



City of
Melville

AGENDA

ORDINARY MEETING OF COUNCIL

NOTICE OF MEETING

I respectfully bring to the attention of Elected Members that an Ordinary Meeting of the Council will be held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 18 March 2025 commencing at 6:30pm.

Gail Bowman
Chief Executive Officer

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

Use this link to access the [City of Melville Council Meetings YouTube channel](#) to watch the live stream or access the recordings of public Council meetings.



Vision

Vibrant, Sustainable, Inclusive Melville

Mission

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

Values

In everything we do, we seek to adhere to our values that guide our behaviour.

- **Excellence** - Striving for the best possible outcomes.
- **Participation** – Involving, collaborating and partnering.
- **Integrity** - Acting with honesty, openness and with good intent.
- **Caring** – Demonstrating empathy, kindness and genuine concern.

Our Approach

To put our customer at the centre of everything we do.



Social / Community	Environment	Built Environment	Economic	Governance
Healthy, Safe and Inclusive	Clean and Green	Sustainable and Connected Development	Vibrant and Prosperous	Good Governance and Leadership
Healthy, safe and inclusive communities with a sense of belonging and wellbeing.	A clean, green and sustainable City for current and future generations.	Sustainable, connected development and transport infrastructure across our City.	Economic prosperity and vibrant resilient communities and businesses.	Leadership and good governance for the benefit of the whole community.

Making A Deputation

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

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

Public Question Time

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

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

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Audio-Vusal Recording and Live Streaming

In accordance with the Council Policy CP-088 Live Streaming and Audio-Visual Recordings of Public Meetings of the Council, this meeting is electronically recorded and broadcast to the [City of Melville Council Meetings YouTube Channel](#). All recordings are retained as part of the City's records in accordance with the *State Records Act 2000* and the General Disposal Authority for Local Government Records. Learn more about [live streaming and audio-visual recordings of meetings](#) on the City of Melville website.

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

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

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1 OFFICIAL OPENING

2 ATTENDANCE AND APOLOGIES

In Attendance

Councillors

Ward

Officers

Apologies

On Approved Leave of Absence

Cr G Barber

Bicton - Attadale - Alfred Cove Ward

3 DECLARATIONS BY MEMBERS

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

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

4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Approved Deputations

Approved Written Submission

5 DISCLOSURE OF INTEREST

5.1 Financial or Proximity Interests

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

5.2 Disclosure of Interest That May Cause a Conflict

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

6 PUBLIC QUESTION TIME**6.1 Questions Received with Notice****6.2 Questions Received at the Meeting****6.3 Questions Taken on Notice at Previous Meeting****6.3.1 Ms C D'Costa, Booragoon**

In accordance with section 6.9(c) of the *City of Melville Local Government (Meeting Procedures) Local Law 2022*, these questions were taken on notice at the Ordinary Meeting of Council held on 18 February 2025, and responses are provided below.

Preamble

Following a failure of COM to deliver dwelling targets under regulation 67 of the Planning and Development Local Planning Scheme Regulations 2015 within the allocated five year time frame, WAPC considered the COM's own recommendations to review the LPS6 Planning scheme as a method to remedy the shortfall in residential development.

On December 23rd 2021 the City was advised it should prioritise:

- (a) The review of the density code allocations across the scheme area, where justified by the City's local planning strategy.
- (b) The outstanding structure plans, and
- (c) Investigate and pursue possible development incentives to encourage more residential development.

In relation to this matter can the City please explain for the period 2015 to 2021

Response to Preamble:

It's important to note that the City has not failed to deliver dwelling targets. The City does not have a legislative role in developing housing, it serves a strategic and regulatory function by establishing a planning framework that enables the fulfillment of prescribed State Government housing targets. Most of the housing in Australia is delivered by the private sector.

Question 1:

How this directive has impacted the City's performance against its required tree canopy levels?

Response:

The City's tree canopy cover is not a requirement, but based on current and future projections using a methodology outlined in the Urban Forest Strategy Review report. Based on aerial images and digital analysis, the tree canopy cover in the City of Melville reduced from 14% in January 2016 to 12.5% in January 2022. This is a total canopy cover which included public and private land. There are several factors contributing to the reduction of tree canopy across the City including the loss of trees on development lots but also general tree removal and tree pruning on private land as well as tree decline due to age and health.

Question 2:

What was the level of Tree Canopy Cover by the individual postcode footprints across the City of Melville in 2015 ?

Response:

The City undertook its first aerial data collection in January 2016. The results of tree canopy cover were analysed per suburb and listed below:

Suburb	Trees >3m (%)
Alfred cove	11.2
Applecross	16.7
Ardross	16.1
Attadale	13.2
Bateman	11.7
Bicton	18.3
Booragoon	13.8
Brentwood	14.3
Bull creek	14.2
Kardinya	10.7
Leeming	15.4
Melville	13.3
Mount pleasant	15.3
Murdoch	15.6
Myaree	7.7
Palmyra	12.2
Willagee	12.7
Winthrop	13.6

Question 3:

What was the tree canopy by individual postcodes across the City of Melville at the end of 2021?

Response:

The City last undertook aerial data collection in January 2022. The results of the tree canopy cover were analysed per suburb and listed below:

Ward	Canopy (>3m)
Alfred cove	8.6
Applecross	13.9
Ardross	14.2
Attadale	11.9
Bateman	9.7
Bicton	16.3
Booragoon	11.7
Brentwood	13.4
Bull creek	12.4
Kardinya	10.0
Leeming	12.9
Melville	10.7
Mount pleasant	11.9
Murdoch	17.0
Myaree	6.6
Palmyra	11.7
Willagee	11.0
Winthrop	12.9

Question 4:

What green canopy incentives were provided to which developers over the course of this period to limit tree canopy reduction?

Response:

In assessing applications for development, the City aims to retain trees on private land and provide new planting opportunities wherever possible. Notwithstanding, in some situations, retention is not always possible. Landscaping conditions related to the development and the adjacent verge can result in additional trees being planted in the area. The City's planning framework includes limited opportunities to incentivise tree retention. The current review of Local Planning Scheme No.6, ongoing review of planning for activity centres and separate investigations into a tree retention Local Planning Policy will explore expanding these opportunities to maintain and increase tree canopy.

Question 5:

What incentives were provided to ratepayers over the course of this period to limit green canopy reduction?

Response:

The City provides the opportunity for ratepayers to request a tree to be planted the verge adjoining their property if there is no tree on the verge or if they believe there is appropriate space for an additional tree to be planted.

If at the end of the winter planting season there are trees that were not planted as part of the City's planting program the trees may be offered to ratepayers to plant on private property.

The City offers an annual free plant giveaway for ratepayers to plant on the verge or within their property, noting plant numbers are limited.

Preamble to questions 6 and 7

The current LPS6 proposed rezoning adds an additional opportunity for significant Tree Canopy reduction. Based on the past reduction by postcode ...

Question 6:

What is the projected additional loss of Tree Canopy by postcode?

Response:

As part of the Urban Forest Strategy review in 2024, the City determined that if development is undertaken on all lots to their maximum potential then this could result in loss of canopy cover across the City. It can be assumed that any changes to the proposed rezoning is likely to result in a loss of tree canopy if additional lots were developed.

For further information, refer to the City's Urban Forest Strategy Review report published in the City's website.

Question 7:

What alterations have been made to the initiatives provided to both developers and ratepayers to slow the current rate of reduction of Tree Canopy?

Response:

No further initiatives have been implemented other than those highlighted in question 5.

6.3.2 Ms D Gordin, Booragoon

In accordance with section 6.9(c) of the *City of Melville Local Government (Meeting Procedures) Local Law 2022*, these questions were taken on notice at the Ordinary Meeting of Council held on 18 February 2025, and responses are provided below.

Preamble

Following a failure of COM to deliver dwelling targets under regulation 67 of the Planning and Development Local Planning Scheme Regulations 2015 within the allocated five year time frame, WAPC considered the COM's own recommendations to review the LPS6 Planning scheme as a method to remedy the shortfall in residential development.

