cost of development is a mandatory JDAP application which was originally submitted to the City on 22 November 2018.
- City officers have completed the Responsible Authority Report (RAR) which is required to be submitted to the JDAP under the Planning and Development (Development Assessment Panel) Regulations 2011 on 18 October 2019.
- The RAR is the subject of a call up to a meeting of the Council, in accordance with the provisions of Local Planning Policy LPP1.1 "Planning Process and Decision Making".
- The recommendation of the RAR is that pursuant to Section 31 of the *State Administrative Tribunal Act 2004*, the JDAP reconsider its decision dated 10 July 2019 and approve the application.
- A copy of the resolution of the Special Meeting of Council will be forwarded to the JDAP as an attachment to the RAR and the Council meeting section of the RAR will be updated accordingly.

LATE ITEM P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPLECROSS (REC) (ATTACHMENT)



Figure 1: Aerial Map of Subject Site

LATE ITEM P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPLECROSS (REC) (ATTACHMENT)

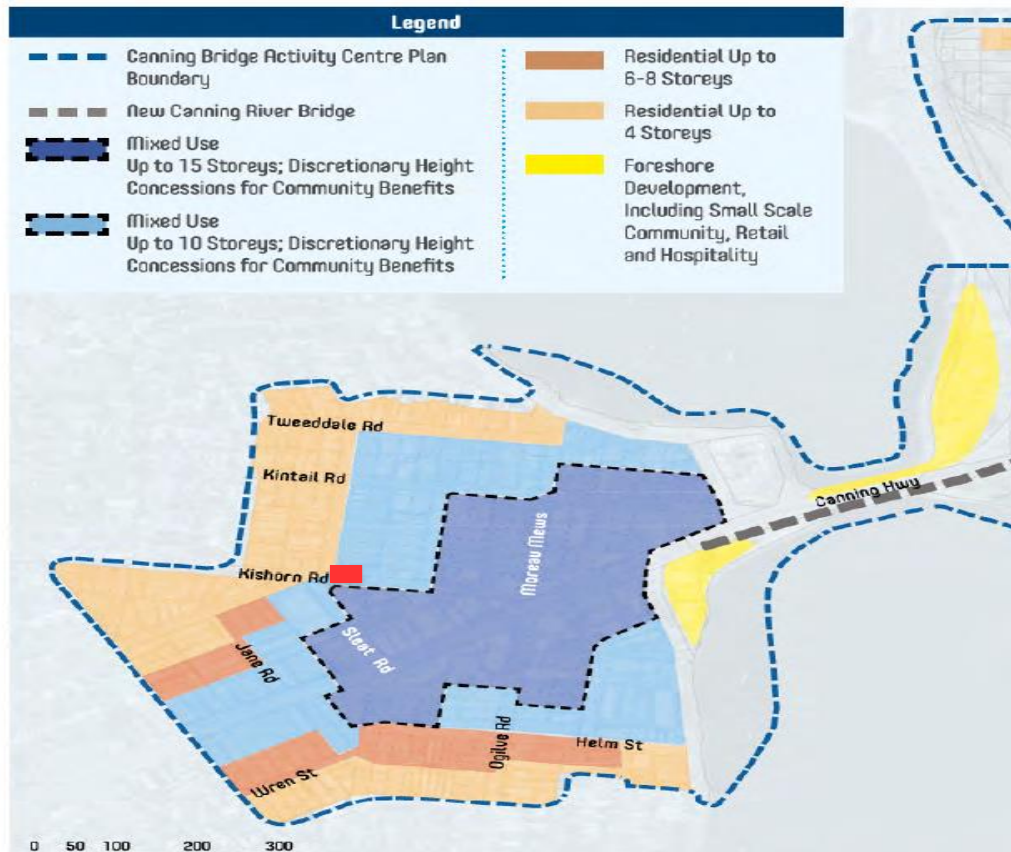


Figure 2: Subject site located within the Canning Bridge Activity Centre Plan

BACKGROUND

Scheme Provisions

MRS Zoning	:	Urban
LPS Zoning	:	District Centre – Canning Bridge Activity Centre
CBACP Zoning	:	M10
Use Type	:	Residential (Multiple Dwellings), Restaurant, Shop, Office (including Co-working space), Civic Use (Community Hall) & Tourist Accommodation (Short Stay apartments)
Use Class	:	Preferred – Residential (Multiple Dwellings), Restaurant, Shop, Office and Civic Use (Community Hall), Tourist Accommodation

LATE ITEM P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPECROSS (REC) (ATTACHMENT)

Site Details

Lot Area	:	2023m ²
Street Tree(s)	:	Yes - 6
Street Furniture (drainage pits etc)	:	Footpaths (to remain/upgraded) Crossovers (to be removed)
Site Details	:	See aerial photo above

DETAIL

Development approval is sought from the Metro Central JDAP for a 15 storey mixed-use development comprising 88 multiple dwellings, 16 short stay accommodation units and 6 non-residential tenancies (office, restaurant, shop, 2 co-working spaces and a community hall).

Refer to the attached RAR for details of the development proposed by this application.

[3825 S.31 RAR Forbes Kishorn](#)

STAKEHOLDER ENGAGEMENT

Refer to the RAR attached to this report.

STATUTORY AND LEGAL IMPLICATIONS

The City is not the determining authority for the application. The Planning and Development (Development Assessment Panel) Regulations require the City, as the responsible authority to which a DAP application is made, to provide a report to the Development Assessment Panel for its consideration.

FINANCIAL IMPLICATIONS

None applicable.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

These are outlined in full within the RAR as attached to this report.

LATE ITEM P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPLECROSS (REC) (ATTACHMENT)

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The recommendation of this report is for Council to endorse the recommendation in the RAR for the JDAP to approve the application.

Council may resolve not to endorse the recommendation within the RAR, however should choose not to endorse the recommendation, reasons should be provided in the usual manner to inform the members of the JDAP.

The minutes of the Special Meeting of Council will be attached as a late item to the RAR and forwarded to the JDAP for its consideration.

Where Council wishes to provide a deputation to the JDAP in support of a resolution, a nominated person on behalf of Council may request to make a deputation at the JDAP meeting. The authorisation to grant a request to make a deputation rests with the Presiding Member of the JDAP.

At 7:11pm Cr Wieland foreshadowed an amendment to the Officer Recommendation.

OFFICER RECOMMENDATION (3285)

RECOMMEND APPROVAL

At 7:11pm Cr Macphail moved, seconded Cr Robartson–

- 1. That the Metro Central Joint Development Assessment Panel be advised that the Council of the City of Melville endorses the recommendation of the Responsible Authority Report to approve the application for the proposed 15 storey mixed-use development comprising 88 multiple dwellings, 16 short stay accommodation units, 6 non-residential tenancies (office, restaurant, shop, 2 co-working spaces and community hall) at Lots 311, 800 & 801 (10, 12 & 14) Forbes Road and 802, 803 & 804 (40A, 40B & 40C) Kishorn Road, Applecross, subject to conditions.**

Amendment

At 7:14pm Cr Wieland moved, seconded Cr Mair–

That the Council support the recommendation in the Responsible Authority Report subject to the non- residential parking bay provision being increased to from 26 to 36 bays.

LATE ITEM P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPECROSS (REC) (ATTACHMENT)

COUNCIL RESOLUTION

At 7:21pm Cr Pazolli moved, seconded Cr Wheatland–

That the Council suspend the *City of Melville Meeting Procedures Local Law 2017* to allow for a presentation from officers and for Elected Members to seek clarity on the contents of the Report.

At 7:21pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

At 7:22pm Mr Prendergast and Mr Cappellucci entered the chambers for the purpose of making a presentation in relation to Item Number P19/3825 (presentation). The presentation concluded at 7:36pm [Presentation P19 3825 Forbes and Kishorn Roads Applecross](#). Mr Prendergast and Mr Cappellucci left the Chamber at 7:57pm.

COUNCIL RESOLUTION

At 7:57pm Cr Phelan moved, seconded Cr Mair

That the *City of Melville Meeting Procedures Local Law 2017* be reinstated.

At 7:57pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

Amendment

At 7:14pm Cr Wieland moved, seconded Cr Mair–

That the Council support the recommendation in the Responsible Authority Report subject to the non- residential parking bay provision being increased to from 26 to 36 bays.

At 8:07pm the Mayor adjourned the meeting to enable officers to consider the implications and implementation of the amendment proposed by the Council to the Responsible Authority Report.

At 8:19pm the Mayor resumed the meeting.

The Mayor sought the approval of the mover and seconder to the changes proposed to the amendment, the mover and seconder consented.