On December 23rd 2021 the City was advised it should prioritise:

- (a) The review of the density code allocations across the scheme area, where justified by the City's local planning strategy.*
- (b) The outstanding structure plans, and*
- (c) Investigate and pursue possible development incentives to encourage more residential development.*

In relation to this matter can the City please explain for the period 2015 to 2021

Response Preamble:

It's important to note that the City has not failed to deliver dwelling targets. The City does not have a legislative role in developing housing, it serves a strategic and regulatory function by establishing a planning framework that enables the fulfillment of prescribed State Government housing targets. Most of the housing in Australia is delivered by the private sector.

Question 1:

What alteration to density allocations across the COM scheme inclusive of the Canning Bridge Precinct and outstanding structure plans were undertaken and what did this action yield as an estimated vs achieved number of new residential dwellings?

Response:

The most recent structure plans that have been reviewed or are under review within the City include Kardinya, Canning Bridge, Riseley Centre and Booragoon. Within each structure plan area, densities are the subject of the review. The alterations to density allocations vary across the structure plan areas with some not yet having been reviewed. When they are reviewed, they'll be advertised for public comment. Further information on the Canning Bridge review can be obtained from the following URL: <https://www.melvillecity.com.au/planning-and-building/local-planning-strategy,-scheme-policies-and-plans/activity-centre-and-structure-plans/canningbridgeactivitycentre>

All other density changes outside of structure plan areas have been advertised for community input and can be sourced from the following URL: <https://www.melvillecity.com.au/our-city/connect-with-us/melville-talks/community-engagements/local-planning-scheme-6-review>

The number of new dwellings currently being delivered by the market since 2011 is less than 50% of the rate required to achieve the state government dwelling targets for 2031. Some information on these targets is as follows:

Area	Targeted additional dwellings 2011-2031	2011-2025 increase
Canning Bridge (incl. under construction)	2,500	1,325
Melville City Centre (Booragoon)	900	193
Riseley Centre	300	95
Willagee	1,200	272
Murdoch (Health and Knowledge Precinct)	700	27
Melville District Centre	500	26
Canning Highway Corridor	700	Approx. 92
Other areas	4,200	Approx. 2,101
Total	11,000	4,104

Question 2:

What detailed incentives were provided to which developers and what did this action yield as an estimated vs achieved number of new residential dwellings?

Response:

Parts of the City’s planning framework, specifically within activity centres, provide opportunities for developers to propose community benefits as a proposition to justify height concessions above the heights prescribed within the planning framework.

Some of the community benefits proposed include but are not limited to community spaces, public accesses and a community library. Some concessions approved through Joint Development Assessment Panels decisions are in the magnitude of 50% and above (i.e. 15 storeys permitted in a 10-storey precinct).

Further information on the various developments, their size and description can be obtained from the following URL: <https://www.melvillecity.com.au/planning-and-building/local-planning-strategy,-scheme-policies-and-plans/activity-centre-and-structure-plans/canningbridgeactivitycentre>

Question 3:

How did these initiatives comply with the Affordable Housing Accord and what did this action yield as an estimated vs achieved number of new residential dwellings in which localities?

Response:

The various localities and development initiatives available across the City provide opportunities for the National Housing Accord to be implemented. Further information on implementation initiatives associated with the National Housing Accord can be sourced from the following URL: <https://treasury.gov.au/policy-topics/housing/accord>

It's important to note that the National Housing Accord is a framework for partnership, with specific commitments made by the federal government and state/territory governments to boost housing supply. Local governments play a role in this process, particularly around zoning, planning, and land-use reforms to support housing development, but their involvement is more about cooperation and alignment with the broader goals set by the National Housing Accord.

Question 4:

In relation to the shortfall of dwellings created between 2015 - 2021, what has the City of Melville learned using the 3 levers, Density Allocation, Modifications to Structure Plans and Developer Incentives, and what is the projected improvement in uptake in new residential dwellings in the currently targeted localised proposed LPS6 zoning?

Response:

The City's planning framework is required to address the residential infill targets set by the State Government.

These targets include:

- 10,830 additional dwellings from 2011 to 2031
- 18,480 additional dwellings from 2011 to 2050

The existing planning framework, which encompasses current Activity Centre Plans and zoning regulations, has shown the capacity to support the necessary growth to meet these dwelling targets.

However, while these planning controls theoretically allow for the achievement of the targets, progress indicates that the delivery rate is currently only about 50% of what is needed to meet the goals.

Ongoing initiatives to review Local Planning Scheme No.6 and various Activity Centre Plans are exploring strategies to accelerate dwelling delivery beyond the state-mandated targets.

Several factors contribute to the shortfall in the target delivery rate, including but not limited to:

1. Shortages in building materials and labour
2. The intentions of private landowners
3. Challenges related to land assembly and developability
4. Progress by local and state governments on major development sites within existing activity centres
5. Various financial and funding issues, including land economics

A summary of the shortfall is detailed below.

Area	Targeted additional dwellings 2011-2031	2011-2025 increase
Canning Bridge (incl. under construction)	2,500	1,325
Melville City Centre (Booragoon)	900	193
Riseley Centre	300	95
Willagee	1,200	272
Murdoch (Health and Knowledge Precinct)	700	27
Melville District Centre	500	26
Canning Highway Corridor	700	Approx. 92
Other areas	4,200	Approx. 2,101
Total	11,000	4,104

6.3.3 Mr G Botje, Booragoon

In accordance with section 6.9(c) of the *City of Melville Local Government (Meeting Procedures) Local Law 2022*, these questions were taken on notice at the Ordinary Meeting of Council held on 18 February 2025, and responses are provided below.

Preamble:

We have advised Council of our rear limestone wall concerns many times over the last year. Boundary retaining must be actioned before siteworks to ensure compliance with building approval.

The Council needs to commission, or have commissioned, a structural engineer's report ascertaining any actual / potential damage to our wall to date and advising on its rectification. The report also needs to address any impact on the integrity of our pool given the report may be relied upon in future. No work is to recommence on site pending rectification and compliance with approval conditions.

All expenses incurred for rectification works to be paid by owner of 13CW.

Question 1:

Has Council considered organising a structural report and ordering the owner to halt work until this report is delivered and/or until all rectification works are completed. If not, why not?

Response:

City officers previously attended to the premises to assess the existing limestone retaining wall and did not observe any apparent structural issues relating to the limestone retaining wall.

The City provided a response to Mr. Botjie on 15 January 2025 regarding this matter. Subsequently, Mr. Botjie requested a review of the matter on the 13 February 2025.

Following a further review, consistent to the previous advice, the City determined that should Mr Botije have further concerns regarding the structural integrity of the limestone retaining wall, a structural engineer's report will need to be submitted to substantiate the concerns and provide the information for the City to review.

The City considers this matter now closed.

Question 2:

How can this building be compliant when R Code 7.3 indicates the setback for a 7.6m high building is 7m, not 1.5m. How can we view an unbroken, continuous, monotonous 16m wide wall of steel?

Can the Council please explain in detail, exactly how this building complies with the relevant Local and State Planning Policies and R Codes: LPP1.1 Public Consultation and LPP1.10 Amenity / LPP3.1 Residential Development, Amenity, whereby any new development is not to impact or be detrimental to the amenity of existing residents and R Code 7.3 Building Setback?

Response:**Compliance of Dwelling's Northern Setbacks with the Residential Design Codes of Western Australia**

The *Residential Design Codes of Western Australia* (R-Codes) stipulate that all buildings must be setback from a shared lot boundary in accordance with Section 5.1.3 – Lot Boundary Setbacks. This section of the R-Codes includes Table 2a (Boundary Setbacks – walls with no major openings) and Table 2b (Boundary Setbacks – walls with major openings), which provide detailed setback requirements for walls based on the following criteria:

- Wall height
- Wall length
- Presence of a major opening

The final development plans, approved under building application BA-2023-891, include two walls: one on the ground floor and one on the first floor, which require assessment against R-Code 5.1.3. These walls are not considered to have “major openings” as each window has a sill height of at least 1.6 meters above the finished floor level (FFL) of the dwelling (see Figure 1). Therefore, they

do not meet the definition of a “major opening” as outlined in the R-Codes. As a result, Table 2a is the appropriate reference for calculating the required setback for each wall.

Please refer to Figure 1 below, which outlines how the dimensions of each wall have been calculated. In accordance with Table 2a, the following setback requirements are applicable for each wall:

R-Codes Table 2a Assessment – 13 Canna Way Northern Walls						
Section	Major Opening Y/N	Measurements		Req. Setback	Prop. Setback	Complies Y/N
		Length	Height			
Ground Floor						
Store to Bed 2	No	14.5m	4m	1.5m	1.5m	Yes
First Floor						
Bed 4 to Ensuite	No	7.3m	6.4m	1.2m	5.8m	Yes

As demonstrated in the table above, the setbacks of the dwelling at 13CW to the northern lot boundary meet the deemed-to-comply criteria of the R-Codes and are wholly supportable.

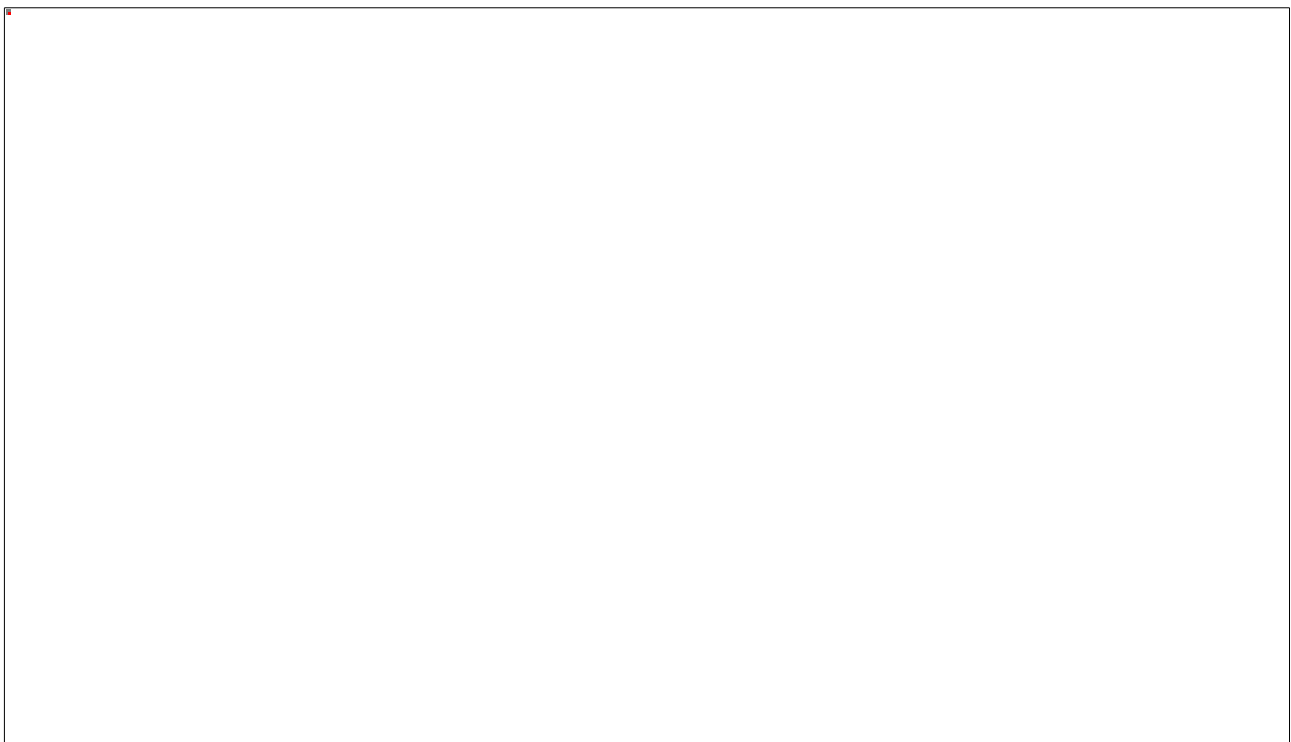


Figure 1: BA-2023-891 setback calculation working drawings

Advertising of the Development Application under Local Planning Policy 1.1 – Planning Processes and Decision Making

Local Planning Policy 1.1 – Planning Processes and Decision Making stipulates the requirements for the assessment and advertising processes relating to the assessment of applications for development approval and related matters. Clause 3.3 of LPP1.1 outlines that advertising is required for development applications, where the deemed-to-comply criteria are not met for the following R-Code sections;

- Clause 5.1.3 Lot boundary setback;
- Clause 5.1.6 Building height;
- Clause 5.3.7 Site works;
- Clause 5.4.1 Visual privacy; and
- Clause 5.4.2 Solar access for adjoining sites

The plans submitted for the approved development application on this lot (DA-2022-339) were entirely consistent with the deemed-to-comply criteria of R-Code 5.1.3 – Lot Boundary Setbacks to the dwellings northern lot boundary (shared boundary with 11 Glencoe Road). Accordingly, the setback of the dwelling to its northern (rear) boundary was not required to be advertised to 11GR under the provisions of LPP1.1.

The City notes that minor modifications were made to the approved DA plans when an application for a building permit was made to the City (BA-2023-891). As discussed above, the setback to the northern lot boundary proposed under BA-2023-891 is consistent with the deemed-to-comply criteria of the R-Codes, so no amended planning approval or other advertising was required by the City for these modifications.

City of Melville Local Planning Policy 1.10 – Amenity

City of Melville Local Planning Policy 1.10 – Amenity cites that when dealing with Development Applications, the assessment undertaken must have regard to the potential amenity impacts that may result from the development proposed. When reviewing residential developments, the Design Principles and the Element Objectives cited throughout the R-Codes promote the need to consider amenity in relation to the impacts that may result from development.

Clause 1.1 of LPP 1.10 states that where a proposal does not satisfy the provisions of LPS6, Local Planning Policies, the Deemed-to-Comply provisions or Acceptable Outcomes of the R-Codes, the decision maker is required to exercise judgement in undertaking a performance assessment to determine whether the proposal is acceptable taking into account the objectives and provisions of LPS6, the objectives and provisions of R-Codes, the objectives and provisions of Council policies and orderly and proper planning. In this instance, the dwelling's setback from the northern lot boundary meets the deemed-to-comply requirements of R-Code 5.1.3 (as discussed above), so the setback of the dwelling is considered to have minimal amenity impact. As the rear setback meets the deemed-to-comply criteria of the R-Codes, no discretion is required to approve this element of the dwellings design and an amenity impact statement was not necessary, or appropriate to request for this element during any stage of the approval process.

Question 3:

Council advised there are no National Construction Code (NCC) restrictions on types of external building cladding materials, colour choices & their reflectivity for residential buildings, such as in our situation.

If Council is aware that the NCC standard is deficient on the use of materials (corrugated iron and zincalume), colour choices and reflectivity, why hasn't the Council been proactive and implemented a Local Planning Policy to ban their use rather than trying to sort out issues when affected neighbours complain?

Response:

The NCC does not incorporate or impose any restrictions on the types or colour of external building cladding used.

The City does not have planning policies contradict the R-Codes in relation to materiality and do not have method/expertise to measure reflectivity under the planning framework.

6.3.4 Ms K Thomson, Booragoon

In accordance with section 6.9(c) of the *City of Melville Local Government (Meeting Procedures) Local Law 2022*, these questions were taken on notice at the Ordinary Meeting of Council held on 18 February 2025, and responses are provided below.

Preamble to Questions 1 to 2:

900 new dwellings are anticipated for the Booragoon Secondary Centre area by 2031.

Question 1

How many new dwellings have been built in this area to date?

Response:

Between 2011 and 2025, 193 new dwellings have been constructed within the Booragoon Activity Centre boundary.

Question 2

What is the projected target of new dwellings expected to be achieved by rezoning the Booragoon and Ardross areas? Please provide a quantitative number.

Response:

Estimated dwelling yields associated with the preliminary proposals in the Local Planning Scheme No.6 review for Booragoon and Ardross for delivery of dwellings over 20 years (from adoption of the new density) is estimated at between 518 and 1,221 dwellings, depending on the mix between apartments, townhouses and single dwellings.

Preamble to Question 3:

CoM have achieved 50% of goal of 11,000 new dwellings by 2031. One reason for 50% is due to slow subdividing uptake.

Question 3

After feedback received re the proposed LPS6 rezoning do you still believe Booragoon and Ardross will significantly contribute towards reaching infill targets in the BSC area?