LATE ITEM P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPLECROSS (REC) (ATTACHMENT)

At 8:23pm Mr Prendergast returned to the meeting.

Amendment

COUNCIL RESOLUTION

At 7:14pm Cr Wieland moved, seconded Cr Mair–

That the following words be included at the end of the officer recommendation:

“and non- residential parking bay provision being increased to from 26 to 36 bays and be supported by amended plans to the satisfaction of the City.”

At 8:25pm the Mayor submitted the motion, which was declared

CARRIED (10/1)

Vote Result Summary	
Yes	10
No	1

Vote Result Detailed	
Cr Barton	Yes
Cr Macphail	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Robins	Yes
Cr Wheatland	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor	No

At 8:35pm Cr Woodall foreshadowed an amendment.

At 8:36pm Cr Woodall withdrew his intention to foreshadow an amendment.

LATE ITEM P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPECROSS (REC) (ATTACHMENT)

Substantive Motion as Amended

COUNCIL RESOLUTION

At 7:11pm Cr Macphail moved, seconded Cr Robartson–

1. That the Metro Central Joint Development Assessment Panel be advised that the Council of the City of Melville endorses the recommendation of the Responsible Authority Report to approve the application for the proposed 15 storey mixed-use development comprising 88 multiple dwellings, 16 short stay accommodation units, 6 non-residential tenancies (office, restaurant, shop, 2 co-working spaces and community hall) at Lots 311, 800 & 801 (10, 12 & 14) Forbes Road and 802, 803 & 804 (40A, 40B & 40C) Kishorn Road, Applecross, subject to conditions and non-residential parking bay provision being increased to from 26 to 36 bays and be supported by amended plans to the satisfaction of the City.

At 8:40pm the Mayor submitted the motion, which was declared

LOST (4/7)

Vote Result Summary	
Yes	4
No	7

Vote Result Detailed	
Cr Macphail	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Mayor	Yes
Cr Barton	No
Cr Mair	No
Cr Pazolli	No
Cr Phelan	No
Cr Robins	No
Cr Wheatland	No
Cr Woodall	No

Reasons:

1. Insufficient non-residential parking.
2. The height of the proposed development is not supported having regard to the “Bonus Provisions” requirements (Elements 21 and 22) of the Canning Bridge Activity Centre Plan, whereby it has not, in the view of the Council, been demonstrated that the community benefit proposed is sufficient to warrant approval of a 100% bonus in the number of storeys permitted as of right in the M10 zone of the Kintail Quarter of the Canning Bridge Activity Centre Plan.
3. The subject site borders the H4 zone, and it is considered by the panel that a twenty-storey building in this location (adjacent to buildings of four storeys or less) cannot be justified by the level of community benefit proposed. The Council is of the view that this development would undermine the building hierarchy envisaged by the Canning Bridge Activity Centre Plan.”

P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPECROSS (REC) (ATTACHMENT)

ATTACHMENTS

Section 31 Reconsideration
Attachment(s) from 1 July 2019
Metro Central JDAP Meeting:

[14A. 3825 Metro Central JDAP Meeting Minutes 7 March 2019](#)

[14B.3825 RAR Final Edited](#)

[15. 3825 Interface Analysis \(Final\)](#)

[16. 3825 Community Benefit Advice \(Final\)](#)

[17.3825 Minutes Special Meeting of Council 6 March 2019 – FINAL](#)

[18. 3825 Strategic Community Plan for City of Melville](#)

[19.3825 Mid View Perspectives](#)

[20.3825 Commentary on Community Benefit](#)

[21. 3825 Canning Bridge Activity Centre
Plan Bonus Building Height Provisions \(Modified Draft for June Council\)](#)

New RAR Attachment(s):

[22A 3825 minutes of 1 July 2019 JDAP meeting](#)

[22B 3825 First S.31 RAR Forbes Kishorn](#)

[23 3825 Design Review Panel Notes 8 October 2019](#)

[24 3825 Development Plans](#)

[25 3825 Landscaping Report](#)

[26 3825 Design Report](#)

[27 3825 Community Benefit Advice Report](#)

[28 3825 Addendum to Acoustic and Sustainability Reports](#)

[29 3825 Interface Analysis Report](#)

[30 3825 Amenity Report - Urbis 250919 Combined](#)

[31 3825 Pedestrian Wind Statement](#)

P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPECROSS (REC) (ATTACHMENT)

[32 3825 Memo to TIA](#)

[33 3825 Memo to Waste Management Plan](#)

[34 3825 Overshadowing analysis](#)

[35 3825 Setback Calcs 240919](#)

36. Minutes City of Melville Ordinary Council Meeting October 2019
(to be provided following Ordinary Meeting of Council)

At 8:46pm Cr Barling returned to the meeting
At 8:46pm Mr Prendergast left the meeting and did not return
At 8:46pm Mr Cappellucci, left the meeting and did not return

**M19/5707 – AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD 18 JUNE 2019 (REC)**

Ward : All
Category : Operational
Subject Index : Meetings 18 June 2019
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 : M19/5690 – Point Walter Golf Course Proposal (June 2019)
Works Programme : Not Applicable
Funding : Not Applicable
Responsible Officer : Louis Hitchcock
Executive Manager Governance and Legal 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"/>	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 & 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>

**M19/5707 – AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD 18 JUNE 2019 (REC)****KEY ISSUES / SUMMARY**

- At the Ordinary Meeting of Council held 18 June 2019, the Council considered the Confidential Item – M19/5690 – Point Walter Golf Course Proposal.
- The item was discussed and debated behind closed doors, with the Council amending the Officer Recommendation.
- The minutes of the meeting do not show that the Officer Recommendation was amended or the vote on the matter.
- This report seeks the Council's resolution to amend the minutes of the Ordinary Meeting of Council held 18 June 2019, to correct these omissions.

BACKGROUND

At the Ordinary Meeting of Council held 18 June 2019, the Council considered the Confidential Item – M19/5690 – Point Walter Golf Course Proposal.

As the matter was considered confidential in accordance with section 5.23 (c) and (e) of the *Local Government Act 1995*, the matter was considered behind closed doors.

The minutes of this meeting were confirmed as a true and accurate record of the meeting at the subsequent Ordinary Meeting of the Council held 16 July 2019

DETAIL

During the course of discussion and debate on the matter, behind closed doors, amendments were made to the Officer Recommendation, which resulted in the Council adopting the Substantive Motion as amended.

In the recording of the minutes, the advice of the result of the decision behind closed doors was omitted.

When officers commence with the implementation of Council resolutions, past reports and resolutions are reviewed. In this instance, during the review of the records, officers noted the omission, the subject of this report, and identified the need to rectify the minutes.

The *Local Government (Administration) Regulations 1996* Regulation 9 requires that no vote be conducted so that the result is secret. Currently the minutes of that meeting do not show the result of the vote on Item M19/5690 – Point Walter Golf Course Proposal.

To assist in progressing the Council's resolutions with respect to this matter, and to meet the requirements of the Regulations, it is recommended that the omitted information be included in the official minutes of the meeting.

**M19/5707 – AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD 18 JUNE 2019 (REC)**

It is suggested that the following statement be included on page 112 of the Minutes of the Ordinary Meeting of Council held 18 June 2019.

“The Officer Recommendation associated with Confidential Item M19/5690 – Point Walter Golf Course Proposal as amended by the Council, with the substantive motion as amended being resolved by Council 13/0.”

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

No comment has been sought from the community.

II. OTHER AGENCIES / CONSULTANTS

No comment from external agencies has been requested.

STATUTORY AND LEGAL IMPLICATIONS

Regulation 9 of the *Local Government (Administration) Regulations 1996* requires

“Voting at a council or committee meeting is to be conducted so that no voter’s vote is secret.”

Additionally, clause 9.37 of the *Local Government Act 1995* provides for the use of meeting minutes as evidence.

“(1) Evidence of a matter that is recorded in a document purporting to be a certified copy of all or any part of confirmed meeting minutes may be given by tendering the document.

*“(2) In subsection (1) –
meeting minutes means the minutes of a council or committee in which the matter is recorded.”*

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

**M19/5707 – AMENDMENT TO MINUTES OF THE ORDINARY MEETING OF COUNCIL
HELD 18 JUNE 2019 (REC)****POLICY IMPLICATIONS**

There are no policy implications associated with this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could resolve not to include the requested statement in the minutes, however, the minutes would not fully reflect the Council resolution and the current record of minutes would remain.