Response:

Growth resulting from any changes to the zonings in surrounding Booragoon and Ardross is separate to the Booragoon Centre allocations. Local Planning Scheme No.6 changes in the vicinity of the Booragoon centre are however aimed at contributing to the wider opportunity for additional dwellings.

Notwithstanding the above, several factors contribute to the shortfall in the target delivery rate, including but not limited to:

1. Shortages in building materials and labour
2. The intentions of private landowners
3. Challenges related to land assembly and developability
4. Progress by local and state governments on major development sites within existing activity centres
5. Various financial and funding issues, including land economics

6.3.5 Ms A Field, Booragoon

In accordance with section 6.9(c) of the *City of Melville Local Government (Meeting Procedures) Local Law 2022*, these questions were taken on notice at the Ordinary Meeting of Council held on 18 February 2025, and responses are provided below.

Preamble to Questions 1 to 2:

The current infill plan will significantly reduce our valuable green canopy.

Despite very high-density housing, Singapore has nearly 50% green cover.

Significant green coverage/corridors

- *Soften the look of the buildings*
- *Insulate against urban noise*
- *Provides important habitat for our native wildlife*
- *Reduce temperatures*
- *Improve air quality*

Although harder to implement, why don't Melville planners:

Question 1:

Adopt planning practices from countries who do high density housing well?

Response:

The City in preparing and reviewing its planning framework draws on examples locally, nationally and internationally.

Question 2:

Instead of the current infill plan, why can't we have high-density buildings that blend into our suburbs and are built using 'green building practices' ?

Response:

The City's Design Review Panel considers green building practices as part of its assessment of major development applications, many of which are for high-density buildings.

7 AWARDS AND PRESENTATIONS

8 APPLICATIONS FOR NEW LEAVE OF ABSENCE

9 CONFIRMATION OF MINUTES

9.1 Ordinary Meeting Of The Council – 18 February 2025

That the minutes of the Ordinary Council Meeting held on 18 February 2025 be confirmed as a true and accurate record.

9.2 Ordinary Meeting Of The Audit, Risk, and Improvement Committee – 10 March 2025

That the minutes of the Ordinary Audit, Risk, and Improvement Committee Meeting held on 10 March 2025 be noted.

10 NEW BUSINESS OF AN URGENT NATURE

11 IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

12 PETITIONS

Nil.

13 ADOPTION OF RECOMMENDATIONS EN BLOC

14 REPORTS

14.1 Reports from Committees

Nil.

14.2 Reports of the Chief Executive Officer

Management Services

M25/47 Perth South West Metropolitan Alliance - Memorandum of Understanding

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	1. Governance Charter and Memorandum of Understanding 2025-26 to 2030-2031 ↓

COUNCIL'S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> The City has been a member of the Perth South West Metropolitan Alliance (Alliance), formally the South West Group) since 1985. At the 21 November 2023 Ordinary Meeting of Council the Council resolved to appoint the Mayor and the CEO as the City's representatives to the Alliance for the 2023 -2025 period. The current Memorandum of Understanding (MoU) concludes 30 June 2025. The Alliance has drafted a new six-year MoU for the member Council's to consider.

OFFICER RECOMMENDATION

That the Council:

- Authorises the Mayor and Chief Executive Officer to sign the Perth South West Metropolitan Alliance Corporate Governance Charter which includes a Memorandum of Understanding for the period 2025–2026 to 2030-2031 and**
- Appoints the Mayor and the CEO to the Perth South West Metropolitan Alliance Board for the period of Memorandum of Understanding.**

PURPOSE

The Alliance has reviewed the Memorandum of Understanding (MoU) and this report presents the updated Governance Charter and MoU to the Council for consideration and adoption of the MoU.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
	3	Sustainable, connected development and transport infrastructure across our City.
	4	Economic prosperity and vibrant resilient communities and businesses.

Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	3	Sustainable and Connected Development
	3.2	Deliver sustainable and well-planned infrastructure and public places and spaces.
	3.3	Plan for urban growth and local commercial activity centres.
	4	Vibrant and Prosperous
	4.3	Attract investment in strategic locations.
	4.2	Increase awareness of Melville as a tourism and eco-tourism destination.

BACKGROUND

The Alliance, formerly the South West Group (SWG), was established in November 1983 as Western Australia’s first Voluntary Regional Organisation of Councils (VROC). The VROC, comprising of the Cities of Fremantle, Cockburn, Rockingham and the Town of East Fremantle and the then Town of Kwinana, was developed to tackle unemployment, economic decline and community service needs. The City of Melville joined the group in 1985.

The initial focus was on employment and community development with some transport and industry development activity. In the early 1990’s the focus shifted with the preparation of a five year Economic Development Plan and involvement in waste management.

Transport also became a significant issue with the SWG lobbying for the extension of the Kwinana Freeway, the Perth Freight Link, Light Rail, Heavy Rail and regional road funding.

There are many projects that the alliance has been involved with that have been beneficial both in an economic and social sense for the region. Recent activities and involvement of the alliance have been:

- Regional Tourism planning in cooperation with Destination WA,
- Regional Economic Development Forecasting and Planning,
- Successful advocacy regarding Kwinana Freeway widening
- Natural Resource Management projects: Owl friendly, Regional Trails Master planning, and Fox monitoring
- Ongoing work to support Turtle Tracker,
- Continued advocacy for mid-tier transport across the region
- Blue Economy- Coastal and foreshore erosion advocacy strategies and identification of economic development opportunities for Coastal and Riverine areas
- Building Social Licence Report,
- US Delegation Report,
- Completion of Lazy Land Audit,
- Net Zero Workshops and Carbon Compliance reporting research

- Adoption of Regional Advocacy Priorities and Documentation,
- Concept Plan of Catalpa Bike Plan and investigation into River Bike Path gaps,
- Secured changes to the *Australian Naval Nuclear Power Safety Bill*,
- Submissions to State and Federal Government committees,
- Hosted the Federal Public Works Committee,
- Facilitated meetings with the Deputy Prime Minister, Premier, Leader of the Opposition, Leader of the Liberal Party,
- Arranged Three-tiers of Government meeting for AUKUS,
- Supported the work to standardise Industrial Area Planning arrangements on the Western Trade Coast,
- Engaged in development of Future of Fremantle Study,
- Represented the region of committees related to ESG and Social Licence for Westport and AUKUS,
- In the past year over 100 separate engagements with businesses or government departments wanting more information on the region,
- Completed review and adoption of updated Strategic Plan,
- Reviewed the Alliance Governance Agreement and MOU,
- Ongoing Management of the Alliance (Administrative Requirements).

Major Government projects such as AUKUS, Westport, the Future of Fremantle and the Western Trade Coast, and the Women and Babies Hospital, position the region for unprecedented economic investment and population growth. The challenges and opportunities associated with these developments are best managed through regional collaboration rather than a purely localised approach to economic and social uplift.

The Alliance website <https://www.perthsouthwest.com.au/> advises of the activities and latest reports which includes the:

- *Insights from Perth South West US Delegation* and
- *Building Defence Social License* Report.

The current Memorandum of Understanding (MOU) for the Alliance will expire on 30 June 2025. Established 41 years ago, the Alliance has continually supported the collaboration and coordination of regional initiatives, playing a vital role in advancing shared goals and supporting economic growth across the region.

Given the increasing prominence of the region in Perth's economic landscape, there remains a strong case for the Alliance to exist and continue its work.

This report presents a copy of the updated Governance Charter and MoU. Which were endorsed by the Board at its December 2024 meeting.

The alliance has advised that:

“The agreement remains largely consistent with the previous version, with the following key updates:

References to the South West Group have been replaced with the Perth South West Metropolitan Alliance.

The agreement term has been extended from five years to six years, allowing each council to chair the Alliance at least once within the term.

The prescribed post-council reimbursements have been adjusted to a flat 5% of income to account for inflation.

Provisions covering conflicts of interest and disclosures have been removed, recognising that the Alliance Board and staff are already bound by the Local Government Act.”