CONCLUSION

The inclusion of the statement in the minutes will assist officers in progressing the resolutions of the Council on this matter and ensures that the requirement of Regulation 9 of the *Local Government (Administration) Regulations 1996* is met.

OFFICER RECOMMENDATION (5692)**APPROVAL**

That the Council resolves to include the following words on page 112 of the Minutes of the Ordinary Meeting of Council held 18 June 2019, after the statement “No members of the community returned to the meeting”:

“The Officer Recommendation associated with Confidential Item M19/5690 – Point Walter Golf Course Proposal, was amended by the Council.

The Substantive Motion as Amended was declared carried the Council 13/0.”

At 8:49pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

M19/5000 – 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	:	Bruce Taylor – Manager Governance and Property

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 & 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	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 21 August 2019 up to and including 18 September 2019 for the Council's noting.

M19/5000 – 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

Register Reference	Parties	Description	ECM Reference
CS2130	City of Melville and Surveying Solutions	Notification 70A – Clearance of Conditions of Subdivision Approval. Notation placed on Title regarding transport corridor and transport noise. Lot 163 Brian Avenue, Mount Pleasant	DA-2019-995

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.*

M19/5000 – COMMON SEAL REGISTER (REC)**FINANCIAL IMPLICATIONS**

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications in this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

CONCLUSION

This is a standard report for the Elected Members' information.

OFFICER RECOMMENDATION (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 August 2019 up to and including 18 September 2019.

At 8:49pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

C19/6000 – INVESTMENT STATEMENTS FOR AUGUST 2019 (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	:	Debbie Whyte – 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>
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<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 31 August 2019 for the Council's information and noting.

Final investment figures for the year end roll-over are yet to be finalised as inter-fund transfers between Municipal and Reserve accounts still need to be undertaken.

C19/6000 – INVESTMENT STATEMENTS FOR AUGUST 2019 (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.

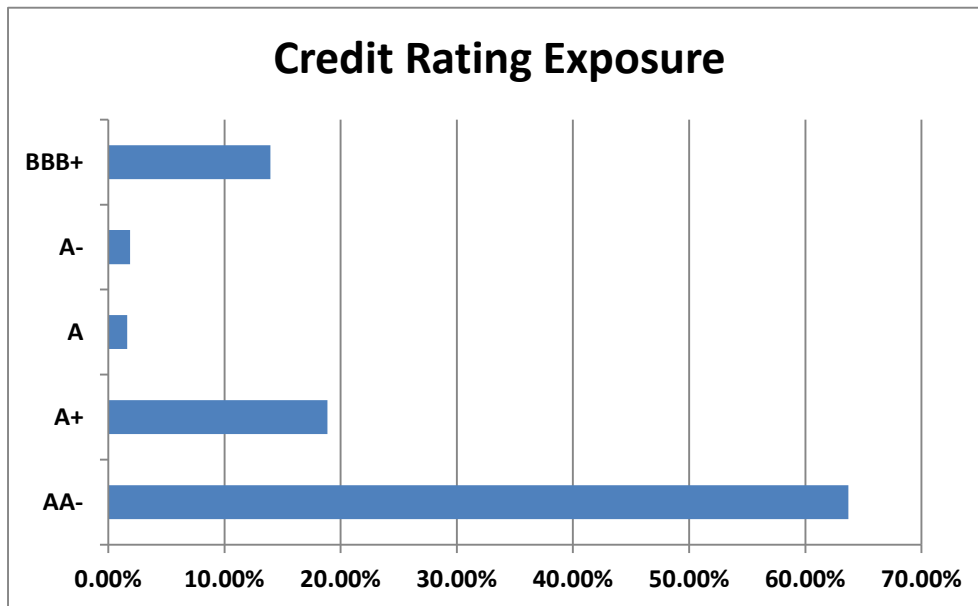
The investment of cash holdings is undertaken in accordance with Council Policy CP-009 - Investment of Funds, with the objective of maximising returns whilst maintaining low levels of credit risk exposure.

DETAIL

The following statement details the investments held by the City as at 31 August 2019.

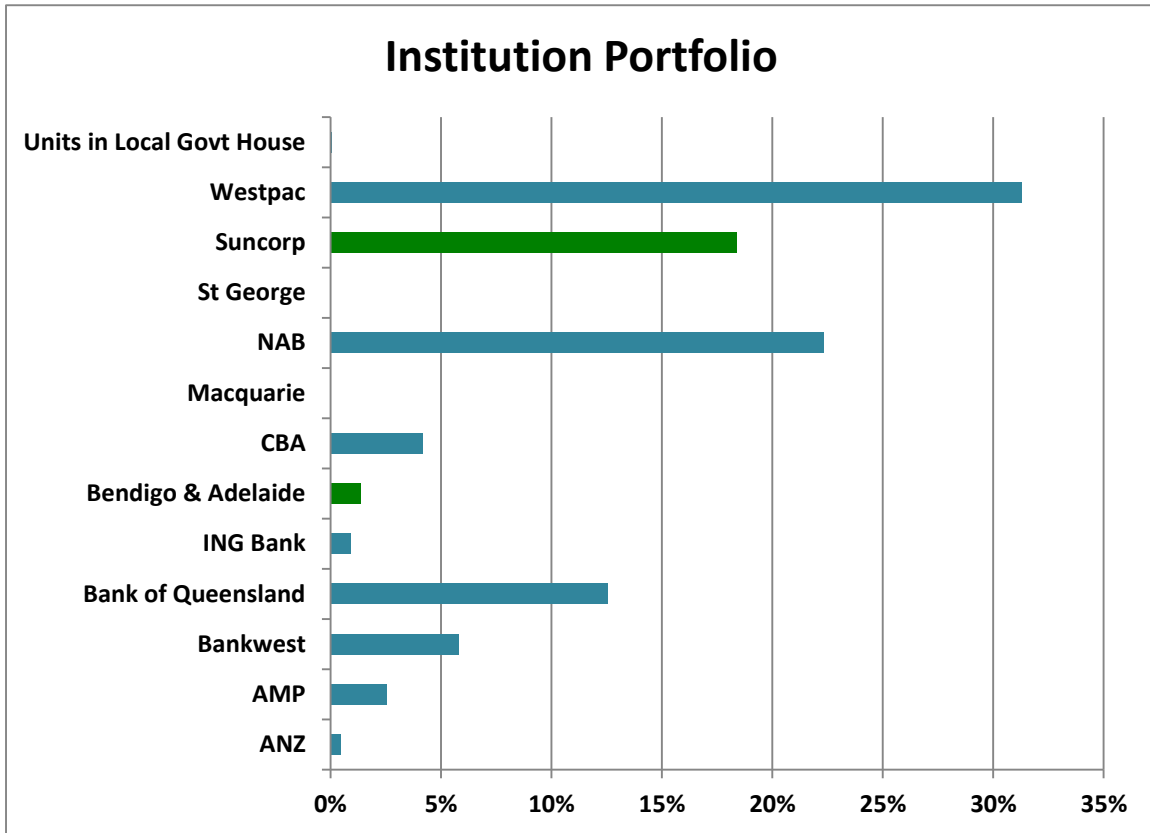
CITY OF MELVILLE	
STATEMENT OF INVESTMENTS	
FOR THE PERIOD ENDING 31 AUGUST 2019	
SUMMARY BY FUND	AMOUNT \$
MUNICIPAL	\$ 61,451,851
RESERVE	\$ 152,258,236
TRUST	\$ 1,105,797
CITIZEN RELIEF	\$ 221,321
	\$ 215,037,205
SUMMARY BY INVESTMENT TYPE	AMOUNT \$
11AM	\$ 6,241,560
31DAYS AT CALL	\$ 6,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 16,600,000
TERM DEPOSIT	\$ 184,020,474
UNITS (Local Govt Hse)	\$ 175,171
	\$ 215,037,205
SUMMARY BY CREDIT RATING	AMOUNT \$
AA-	\$ 136,862,033
A+	\$ 40,500,000
A	\$ 3,500,001
A-	\$ 4,000,000
BBB+	\$ 30,000,000
UNITS (Local Govt Hse)	\$ 175,171
	\$ 215,037,205

C19/6000 – INVESTMENT STATEMENTS FOR AUGUST 2019 (REC)