CONSIDERATION

By committing to the MoU the member Councils agree to:

- A. Financially support the Alliance for the period 1 July 2025 to 30 June 2031,
- B. Actively participate in the Alliance Board, related committees, delegations and event,
- C. Consider issues and projects according to their regional impacts,
- D. Work cooperatively with member Council in promoting the growth and development of the South West Metropolitan Region and in the delivery of local government services.
- E. Where reasonable, allocate resources to support the activities of the Alliance.

The Chair of the Alliance Board and the CEO Forum Chair are rotated annual with the terms commencing on the 1 January each year.

The Mayor and CEO are the Cities representatives on the Alliance with the City's Mayor scheduled to be the Deputy Chair in 2029 and the Chair in 2023. The CEO is scheduled to be the Deputy Chair of the CEO Forum in 2029 and the Chair in 2030.

A copy of the December 2024 Corporate Governance Charter, which includes the Code of Conduct and the 2025/26 to 2030/31 Memorandum of Understanding is attached to this report.

ENGAGEMENT

A presentation was made by Mr Warwick Carter, Director of the alliance to the alliance to the Council at an Elected member Engagement Session on 25 February 2025, where the projects, charter and MoU were presented.

Member Councils have considered and agreed the MoU. No other external engagement in relation to this item has been undertaken.

SUSTAINABILITY IMPLICATIONS

The challenges and opportunities associated with the projects and initiatives are best managed through regional collaboration rather than a purely localised approach to economic and social uplift. The City of Melville has taken a lead role as a best practice Council in areas such as Tree Canopy research, Climate Action and responding to Polyphagus Shot Hole Borer (PSHB) management.

LEGISLATIVE AND POLICY ALIGNMENT

There are no statutory or legal implications beyond those arising from signing the MoU.

FINANCIAL IMPLICATIONS

The formula applied that is used to levy member Councils is advised in the MoU, with an example provided. The City's contribution for the 2023-2024 year was \$101,539 and the contribution for 2024-2025 will be \$100,368.

A budget amendment is presented to the Council in Item C25/246 Statements of Financial Activity for January 2025, for funding of the 2024-2025 contribution which is already a commitment in the current MOU.

Funding for any planned projects is based on the percentage contribution of each Council.

CONSEQUENCE

Committing to the MoU continues the City's association and involvement in the group and ensures continuity of effective operations of the alliance and its projects and activities.

Not being involved in the alliance is considered to be detrimental to the development and advancement of the City and the region.

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

Corporate Services

C25/245 Investment Statements for January 2025

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

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <p>This report presents the investment statements for the period ending 31 January 2025 and recommends that it be noted by the Council.</p>

OFFICER RECOMMENDATION

That the Council notes the Investment Report for the period ending 31 January 2025.

PURPOSE

To report on the performance of the City’s investment portfolio for the month of January 2025.

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 4.89% to 5.06% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 4.33%.

22% of the City’s investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 24% in December 2024.

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

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.

BACKGROUND

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

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

CONSIDERATION

The following statement details the investments held by the City of Melville as at 31 January 2025.

(Table 1)

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 JANUARY 2025		
SUMMARY BY FUND		
Municipal		\$41,252,710
Reserve		\$146,651,723
Trust		\$-
Citizen Relief		\$248,191
TOTAL		\$188,152,624
SUMMARY BY INVESTMENT TYPE		
11AM		\$11,311,971
31Days at Call		\$-
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$158,240,653
TOTAL		\$188,152,624
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$148,552,624
A Category (A+ to A-)	A+	
	A	
	A-	
BBB+ Category	BBB+	\$39,600,000
TOTAL		\$188,152,624

The City’s total investments amount to \$188.15 million, being Municipal Funds (\$41.25M) and Reserve Funds (\$146.65M), which are restricted to the defined purpose for which the reserve account was established.

Key Points

- Most of the funds (\$158.24M) are in Term Deposits, ensuring secure and stable returns.
- Short-term investments include 11AM accounts (\$11.31M) which this account is a money market deposit that allows the City to access funds for daily financial needs if notice is given before 11 AM and call deposits have (\$18.6M). These funds allow the City to meet financial obligations, including suppliers’ payment and other debt repayments, without disruptions to its services.
- The portfolio is low-risk, with 79% of funds in AA- rated institutions and 21% in BBB+ rated institutions.
- There are no investments in AAA-rated institutions and all the investments are undertaken in accordance with Council investment Policy CP-009.

Overall, the City’s investments remain secure, well-distributed, and aligned with financial stability goals.

Exposure to an individual institution is limited according to Council policy and in January 2025 the investments were within the acceptable limits.

(Table 2)

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
ANZ	AA-	AA Category	\$ -	0.00%	50.00%	✓
AMP	BBB+	BBB+ Category	\$ -	0.00%	20.00%	✓
Bankwest	AA-	AA Category	\$ -	0.00%	50.00%	✓
Bank of Queensland	BBB+	BBB+ Category	\$ 23,600,000	12.54%	20.00%	✓
ING Bank	A-	A Category	\$ -	0.00%	30.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 16,000,000	8.50%	20.00%	✓
CBA	AA-	AA Category	\$ -	0.00%	50.00%	✓
Macquarie	A+	A Category	\$ -	0.00%	30.00%	✓
NAB	AA-	AA Category	\$ 33,711,064	17.92%	50.00%	✓
St George	AA-	AA Category	\$ -	0.00%	50.00%	✓
Suncorp	AA-	A Category	\$ 26,000,000	13.82%	30.00%	✓
Westpac	AA-	AA Category	\$ 88,841,560	47.22%	50.00%	✓
TOTAL			\$ 188,152,624	100%		

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

The City’s investments were invested within the limits allowed within each category rating for January 2025.

(Table 3.)

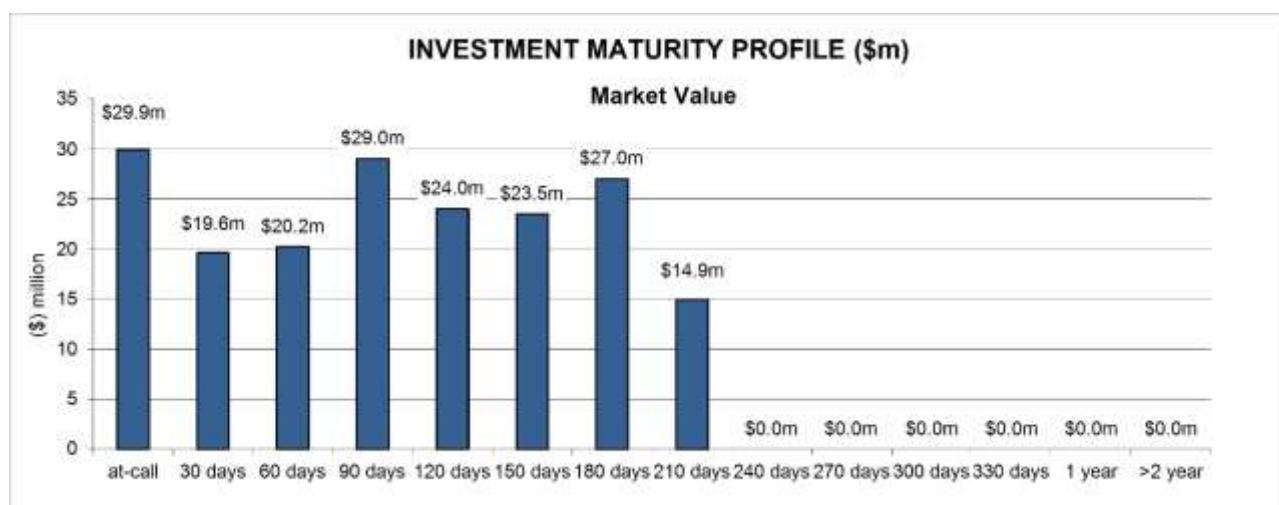
Maximum Percentage of Average Investment Portfolio Balance				
Long Term Rating	Funds held at period end \$	Actual %	Limit Per Policy	
AAA Category	\$ -	0%	100%	✓
AA Category (AA+ to AA-)	\$ 148,552,624	79%	80%	✓
A Category (A+ to A-)	\$ -	0%	50%	✓
BBB+ Category	\$ 39,600,000	21%	25%	✓
TOTAL	\$ 188,152,624	100%		

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

The below graph summarises the maturity profile of the City's investments at market value as at 31 January 2025. Note the "at call" total below is the combination of 11AM and at call deposits as shown in **Table 1** above (Summary by Investment Type).