DIVERSIFICATION RISK & GREEN INVESTMENTS									
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT	\$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION	NON FOSSIL FUEL	INVESTMENT WITH ADI WITH NON FOSSIL FUEL
ANZ BANK (TERM)	TERM	AA-	1,000,000		0.47%	0.47%	30%	No	
AMP BANK (TERM)	TERM	A	5,500,001		2.56%	2.56%	25%	No	
BANKWEST (TERM)	TERM	AA-	12,500,000		5.81%	5.81%	30%	No	
BANK OF QUEENSLAND (TERM)	TERM	BBB+	27,000,000		12.56%	12.56%	15%	No	
BENDIGO AND ADELAIDE BANK (TERM)	TERM	BBB+	3,000,000		1.40%	1.40%	15%	Yes	3,000,000
COMMONWEALTH BANK (TERM)	TERM	AA-	9,000,000		4.19%	4.19%	30%	No	
ING BANK (TERM)	TERM	A-	2,000,000		0.93%				
ING BANK (FRTD)	FRTD	A-	-		0.00%	0.93%	25%	No	
MACQUARIE BANK (TERM)	TERM	A	-		0.00%	0.00%	25%	No	
NAB (TERM)	TERM	AA-	48,020,473		22.33%	22.33%	30%	No	
ST GEORGE BANK (TERM)	TERM	AA-	-		0.00%	0.00%	30%	No	
SUNCORP METWAY LTD (TERM)	TERM	A+	39,500,000		18.37%	18.37%	25%	Yes	39,500,000
WESTPAC (MAXI BONUS 1)	11AM	AA-	0		0.00%				
WESTPAC (MAXI BONUS 2)	11AM	AA-	-		0.00%				
WESTPAC (MAXI DIRECT)	11AM	AA-	6,241,560		2.90%				
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	6,000,000		2.79%				
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000		0.93%				
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	16,600,000		7.72%				
WESTPAC (TERM)	TERM	AA-	36,500,000		16.97%	31.32%	30%	No	
UNITS IN LOCAL GOV'T HOUSE	NA	NA	175,171		0.08%	0.08%		N/A	
			215,037,205		100%	100%			42,500,000
Total Non Fossil Fuel Lending ADI									20%

C19/6000 – INVESTMENT STATEMENTS FOR AUGUST 2019 (REC)



Non Fossil Fuel Authorised Deposit Taking Institutions. (ADI's)

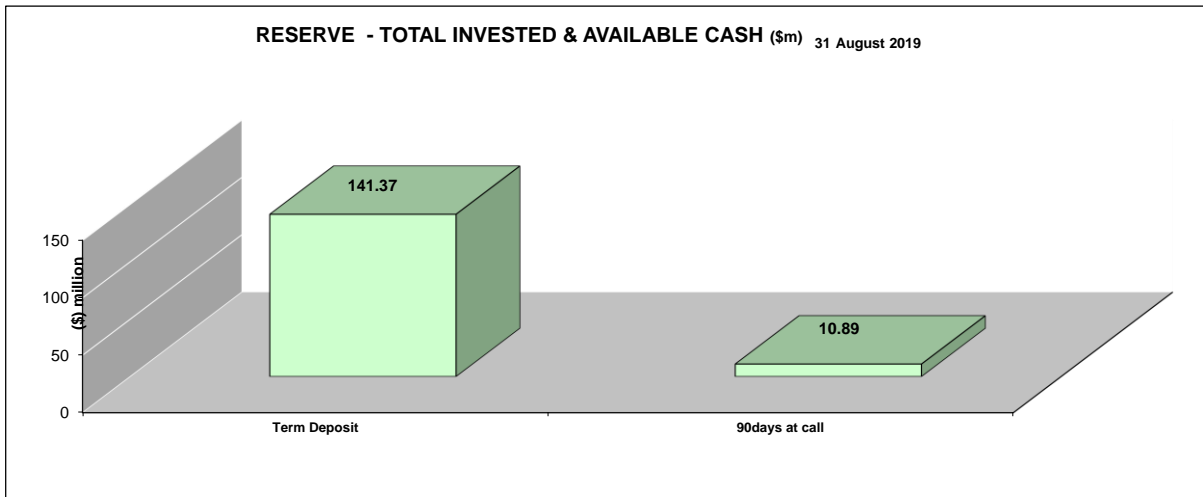
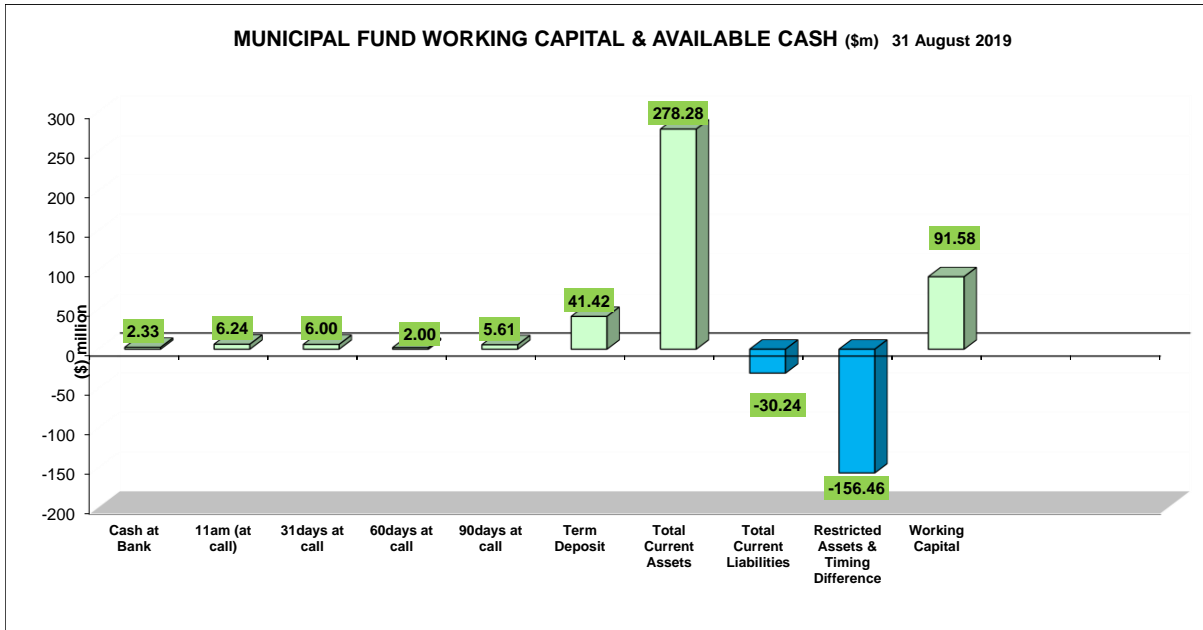
“Green investments” are authorised investment products made in authorised institutions that respect the environment by not investing in fossil fuel industries.

The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 31 August 2019 was \$42,500,000 or 20% of total investment holdings being in non-fossil fuels institutions, compared to \$42,500,000 (25%) in July 2019. The total investments holding for July and August were \$168,937,205 and \$215,037,205 respectively.

C19/6000 – INVESTMENT STATEMENTS FOR AUGUST 2019 (REC)

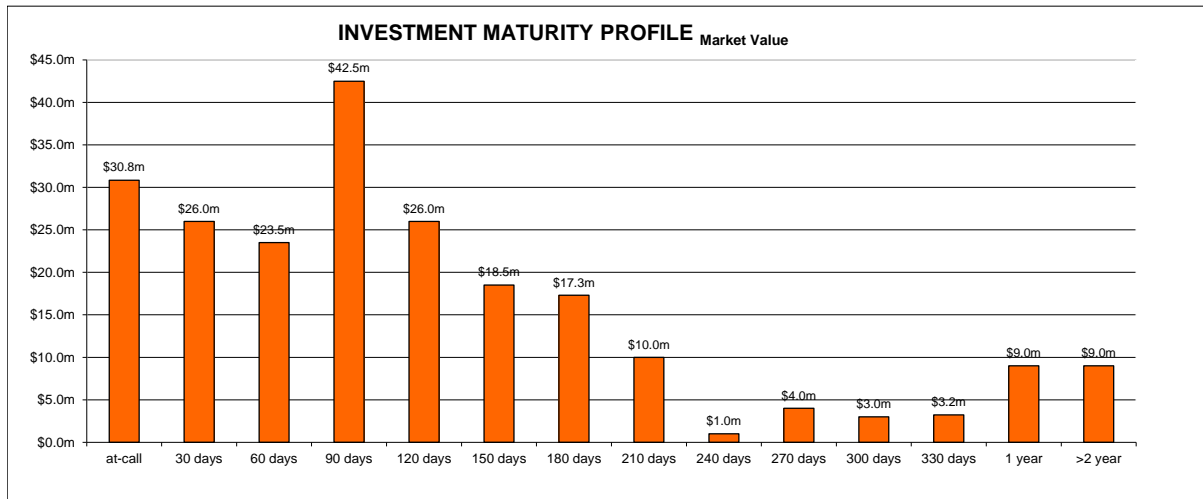
Net Funds Held

The graphs on the following page summarise the Municipal Fund working capital and available cash and the funds held in Cash Backed Specific Purpose Reserve Accounts as at 31 August 2019.



C19/6000 – INVESTMENT STATEMENTS FOR AUGUST 2019 (REC)

The graph below summarises the maturity profile of the City’s investments at market value as at 31 August 2019.



STAKEHOLDER ENGAGEMENT

I. COMMUNITY

This report is available to the public on the City’s web-site.

II. OTHER AGENCIES / CONSULTANTS

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

STATUTORY AND LEGAL IMPLICATIONS

The following legislation is relevant to this report:

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

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

Effective from 13 May 2017 the *Local Government (Financial Management) Regulations 1996* were amended (regulation 19C) to allow local governments to deposit funds for a fixed term of three years or less. The regulation previously only allowed for deposits of 12 months or less. Deposits of greater than one year may, depending on the shape of the yield curve, enable the City to achieve better investment returns.

C19/6000 – INVESTMENT STATEMENTS FOR AUGUST 2019 (REC)

FINANCIAL IMPLICATIONS

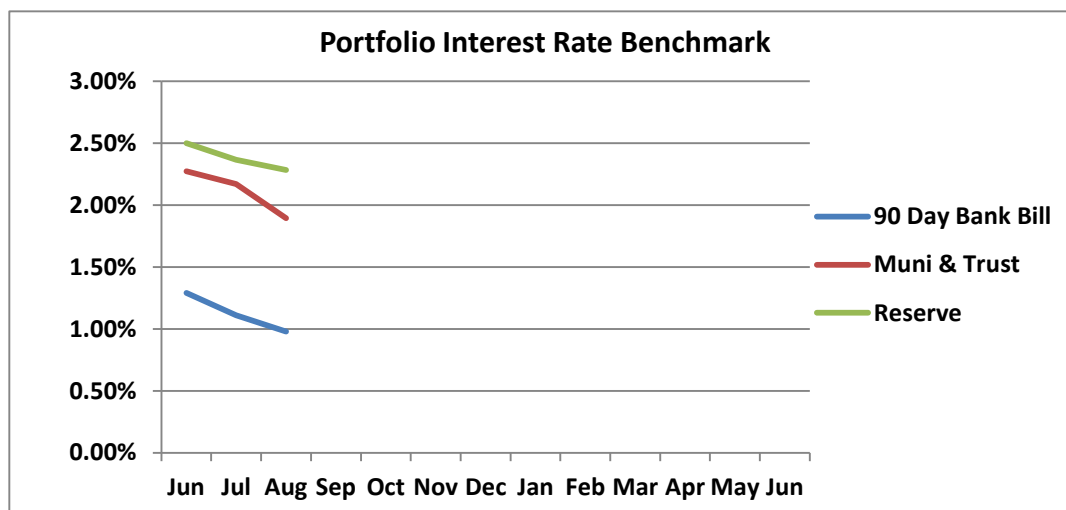
For the period ending 31 August 2019:

- Investment earnings on Municipal and Trust Funds were \$127,579 against a year to date budget of \$124,167 representing a positive variance of \$3,412.

The weighted average interest rate for Municipal and Trust Fund investments as at 31 August 2019 was 1.89%. Average rate of return for investment income for the 2019-2020 budget is 2.2% per annum.

- Investment earnings on Reserve accounts were \$579,091 against a year to date budget of \$516,667 representing a positive variance of \$62,424.

The weighted average interest rate for Reserve account investments as at 31 August 2019 was 2.28%, compared to the expected average rate of return for Reserve investment for the 2019-2020 budget is 2.2% per annum.



STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Strategic

The interest earned on invested funds assists in addressing the following key priority area identified in The City of Melville Corporate Business Plan 2016-2020.

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

Risk

The Council’s Investment of Funds Policy CP-009 was drafted 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.

C19/6000 – INVESTMENT STATEMENTS FOR AUGUST 2019 (REC)**Environmental**

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

POLICY IMPLICATIONS

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

Council Policy CP-030 – Environmental states that the “The City aims to prevent, manage and minimise environmental impacts associated with its activities, while conserving and enhancing the City's biodiversity and environmental quality, thereby maintaining and creating healthy surroundings for the community.” Whilst this Policy directly relates to the environmental impacts that relate to activities within the City's boundaries and there is a tenuous link between the City's investment activities and lending to organisations producing fossil fuels, the City will, to the extent it can without putting invested funds at undue risk, direct its investments to financial institutions that do not lend to those organisations.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report only presents information for noting.

CONCLUSION

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 1.89% to 2.28% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 0.98%.

20% of the City's investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This is compared to 25% in July 2019.

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

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6000)**NOTING****That the Council notes the Investment Report for the period ending 31 August 2019.**

At 8:49pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2019 (REC)
(ATTACHMENT)

Ward : All
 Category : Operational
 Subject Index : Financial Statement and Investments
 Customer Index : Not applicable
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Standard Item
 Works Programme : Not Applicable
 Funding : Annual Budget
 Responsible Officer : Debbie Whyte – 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 & 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 September be appealable to the State Administrative Tribunal.</i>
<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report presents the details of payments made under delegated authority to suppliers for the period of August 2019 and recommends that the Schedule of Accounts Paid be noted.

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2019 (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 the 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 August including Payment Registers numbers, Cheques 722 - 724 and Electronic Funds Transfers batches 592 - 597, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 31 August 2019. Payments for the period totalled \$10,509,661.89 for the Municipal Fund and \$103,770.65 for the Trust Fund whilst new investment transactions totalled \$49,500,000.00. Details of the payments are shown in attachment [6001 August 2019](#).

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

Supplier Number	Supplier Name	Description of Supply	Amount
16876	Active Discovery Humphery Group Australia Pty Ltd	Playground equipment and maintenance	\$25,515.49
11523	Australia Post Perth	Mail charges	\$40,508.67
14964	AWB Building Co	Building maintenance	\$30,124.76
16746	Byte Construct Pty Ltd	Civic Centre cladding project	\$593,863.46
10056	City of Cockburn	Commercial waste tip fees	\$34,049.27
12389	Colliers International	RFP Stage 2 – The Esplanade	\$89,210.00
13935	Contra-Flow Pty Ltd	Traffic control services	\$37,318.44
12131	Data#3 Limited	IT software licensing and maintenance	\$40,604.51
14051	Department of Fire and Emergency Services	ESL remittance for July	\$1,238,728.72
13857	Department of Planning, Lands and Heritage	DAP for Murdoch Drive and Canning Beach Road	\$30,114.00
16445	Element Advisory Pty Ltd	Consultancy for Canning Bridge Social Research and Planning project	\$29,854.75
11380	EMSO Maintenance	Building maintenance	\$55,767.25
10385	Flexi Staff	Temporary labour hire	\$50,988.66
14312	Hays Specialist Recruitment (Australia) Pty Ltd	Temporary labour hire	\$28,141.37

**C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2019 (REC)
(ATTACHMENT)**

Supplier Number	Supplier Name	Description of Supply	Amount
15489	Horizon West Landscape & Irrigation Pty Ltd	Irrigation and watering systems	\$30,296.75
10501	Hydroquip Pumps & Irrigation	Irrigation and watering systems	\$50,984.78
15944	Illiad Pty Ltd	Purchase of Renault Master LWB 12 Seater Bus	\$53,162.00
10141	Major Motors Pty Ltd	Purchase of Isuzu NNR Truck and vehicle repairs	\$74,740.77
14228	Mastec Australia Pty Ltd	Bin supply	\$559,002.40
17940	Natural Area Consulting Management Services	Bush regeneration and foreshore maintenance	\$95,065.47
10181	P&G Body Builders	Purchase of two mower trailers	\$79,863.30
13563	Pearmans Electrical & Mechanical Services Pty Ltd	Electrical maintenance	\$53,170.02
16535	Precise Air Group Pty Ltd	Air conditioner maintenance	\$56,354.63
12203	Southern Metropolitan Regional Council	Annual contribution fee, RRRC loan repayment, MRF, MSW and green waste gate fees for July and MSW gate fees for August	\$924,727.28
16605	Synergy Electricity Generation & Retail Corporation	Electricity charges	\$314,897.85
16506	TCD Services Australia	Drainage works	\$42,914.73
18870	Technology One Ltd	Subscription fee and financials consulting	\$34,856.80
11019	Titan Ford Perth Auto Alliance Pty Ltd	Purchase of Ford Ranger and vehicle repairs	\$33,950.43
16433	TJS Services Group Pty Ltd	Commercial cleaning	\$48,887.00
17037	Tree Care WA Pty Ltd	Tree pruning services	\$79,104.60
16197	Trident Plastics Pty Ltd	Bin supply	\$63,360.00
12334	Water Corporation	Water charges	\$40,725.74