The immediacy of the demand for funds depends on the particular fund or reserve Account(s) of the City.

(Graph 1.)



The City's current investment approach prioritises short-term liquidity to meet operational needs and unforeseen expenses rather than focusing on long-term yield opportunities.

The maturity profile provided in the table above (**Graph 1.**) meets the liquidity requirements of the Council policy. A significant portion of funds (\$29.9M) is available for immediate use, ensuring sufficient liquidity for day-to-day operations. This allows the City to meet financial obligations, including suppliers' payment and other debt repayments, without disruptions to its services.

Investments are well-distributed across various short- to medium-term maturities, with notable allocations in 30 days (\$19.6M) 90 days (\$29M), 120 days (\$24M), 150 days (\$23.5M), and 180 days (\$27M). This structured approach ensures financial stability while balancing liquidity needs and optimising returns. As per the estimated average cash outflow requirement of the City is between \$13 to \$16M per month.

The portfolio allocation decreases significantly beyond 180 days, with only \$14.9M maturing at 210 days and no funds allocated beyond 210 days. There are no long-term investments exceeding one year, as the City's investment strategy aligns with its annual revenue cycle, primarily driven by rate collections.

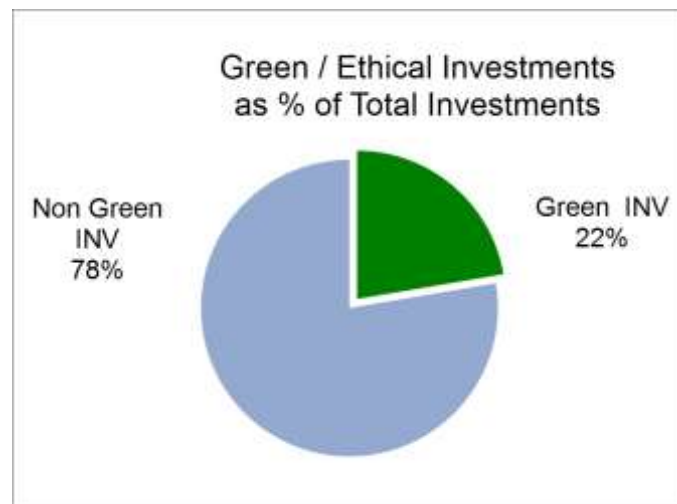
Additionally, the City maintains a balanced risk exposure, diversifying investments within shorter timeframes to mitigate financial and interest rate risks.

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

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

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

The total investment in authorised institutions as at 31 January 2025 was \$42,000,000 or 22% of total investment holdings being in non-fossil fuels institutions, compared to \$45,200,000 (24%) in December 2024. The total investments holding for January and December were \$188,152,624 and \$189,228,810 respectively.



(Table 4.)

Green / Ethical Investment with financial institutions			
Institution	Credit Rating	Credit Rating Category	Funds held at period end
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 16,000,000
Suncorp	A+	A Category	\$ 26,000,000

TOTAL	\$ 42,000,000
--------------	----------------------

The Green investments are allocated across the two banks mentioned above (Table 4.), in alignment with the Council's credit rating policy.

The City continues active discussions with financial institutions in relation to the availability of ESGTD products. Westpac is in the process of developing a new "green" investment product however no commitment has been made regarding timing. Additionally, the City has held formal discussions with CBA and NAB to explore ESGTD and Green Term Deposit options. Currently, both banks are in the development phase of these products. At this time, there are currently no other ESGTD products available in the market that meet the City's Investment Policy requirements.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

Strategic

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

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

Risk

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

Environmental

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

LEGISLATIVE AND POLICY ALIGNMENT

The following legislation is relevant to this report:

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

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

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

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

FINANCIAL IMPLICATIONS

For the period ending 31 January 2025, year to date investment earnings, on term deposits held in reserve accounts, money at call accounts and the municipal account in aggregate, was \$4,410,568, against a year-to-date budget of \$5,603,354 representing a negative variance of \$1,192,786 mainly due to the current downward trend in interest rates both locally and internationally. This will be corrected in mid-year budget review in February 2025.

The weighted average interest rate for investments as at 31 January 2025 was 5.06% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 4.33%.

CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

C25/250 Schedule of Accounts Paid for January 2025

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	<ol style="list-style-type: none"> Payment Details January 2025 ↓ Card Payment Details January 2025 ↓

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <ul style="list-style-type: none"> This report presents the details of payments made under delegated authority (DA-035) to suppliers for the period of January 2025 and recommends that the Schedule of Accounts Paid be noted.
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OFFICER RECOMMENDATION

That the Council notes the Schedule of Accounts paid for the period January 2025 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in the attachments to this report; Payment Details January 2025 (Attachment 1) and Card Payment Details January 2025 (Attachment 2).

PURPOSE

The Schedule of Payments for the month totals \$32,558,086.72 The report and the attached Schedule of Accounts Paid are presented for the Council’s information.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.

BACKGROUND

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

A total of \$9,463,149.70 direct creditor payments were paid during the month, of which, 16% of payments were paid to suppliers located within the City of Melville and 23% to suppliers within the South West Metropolitan Region, compared to 16% and 33% of total of \$11,412,384.32 direct creditor payments made over December 2024 respectively.

The biggest payment of \$1,201,146.16 made during the month was Regulatory fees and government charges - Emergency Services Levy Fee payment to the Department of Fire and Emergency Services. Approximately 95% of supplier invoices are paid within 30 days of receipt of the invoices.

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

CONSIDERATION

The Schedule of Accounts Paid for January including Payment Register numbers, Cheques: 871-872, Electronic Funds Transfers batches: 938-943, Trust Payments, Card Payments and Payroll will be distributed to the Elected Members of the Council on 18 March 2025.

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

SCHEDULE OF PAYMENTS MADE		
JANUARY 2025		
<i>Payments made under Delegated Authority DA-035</i>		
MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS		
<i>Cheques</i>	Chq Payment Register No. 871 and 872	\$162.15
	Chq Payment on Restricted Funds Register No.	
	Less Cancelled Chqs	
<i>Electronic Funds Transfers</i>	EFT Payment Register No. 939, 941 and 943	\$9,109,035.80
	EFT Payment on Restricted Funds Register No. 938, 940, 942, 151 and 152	\$212,521.18
	Less Cancelled EFTs	(\$950.00)
		\$9,320,769.13
<i>Direct Debits</i>	Bank Fees	\$25,648.56
	Ampol Fuel	\$108,642.39
<i>Direct Payments</i>		\$8,089.62
	Total Direct Creditor Payments	\$9,463,149.70
<i>Payroll</i>	Total Pay 14, 15 and 16	\$7,107,600.80
	Total Payroll	\$7,107,600.80
<i>Cards</i>	Westpac Purchase Cards	\$74,982.41
	Total Card Payments	\$74,982.41
	Total Direct Creditor Payments from Municipal Account	\$16,645,732.91

Schedule of Payments Made continued.

INTERFUND & INVESTMENT TRANSACTIONS		
<i>Interfund Transfers</i>		
Loan		\$0.00
Citizen Relief Trust		\$0.00
Citizen Relief Operating		\$0.00
Municipal		(\$7,487,646.19)
Reserve		\$7,487,646.19
Trust		\$0.00
Total Interfund Transfers		\$0.00
<i>New Municipal Investments</i>		
Westpac Bank	31/01/2025	\$2,300,000.00
Westpac Bank	24/01/2025	\$1,200,000.00
Westpac Bank	21/01/2025	\$3,000,000.00
NAB	15/01/2025	\$12,353.81
Bendigo	10/01/2025	\$1,800,000.00
BOQ	7/01/2025	\$1,000,000.00
Westpac Bank	6/01/2025	\$2,000,000.00
Westpac Bank	3/01/2025	\$2,000,000.00
Westpac Bank	2/01/2025	\$2,600,000.00
Total New Investments		\$15,912,353.81
Grand Total		\$32,558,086.72

Details of the payments are shown in Attachment 1.

Any payment over and above \$25,000 has been highlighted under the Payment Amount column in Attachment 1.