Trust payments in excess of \$25,000 for the period are detailed as follows

Supplier Number	Supplier Name	Description of Supply	Amount
10004	Building and Construction Industrial Training Fund	Regulatory fees and government charges	\$54,300.15
99995	Building Commission	Regulatory fees and government charges	\$49,470.50

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2019 (REC)
(ATTACHMENT)

Payroll

Supplier Name	Remittance Number	Remittance Details	Amount
Various Banking Institutions	Direct Bank Transfers 07/08/2019 & 21/08/2019	Payment of salaries and wages to City employees net of tax and deduction for pays 3 and 4.	\$2,241,833.57
Australian Taxation Office	Direct Bank Transfers 07/08/2019 & 21/08/2019	Pay as You-Go taxation and other deductions from employee payroll for pays 3 and 4.	\$770,568.00
Creditors and Advances	Direct Bank Transfers 07/08/2019 & 21/08/2019	Payment of superannuation, union membership, council rates, vehicle deductions, Centrelink, etc. for pays 3 and 4.	\$622,467.02
Total			\$3,634,868.59

Investments

Summary of new investments as follows:

Bank	Date	Amount
Westpac Bank	1/08/2019	\$1,500,000
Westpac Bank	2/08/2019	\$2,500,000
Westpac Bank	5/08/2019	\$1,000,000
Westpac Bank	6/08/2019	\$2,500,000
Westpac Bank	12/08/2019	\$5,000,000
National Australia Bank	13/08/2019	\$6,000,000
Westpac Bank	16/08/2019	\$6,000,000
National Australia Bank	19/08/2019	\$3,000,000
Commonwealth Bank	19/08/2019	\$2,000,000
Westpac Bank	22/08/2019	\$2,000,000
Westpac Bank	26/08/2019	\$3,000,000
Westpac Bank	27/08/2019	\$5,000,000
Westpac Bank	28/08/2019	\$5,000,000
Westpac Bank	30/08/2019	\$3,000,000
Bank of Queensland	30/08/2019	\$2,000,000
Total		\$49,500,000

C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2019 (REC)
(ATTACHMENT)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Not applicable.

II. OTHER AGENCIES / CONSULTANTS**STATUTORY AND LEGAL IMPLICATIONS**

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

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

Payments for the period totalled \$10,509,661.89 for the Municipal Fund and \$103,770.65 for the Trust Fund whilst new investment transactions totalled \$49,500,000.00.

The report and the attached Schedule of Accounts Paid are presented for the Council's information.

**C19/6001 – SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2019 (REC)
(ATTACHMENT)**

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001) NOTING

That the Council notes the Schedule of Accounts paid for the period of August 2019 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 August 2019](#).

At 8:49pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2019 (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 : Debbie Whyte – 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"/>	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 & policies.</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 type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

<p>This report presents:</p> <ul style="list-style-type: none"> • The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 31 August 2019 and recommends that they be noted by the Council. • The variances for the month of August 2019 and recommends that they be noted by the Council. • The Budget amendments required for the month of August 2019 and recommends that they be adopted by Absolute Majority decision of the Council.
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**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2019 (AMREC)
(ATTACHMENTS)**
BACKGROUND

The Statements of Financial Activity for the period ending 31 August 2019 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

DETAIL

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

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

Variances

EXTRACT OF RATE SETTING STATEMENT FOR VARIANCE OVER \$50,000 for the Period 1 August 2019 to 31 August 2019							
	August Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
OPERATING ACTIVITIES							
Revenue from operating activities (excluding rates and non-operating grant, subsidies and contributions)							
Recreation and Culture	832,482	1,555,456	1,824,014	268,558	17%	8,755,894	8,757,894
Transport	170,026	253,597	322,983	69,386	27%	1,599,343	1,599,343
Economic Services	117,058	4,371,869	4,438,372	66,503	2%	3,038,466	6,276,583
Other Property and Services	114,615	63,131	142,286	79,155	125%	321,201	1,221,651
	2,296,120	12,140,561	12,632,291	491,730		32,199,974	33,107,074
Expenditure from operating activities							
Governance	(407,620)	(968,333)	(860,055)	108,278	-11%	(6,152,018)	(6,958,064)
Education & Welfare	(224,802)	(488,523)	(422,512)	66,011	-14%	(3,067,314)	(3,068,931)
Community Amenities	(2,385,479)	(4,543,651)	(4,177,421)	366,229	-8%	(26,222,531)	(27,094,227)
Recreation and Culture	(3,262,745)	(5,805,873)	(5,670,722)	135,151	-2%	(36,049,663)	(35,953,127)
Transport	(1,330,424)	(2,771,352)	(2,535,677)	235,676	-9%	(17,962,135)	(17,962,135)
	(9,187,186)	(18,131,709)	(17,142,565)	989,144		(114,996,552)	(115,398,800)
Investing Activities							
Purchase of Plant & Equipment	(207,397)	(238,374)	(177,890)	60,484	-25%	(1,811,477)	(3,485,867)
Purchase of Infrastructure Assets	(506,821)	(1,872,066)	(782,243)	1,089,823	-58%	(31,028,602)	(32,215,354)

C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2019 (AMREC)
(ATTACHMENTS)

A more detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program is provided in attachments [6002C Sub Program August 2019](#) and [6002H August 2019](#).

Revenue

\$89.197 million in Rates was raised as at 31 August 2019 compared to a year to date budget of \$88.943 million. There is a positive variance of \$254,325 (0.29%) when compared to year to date actual. This is due to growth in the rate base subsequent to budget setting.

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for August 2019.

Budget Amendments

Details of Budget Amendments requested for the month of August 2019 are shown in attachment [6002J August 2019](#). There were six budget amendments, greater than \$50,000, processed in August 2019:

- \$95,152,257 – Transfer of adopted capital works projects from a holding account to the respective budget responsible officers.
- \$1,218,600 – Transfer of adopted capital works income budgets from a holding account to project specific accounts.
- \$15,710,073 – Transfer of capital works carry forward expenditure budgets from 2018-2019 to 2019-2020.
- \$5,688,983 – Transfer of operating and capital carry forward budgets from 2018-2019 to 2019-2020 (in addition to the transfer listed above).
- \$63,000 – Transfer of capital works carry forward income budget from 2018-2019 to 2019-2020.
- \$986,585 – Reduction of carry forward amounts for Foreshore Restoration Program and Deep Water Point and Point Walter Boat Ramps.

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$47,356,356 were collected over the course of the month. Rates collection progress for the month of August is 0.3% above the target of 56.2%. This represents a dollar value of \$272,900. As at 31 August 56.5% of the 2019-2020 rates, including prior year arrears had been collected compared with 57% collected for the same time last year. Rates collection for 2019-2020 excluding prior year rate arrears is 58.6%.

Total sundry debtor balances decreased by \$298,976 over the course of the month from \$984,507 to \$685,531 in August. The 90+ day's debtor balance increased by \$37,359 from \$238,584 to \$276,943.

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.

C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2019 (AMREC)
(ATTACHMENTS)

There were no debts written off for the month of August 2019.

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

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – August 2019	<u>6002A Nature Type August 2019</u>
Rate Setting Statement by Program – August 2019	<u>6002B Program August 2019</u>
Rate Setting Statement by Sub-Program – August 2019	<u>6002C Sub Program August 2019</u>
Representation of Net Working Capital – August 2019	<u>6002E August 2019</u>
Reconciliation of Net Working Capital – August 2019	<u>6002F August 2019</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – August 2019	<u>6002H August 2019</u>
Details of Budget Amendments requested – July 2019	<u>6002J August 2019</u>
Summary of Rates Debtors – August 2019	<u>6002L August 2019</u>
Graph Showing Rates Collections – August 2019	<u>6002M August 2019</u>
Summary of General Debtors aged 90 Days Old or Greater – August 2019	<u>6002N August 2019</u>

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:

C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2019 (AMREC)
(ATTACHMENTS)**34. Financial activity statement report — s. 6.4**

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

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

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

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

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

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

(4) A statement of financial activity, and the accompanying documents referred to in 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.

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2019 (AMREC)
(ATTACHMENTS)****FINANCIAL IMPLICATIONS****Variances**

Variances are detailed and explained in attachment [6002H August 2019](#) (Notes on Statement of Variances in excess of \$50,000 by Sub-Program).

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 31 August 2019.

**C19/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2019 (AMREC)
(ATTACHMENTS)**

OFFICER RECOMMENDATION (6002)

NOTING and ABSOLUTE MAJORITY

At 8:47pm Cr Mair moved, seconded Cr Phelan –

That the Council:

- Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 31 August 2019 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – August 2019	6002A Nature Type August 2019
Rate Setting Statement by Program – August 2019	6002B Program August 2019
Rate Setting Statement by Sub-Program – August 2019	6002C Sub Program August 2019
Representation of Net Working Capital – August 2019	6002E August 2019
Reconciliation of Net Working Capital – August 2019	6002F August 2019
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – August 2019	6002H August 2019
Details of Budget Amendments requested – July 2019	6002J August 2019
Summary of Rates Debtors – August 2019	6002L August 2019
Graph Showing Rates Collections – August 2019	6002M August 2019
Summary of General Debtors aged 90 Days Old or Greater – August 2019	6002N August 2019

- By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for August 2019 [6002J August 2019](#).**

At 8:47pm the Mayor submitted the motion, which was declared

CARRIED BY ABSOLUTE MAJORITY (12/0)

LATE ITEM T19/3824 – CANNING BRIDGE RIVERWALL RENEWAL (REC)
(CONFIDENTIAL ATTACHMENT)

Ward : Applecross - Mt Pleasant
 Category : Operational
 Subject Index : Tender
 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 : Not Applicable
 Works Programme : Not Applicable
 Funding : Budget of \$984,068
 Responsible Officer : Mario Murphy
 Manager City Buildings

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"/>	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 & 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 T19/3824 – CANNING BRIDGE RIVERWALL RENEWAL (REC)
(CONFIDENTIAL ATTACHMENT)**KEY ISSUES / SUMMARY**

- To recommend the acceptance of a tender as contained in the confidential attachment for the Canning Bridge Riverwall Renewal.

BACKGROUND

The City of Melville (“City”) is seeking to engage a suitably qualified and experienced Contractor to undertake repairs to the riverwall adjacent to the Canning Bridge in Applecross and Mount Pleasant. The Works include:

- Strengthening the existing riverwall by excavating behind the riverwall and thickening the structure.
- Installation of a new subsoil drainage system with outlets through the wall.
- Repointing the existing stone wall.
- Construction of a rock revetment at the southern end of the site.
- Revegetation behind the wall.
- Landscaping and renewal of the pedestrian and cycle path.

Funding has been set aside in the 2019-2010 capital works budget

DETAIL

Qualitative scores were achieved by joint agreement of the evaluation panel members at the evaluation meeting after each panel member had scored the submission individually. The City set three qualitative criteria for this Request, being Demonstrated Experience, Key Personnel and Methodology.

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

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

LATE ITEM T19/3824 – CANNING BRIDGE RIVERWALL RENEWAL (REC)
(CONFIDENTIAL ATTACHMENT)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

As this is a renewal project that needs to be done to protect City and Community assets the consultation process has primarily been to inform users of the impending works. The major item of concern is the requirement to close the underpass for a period of time to undertake the necessary works.

- Face to face communication has occurred with the Manager of the Raffles Hotel and the Strata Manager of the residential complex of the Raffles.
- Letters have been sent out to all City of Melville residents within a 400 metre radius
- A dedicated project page has been posted on the City's website
- Conversations have been had with Bike West and will be backed up in writing when the work program and detours are finalised
- Signage will be installed once the contract is signed and the works program is confirmed

II. OTHER AGENCIES / CONSULTANTS

- This project has required formal approval from the Department of Biodiversity Conservation and Attractions (DBCA) through a works permit.
- A section 18 Approval has been issued through the Department of Planning, Lands and Heritage.
- Communication has occurred with Main Roads particularly on the lighting upgrades under the bridge and The Department of Transport with regard to the detour of bicycle riders and pedestrians.
- Specifications and detailed designs were developed by MP Rogers and Associates

STATUTORY AND LEGAL IMPLICATIONS

Local Government (Functions and General) Regulations 1996 Section 3.57 11 (1) "A Local Government is required to invite tenders before it enters into a contract for another person to supply goods or services".

Delegated Authority – DA-117 Authority to Sign Documents will be exercised to execute the Contract.

LATE ITEM T19/3824 – CANNING BRIDGE RIVERWALL RENEWAL (REC)
(CONFIDENTIAL ATTACHMENT)

FINANCIAL IMPLICATIONS

Approved Budget Details	\$984,068 in the 2019/20 draft budget including consultants and project management fees
Capital Works Project Number	JET03169

The design life of the wall is intended to be 50 years. There will be on-going maintenance costs, such as repointing of the face of the rock wall. The extent of maintenance will be determined following a regular asset condition survey every 5 years for these types of riverine structures and they will be incorporated into the maintenance budget as required.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Strategic implications of these works relate only to the consequences of not carrying out the works. Repairs of the river wall are necessary to ensure that City and Community assets are protected and to ensure that they remain fit for purpose and meet the users' expectations.

There are no residual risk implications following the invitation and evaluation process conducted for this item. Actions taken to address identified risks are included in the table attached as Confidential Attachment – Evaluation Report Appendix C.

The provision of these services has environmental implications in relation to waste material produced during the excavation process and contamination to the Canning-Swan River. The Contractor is required to abide by the strict environmental requirements set out by the Department of Biodiversity, Conservation and Attractions in their development approval.

POLICY IMPLICATIONS

CP-023 Procurement of Products or Services

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

No alternate options have been identified

CONCLUSION

The CTAU is satisfied that the recommended Tenderer demonstrated that they have the relevant experience, capacity to deliver the works and follow a methodology in line with the City's expectations.

**LATE ITEM T19/3824 – CANNING BRIDGE RIVERWALL RENEWAL (REC)
(CONFIDENTIAL ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3824) APPROVAL****That the Council:**

- 1. Accepts the recommendation as contained in the Confidential Attachment – RFT 192005 Contract and Tender Advisory Unit Minutes.**
- 2. Upon resolving the recommendation, directs that the successful Respondents' names be inserted below this point 2, awarded:**

**D.B. Cunningham Pty Ltd t/as Advantearing Civil Engineers
ABN 45 009 144 414**

At 8:49pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (12/0)

Disclosures of Interest

Member	Cr Wheatland
Type of Interest	Interest under the code
Nature of Interest	Member Willagee Bears
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

Member	Cr Phelan
Type of Interest	Interest under the code
Nature of Interest	Social club member
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

Member	Cr Pazolli
Type of Interest	Indirect Financial interest
Nature of Interest	Community member on board of Alchera Living Seniors Living
Request	Leave
Decision	Leave

At 8:48pm having declared an Interest, Cr Pazolli left the meeting.

LATE ITEM CD19/8120 - 2020-2021 COMMUNITY SPORTING AND RECREATION FACILITY FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC)

Ward	:	Palmyra-Willagee-Melville
Category	:	Strategic
Subject Index	:	Community Sport & Recreation Facilities Fund (CSRFF)
Customer Index	:	Department of Local Government, Sport and Cultural Industries (formally Department of Sport and Recreation)
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	:	2019-2020
Funding	:	\$1,496,988
Responsible Officer	:	Todd Cahoon Manager Healthy Melville

LATE ITEM CD19/8120 – 2020-2021 COMMUNITY SPORTING AND RECREATION FACILITY FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC)

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"/>	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 & 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 seeks the endorsement of:

- The priority and ranking for the 2020-2021 Standard and Forward Planning Grants as part of the Community Sport and Recreation Facility Fund facilitated by the Department of Local Government, Sport and Cultural Industries.

BACKGROUND

Each year, the Council prioritises and ranks applications for the Standard and Forward Planning Grants of the Community Sport and Recreation Facility Fund (CSRFF) that are within the City of Melville's boundary.

The Department of Local Government, Sport and Cultural Industries (formally Department of Sport and Recreation) have developed key principles of facility provision against which the allocation of funds are assessed. These principles are based on the need for a planned approach to facilities provision which takes account of justified needs, existing facilities and the social and financial impact of investing in new facilities.

LATE ITEM CD19/8120 – 2020-2021 COMMUNITY SPORTING AND RECREATION FACILITY FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC)

When ranking and prioritising, the Local Government is asked to consider the Key Principles of Facility Provision, rank in order of priority (highest priority application being ranked as 1) and rate all applications based on:

- *High - Well planned and needed by municipality.*
- *High/Medium - Well planned and needed by applicant.*
- *Medium - Needed by municipality, more planning required.*
- *Medium/Low - Needed by applicant, more planning required.*
- *Low - Idea has merit, more planning work needed.*
- *Not recommended.*

The rating is to reflect how worthwhile the project is and indicate its importance on its actual benefit to the community.