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

The list of payments made using purchase cards during December 2024 and settled in January 2025 is provided as an attachment to this report.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

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

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

The *Local Government (Financial Management) Regulations 1996* Regulation 13A was recently introduced to prescribe reporting for payments made by employees via purchasing cards. As with other payments, the local government must report payee name, amount date and sufficient information to identify the payment. The attached payment listings meet this requirement.

FINANCIAL IMPLICATIONS

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

CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

C25/246 Statements of Financial Activity for January 2025

File Number:	
Responsible Officer:	Director Corporate Services
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	<ol style="list-style-type: none"> 1. Statement of Financial Activity January 2025 ↓ 2. Statement of Comprehensive Income January 2025 ↓ 3. Net Working Capital January 2025 ↓ 4. Reconciliation Net Working Capital January 2025 ↓ 5. Notes to Statement of Financial Activity January 2025 ↓ 6. Statement of Financial Position January 2025 ↓ 7. Summary Rate Debtors January 2025 ↓ 8. Rates Collections Graph January 2025 ↓ 9. General Debtors Aged 90 Days January 2025 ↓ 10. Proposed Budget Amendments March 2025 ↓

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> • This report presents the Statements of Financial Activity, Statement of Comprehensive Income and Statement of Financial Position for the period ending 31 January 2025 and recommends that they be noted by the Council; and • Presents the variances for the month of January 2025 and recommends that they be noted by the Council; and • Presents the Budget amendment schedule required for the month of February 2025 and recommends that it be adopted by Absolute Majority decision of the Council.
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OFFICER RECOMMENDATION

That the Council

1. **Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 31 January 2025 as detailed in the following attachments:**
 - **Statement of Financial Activity January 2025 (Attachment 1); and**
 - **Statement of Comprehensive Income January 2025 (Attachment 2); and**
 - **Net Working Capital January 2025 (Attachment 3); and**
 - **Reconciliation Net Working Capital January 2025 (Attachment 4); and**
 - **Notes to Statement of Financial Activity January 2025 (Attachment 5); and**
 - **Statement of Financial Position January 2025 (Attachment 6); and**
 - **Summary Rate Debtors January 2025 (Attachment 7); and**
 - **Rates Collections Graph January 2025 (Attachment 8); and**
 - **General Debtors Aged 90 Days January 2025 (Attachment 9).**
2. **By Absolute Majority decision adopts the budget amendment schedule as detailed in the attached Budget Amendment Report (Attachment 10).**

PURPOSE

The attached financial reports reflect a positive financial position of the City of Melville as at 31 January 2025.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.

BACKGROUND

The Statements of Financial Activity for the period ending 31 January 2025 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

Overall Summary of the City’s Financial Position

- The City’s total investments holding for January 2025 were \$ 188.15m of which the Municipal cash balance at the end of the month was \$41.25m and \$146.65m was held in reserve accounts, which are restricted to the defined purpose for which the reserve account was established.
- Investment earnings on term deposits were \$4.41m against a year-to-date budget of \$5.60m representing a negative variance of \$1.19m mainly due to the current downward trend in interest rates both locally and internationally.

- The investment in green/ethical term deposits as at 31 January 2025 was \$42m or 22% of total investment holdings, compared to \$45.2m (24%) in December 2024. Green/Ethical investments are invested in the three banks, in accordance with the council credit rating policy.
- Rates raised as at January were \$108.92m, compared to a year to date budget of \$107.48m.
- Total debtor collections for January 2025 equalled \$8.2m. The Rates collection target was 82.6% and the actual collection is tracking slightly higher at 83.3%, compared to 82.7% for the same period in 2023-2024. The total outstanding debtors (including all rates and sundry debtors) is \$26.8m as of 31 January 2025.
- The Finance team, in addition to regular financial management and reporting tasks, is currently undertaking three important processes such as the Mid-Year Budget Review for 2024-2025, the Credit & Purchasing Card Performance Audit conducted by the Office of the Auditor General (OAG) and preparations for the Three-Year Financial Management Review, which assesses the appropriateness and effectiveness of financial management systems and procedures, as well as the Regulation 17 Internal Audit, which evaluates the adequacy of the local government's systems and procedures in relation to risk management, internal control, and legislative compliance.

CONSIDERATION

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

1. Statement of Financial Activity
Provides details on the various categories of income and expenditure.
2. Statement of Comprehensive Income
Provides details on the Nature classifications.
3. Statement of Financial Position
Provides details on the Financial Position.

Variances

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

- Statement of Financial Activity January 2025 (Attachment 1); and
- Statement of Financial Position January 2025 (Attachment 6): Statement of Variances in Excess of \$100,000.

Revenue

Rates raised as at January were \$108,917,022, compared to a year to date budget of \$107,482,032.

Rates Collection

SUMMARY OF RATE DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	5,425,866	5,425,866	0%	4,487,816	21%
Debtors Raised	133,626,549	132,161,972	1%	126,137,858	6%
Payments Received	(113,124,907)	(105,047,728)	8%	(107,865,318)	5%
Closing Balance	25,927,508	32,540,110	-20%	22,760,357	14%

Total rate debtor collections for the month equalled \$8,272,2160.

Sundry Debtor Movement

SUMMARY OF SUNDRY DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	565,184	565,184	0%	901,439	-37%
Invoices Raised	2,762,352	2,231,120	24%	3,630,355	-24%
Receipts	(2,434,066)	(2,239,029)	9%	(3,769,362)	-35%
Prepayments	(19,685)	(8,816)	123%	4,742	-515%
Closing Balance	873,786	548,459	59%	767,174	14%

Sundry debtor balances increased by \$325,327 over the course of January from \$548,459 to \$873,786 of which total 90-day sundry debtors for the month is \$427,104, representing 49% of total sundry debtors.

Corporate Climate Action Plan

A summary of the expenditure associated with the City’s climate action plan initiatives, compared to a year-to-date budget, is provided below. These costs encompass various activities aimed at reducing our carbon footprint and promoting sustainable practices across the City.

Description	YTD Actuals 2024-2025	YTD Budget 2024-2025	Actual 2023-2024
Sustainability & Climate Action Salaries	303,652	280,060	465,621
Electric Vehicles	175,540	162,602	36,192
Corporate Emissions Monitoring & Management	30,346	30,000	0
Micro Grid Project	0	0	26,795
Sustainability Initiatives	54,132	57,000	121,125
Piney Lakes Environmental Education Centre Refurb (new)	8,489	8,500	0
Total	572,159	538,162	649,733

Money Expended in an Emergency and Unbudgeted Expenditure

There was no money expended in an emergency or unbudgeted expenditure for the month of January 2025.

Budget Amendment

The City has an ongoing commitment to the Perth South West Metropolitan Alliance. The financial commitment required from the City for the 2024-2025 financial year is \$100,000. A budget amendment is required to meet this commitment and will be funded from the City's Rates Equalisation and Contingency Reserve.

Granting of concession or writing off debts owed to the City

Delegation DA-032 empowers the Chief Executive Officer (CEO) to grant concessions and write off monies owing to the City to a limit of \$10,000 for any one item. The CEO has partially on-delegated this to the Directors to write off debts or grant concessions to a value of \$5,000 and the Manager Financial Services to a value of \$1,000.

Sundry Debtors

There were no sundry debts written off for the month of January 2025

Rate Debtors

There were no rate debts written off for the month of January 2025.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

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

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

34. Financial activity statement report — s. 6.4

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

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

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

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

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

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

(4) A statement of financial activity, and the accompanying documents referred to in 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 \$100,000 whichever is greater.

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

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

FINANCIAL IMPLICATIONS

Variances

Variances are detailed and explained in the attachment Notes to Statement of Financial Activity January 2025 (Attachment 5): Notes on Statement of Variances in excess of \$100,000.

CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

C25/247 Common Seal March 2025

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

COUNCIL’S ROLE

Information: For the Council / Committee to note.

<p>SUMMARY</p> <p>This report details the documents to which the City of Melville Common Seal has been applied for the period from Tuesday, 21 January 2025 up to and including Monday, 17 February 2025 for the Council’s noting. This is a standing report to the Council.</p>

OFFICER RECOMMENDATION

That the Council notes the actions of the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from Tuesday, 21 January 2025 up to and including Monday, 17 February 2025 for the Council’s noting.