The City has identified only one application for the 2020-2021 Standard and Forward Planning Funding Round, being **Webber Reserve - Facility Upgrade and additional Change Rooms**.

Previous Council actions that inform this item

The City's 2016-2023 Infrastructure Strategy identified the City's change-rooms as having poor capacity and functionality to meet current demand. It identified an investment of an additional \$12.7 million over the next 20 years for a change-room upgrade program (average of \$635k per annum). The purpose of the project was to upgrade existing change-rooms to be fit for purpose.

This investment was based on the 2013 Building Asset Management Plan which stated:

- *A property quality standard (PQS) for change rooms has also been developed to assist in any future upgrades. This has been developed to ensure they are fit for purpose and meet the expectations of users.*
- *Facilities are prioritised based on current condition and utilisation as well as input from Community Development staff. The buildings would be jointly inspected by technical staff and users and service gaps identified against the property quality standards.*

The PQS for buildings is now known as the "Minimum Change Room Building Standards" document as describes the minimum requirements for change rooms with regard to numbers of users, privacy, accessibility, functionality, Occupational Health and Safety, and other standards.

LATE ITEM CD19/8120 – 2020-2021 COMMUNITY SPORTING AND RECREATION FACILITY FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC)**DETAIL**

The facility at Webber Reserve has a management licence held by the Willagee Bears Rugby League Club and under this agreement the WBRLC have affiliated clubs who utilise the building.

These are:

Willagee Bears Dart Club
Willagee Bears Netball Club
Kapa Haka Cultural Group
Rugby League Samoa WA
Cook Island Community
Nokelau Community
WA Maori League (WAKA)
OzTag.

There is also a summer allocation held by the Bicton Junior Cricket Club who play and train during summer on the field. The facility struggles to accommodate the cricket club due to the run down state of the change rooms and this project will be an immense benefit to this club too. The City is also investigating additional summer use at the reserve once the facilities have been improved.

Webber Reserve – Facility Upgrade and Additional Change-Rooms.

Following an inspection and prioritisation process the change-rooms at Webber Reserve are the top priority to upgrade. The change-rooms at Webber Reserve have been a City asset since 1981 and predominantly house the Willagee Bears RLFC comprising 188 junior and 92 senior players. There are a number of issues with the existing change-rooms at Webber Reserve:

- The existing layout does not meet user need e.g. internal blockwork partitions between male and female toilets are not full height
- The quality and condition of the partitions is very poor
- Open shower areas
- Fixtures and fittings are at end of life
- General change-room finishes are of poor quality
- Ongoing issues with blocked drains which indicate potentially undersized drainage to the building

The Webber Reserve – facility upgrade and additional change rooms consists of the following key elements:

- Installation of two prefabricated modular change room units to the western side of the existing building
- All necessary groundworks and connection to existing services
- Upgrade of existing change-room facilities with new fixtures, fittings and finishes
- Provision of new amenities to the existing building including:
 - Accessible facilities
 - Umpire Change room
- Upgrade to existing drainage to address the on-going blockage issue
- New finishes to existing clubroom area (i.e. to match the change-room upgrade)

These key elements were identified through consultation with Sports Club's, industry consultation, the building condition and trend analysis.

LATE ITEM CD19/8120 – 2020-2021 COMMUNITY SPORTING AND RECREATION FACILITY FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

A number of meetings and ongoing communication with Willagee Bears Rugby League Club were conducted. The Club liaised with local user groups of the facility.

A comprehensive engagement plan will be formulated as part of the project implementation and this will focus on informing the community about the project and how it may impact and benefit them. Communications will include direct mail out to local residents, on site signage, a dedicated webpage containing all project information including plans, images, timelines along with a detail 'Frequently Asked Questions' (FAQ) information sheet.

The City has also commenced the development of an 'Active Reserve Infrastructure Strategy' (ARIS) and as part of the process recently conducted an extensive engagement process with local sporting clubs, residents living near by to sporting reserves and high school students.

This identifies that priority areas for the City are change room upgrades and floodlighting.

II. OTHER AGENCIES / CONSULTANTS

- Department of Local Government, Sport and Cultural Industries;
- NRL (Rugby League) WA.

STATUTORY AND LEGAL IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The estimated expenditure for the project is \$1,496,988 and this has been allocated in the 2019/2020 Capital Works Program.

The CSRFF application is for \$411,500. If successful, any savings from the project will be returned to the Reserve account to assist in the funding of future change-room upgrade projects at the City's sporting fields.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The Corporate Business Plan 2016-2020 has detailed our organisational key priorities as including meeting the demand to provide fit for use/appropriate infrastructure into the future (in areas like buildings, paths, roads, parks).

LATE ITEM CD19/8120 – 2020-2021 COMMUNITY SPORTING AND RECREATION FACILITY FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC)

The following risks and mitigation strategies were identified:

Risk Statement	Level of Risk	Risk Mitigation Strategy
As a result of continued and further overuse of the City active reserves damage and more regular closure of sports fields occurs.	Moderate consequences which are likely, resulting in a High level of risk.	Continue to implement concept plans of active reserves to optimise field use and spread wear and tear.
Risk of increased ongoing maintenance expenses due to continued and increased overuse.	Minor consequences which are almost certain, resulting in a High level of risk.	Continue to implement concept plans of active reserves to optimise field use and spread wear and tear.
Clubroom and on field facilities are aging and not fit for purpose requiring increased maintenance costs and impacting on the ability to cater for changing demographics, e.g. women's teams.	Moderate consequences which are likely, resulting in a High level of risk.	Design and construct new club and change room facilities inline with the City's minimum change room building standards.
Poor management of the new facilities results in degradation of the asset and increased costs to the City and users.	Moderate consequences which are possible, resulting in a Medium level of risk.	Investigate and implement a suitable management model. In conjunction with Clubs, develop a detailed management plan for the asset renewal and facilities operations.

POLICY IMPLICATIONS

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

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

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

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

LATE ITEM CD19/8120 – 2020-2021 COMMUNITY SPORTING AND RECREATION FACILITY FUNDING (STANDARD AND FORWARD PLANNING GRANTS ROUND) (AMREC)**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

An alternative is for the Council to rate the application as low or not recommended. However, this would be at odds with Corporate Business Plan 2016-2020 and Council Policies. Rating the application as low or not recommended would potentially result in the application being unsuccessful for CSRFF funding impacting on the City's funding reserves.

CONCLUSION

The change rooms at Webber Reserve are in a poor condition and not to the current standards of provision.

The facility upgrades at Webber Reserve will see the much needed renewal of City assets to contemporary fit for purpose community sporting facilities that will cater for the needs of current and future generations of the Community. This aligns with the Corporate Business Plan 2016-2020 which details our organisational key priorities as including meeting the demand to provide fit for use/appropriate infrastructure into the future (in areas like buildings, paths, roads, parks).

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8120)
ABSOLUTE MAJORITY

At 8:48pm Cr Phelan moved, seconded Cr Wheatland –

That the Council:

- 1. Prioritises and rates the Community Sport and Recreation Facility Fund grant submission for The Webber Reserve – Facility Upgrade and Additional Change Rooms as follows:**
 - A. Priority 1**
 - B. Rating High**

At 8:49pm the Mayor submitted the motion, which was declared
CARRIED BY ABSOLUTE MAJORITY (11/0)

At 8:49pm Cr Pazolli returned to the meeting.

LATE ITEM P19/3825 - DEVELOPMENT ASSESSMENT PANEL APPLICATION – 15 STOREY MIXED-USE DEVELOPMENT AT LOTS 311, 800 & 801 (10, 12 & 14) FORBES ROAD AND 802, 803 & 804 (40A, 40B & 40C) KISHORN ROAD, APPLECROSS (REC) (ATTACHMENT)

**Item brought forward
See page 30**

15. EN BLOC ITEMS

At 8:49pm Cr Robartson moved, seconded Cr Robins–

That the recommendations for items M19/5707, M19/5000, C19/6000 , C19/6001, and T19/3824 be carried En Bloc.

At 8:49pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

19. CLOSURE

On behalf of the Council His Worship the Mayor thanked Cr Guy Wieland for his efforts on behalf of the community and wished him all the very best on his retirement from the Council.

There being no further business to discuss, the Mayor declared the meeting closed at 8:51pm.