PURPOSE

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

The following documents were affixed with common seal during the period Tuesday, 21 January 2025 up to and including Monday, 17 February.

Register Reference	Parties	Description	ECM Reference
CS2245	City of Melville and the Owners of Cirque Duet, Strata Scheme 77899	Signing of a further deed of the maintenance and provision of community benefits for this site between the City and Strata of 18 Ogilvie Road, Mount Pleasant. Further to a prior deed between the developer and the City.	8405092

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.

LEGISLATIVE AND POLICY ALIGNMENT

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

CONSEQUENCE

This is a standard report for the Elected Members that details the documents to which the City of Melville Common Seal has been applied for the period from Tuesday, 21 January 2025 up to and including Monday, 17 February 2025 for the Council’s noting.

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

C25/248 Melville Golf Centre Lease Extension Request - 21 Year Lease

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

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> • The Melville Golf Centre Pty Ltd leases a portion of the John Connell Reserve (Reserve Number 28426) to operate a golf driving range and associated ancillary facilities and services. • The Centre currently has a 21-year lease that commenced 1 August 2004 and will terminate 31 July 2025. • This report considers a request from the Centre that the lease be extended for a further period of 25 years with a further 10-year option. • Under the Management Order the City only has the power to enter into a lease for no longer than 21 Years.

OFFICER RECOMMENDATION

That the Council:

- 1. Subject to administration providing public notice of the proposed disposal in accordance with section 3.58, and not receiving any submissions objecting to the proposal, endorse entering into a new Commercial Lease Agreement for a term 10 years with a further option of 11 years with Melville Golf Centre Pty Ltd, effective from the 1 August 2025, and obtaining consent from the Minister of Lands.**
- 2. Authorises the Chief Executive Officer to sign the 21-year lease for the Melville Golf Centre to Melville Golf Centre Pty Ltd.**

PURPOSE

The purpose of this report is to present to the Council a request from the Melville Golf Centre for an extension of their lease for a further period of 25 years with a further 11-year option. The current 21-year lease will expire on 31 July 2025 and as there was no renewal option. Therefore, a new lease will be required, if supported.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
	1	Healthy, safe and inclusive communities with a sense of belonging and wellbeing.
Objective	1	Healthy, Safe and Inclusive
	1.1	Facilitate a sense of community, wellbeing, social connection, and participation.
	1.2	Provide a range of inclusive local community services, events and cultural activities.
	1.4	Provide inclusive multipurpose places and facilities to encourage healthy lifestyles and wellbeing.
	1.5	Support sustainable sporting and community groups and volunteering.
	5	Good Governance and Leadership
	5.1	Provide transparent and accountable good governance.
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.
	5.3	Ensure efficient and effective use of assets, resources and technology.
	5.4	Strengthen active citizen engagement, participation, and access to information.
	5.5	Provide excellent customer experiences and ease of access.
	5.6	Provide an inclusive, safe, healthy, equitable and engaging workplace.

BACKGROUND

The Centre lease a portion of John Connell Reserve to operate a golf driving range, a par 3 golf course and clubrooms. The Centre has advised that they have invested in excess of \$2 million in the facility and have recently refurbished the flooring in the clubhouse. The lease extension is requested so the Centre can make further improvements to the facilities for the benefit of patrons with consideration being given to erecting under-cover flood-lit driving range bays and upgrading the toilet facilities.

The Centre had previously applied for an extension to the lease and were advised that an extension would be considered as part of and after the development of the John Connell Reserve Master Plan.

The current lessees participated in the planning and engagement process and although the Master Plan is yet to be considered by the Council, the draft identifies the retention of the Golf Centre on site and in the same location.

CONSIDERATION

John Connell Reserve (Reserve 24826) is vested in the City for the designated purpose of “Recreation”. The Management Order contains a condition that the City has the power to enter into a lease for any term not exceeding 21 Years, with this power being subject to the consent of the Minister for Lands.

As such, the City cannot support the request for a 25 years extension of the lease with a 11 year option.

The reserve has a memorial registered against it under the Contaminated Sites Act 2003, which was registered in October 2013. Being a former landfill site, the Department of Water and Environmental Regulation (the department) classified the site under section 13 of the *Contaminated Sites Act 2003* as *contaminated – remediation required*. The site classification was based on the findings of a detailed site investigation (DSI) carried out in 2012-2013 to characterise the extent of historical landfilling at the site, and identify potential risks associated with groundwater impacts, landfill materials and landfill gas.

In August 2016, the City of Melville submitted a document, the '*City of Melville, John Connell Reserve, Site Management Plan (GHD, 2014)*' to the department. The Site Management Plan was reviewed as part of the Master Plan process which considered the remediation of the site. It is likely that during the term of any new lease that remediation work will be required on the site, though it is not clear at this stage what form any remediation works will take. The John Connell Reserve Master Plan recommends, as an immediate priority, a series of investigations to determine the likely remediation requirements.

The Centre is aware that the City can only enter into a lease up to 21 years and has agreed and signed a Heads of Agreement to include clauses in a new lease to accommodate the need for any remediation work to be undertaken. The clauses that will be included relate to the period of notice, rent abatement and the responsibility for and site restoration works required. No additional compensation will be provided during the remediation period, specifically, if the tenant loses full access to the premises for a period of time, they must acknowledge that rent abatement is the sole remedy, and no further claims for compensation will be entertained.

ENGAGEMENT

The City has engaged with the Department of Water and Environmental Regulation (DWER) in relation to the contamination and remediation works and with the current lessee in relation to the lease extension.

The centre are understanding of the City's power to lease term of up to 21 years and possible remediation works.

Further engagement will be required with DWER and all site users prior to, during and after recommended detailed site investigation works drafted in the John Connell Reserve Master Plan.

SUSTAINABILITY IMPLICATIONS

Sustainability implications, relating to possible site contamination and restoration and reinstalment works is presented in the report.

LEGISLATIVE AND POLICY ALIGNMENT

Legislation relating to the *Contaminated Sites Act 2003* is advised in the report.

Local Government Act 1995 – s3.58 & s9.49A

3.58. Disposing of property

(1) *In this section —*

***dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;*

***property** includes the whole or any part of the interest of a local government in property, but does not include money.*

- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) it gives local public notice of the proposed disposition —*
 - (i) describing the property concerned; and*
 - (ii) giving details of the proposed disposition; and*
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than **2 weeks** after the notice is first given; and*
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) the names of all other parties concerned; and*
 - (b) the consideration to be received by the local government for the disposition;*
- and*
- (c) the market value of the disposition —*
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition*

FINANCIAL IMPLICATIONS

The current lease amount paid per annum is aligned with the market rent value, and being a commercial lease, the tenant is responsible for all outgoings.

The new lease would be based on the same terms and conditions as the current lease, with a market rent revaluation to be undertaken at the commencement of the lease. The rent is increased annually in line with the Consumer Price Index and will include a market rent review prior to the further term at 10 years.

CONSEQUENCE

If the Council chooses not to enter into a new lease there would be a loss of the facility and service to the community, loss of income for the City and an alternative use for the site would be required.

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

C25/249 Motions Carried at the Annual General Meeting of Electors Held 3 February 2025

File Number:	
Responsible Officer:	Director Planning
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this item has a declarable interest in the matter.
Attachments:	1. Local Planning Scheme 6 Snapshot ↓

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> On Monday, 3 February 2025 the City of Melville (the City) held its Annual General Meeting of Electors (AGME), for the purpose of the community receiving the Community Annual Report 2023-2024. At the AGM, four motions were received from the community with three motions carried by the meeting. This report presents the three motions carried at the meeting, with officer comments and recommendations, for consideration by the Council.

OFFICER RECOMMENDATION

Response to AGME Motion 1

That the Council:

- Note Motion 1 carried at the Annual General Meeting of Electors held on Monday, 3 February 2025**
- Note that the review of Local Planning Scheme No.6 is an iterative process and all feedback received will be carefully considered prior to Council making any decisions.**
- Request the Chief Executive Officer prepare and present a Detailed Engagement Report to Council prior to Council endorsement of the Local Planning Scheme No.6 Review.**

Response AGME Motion 2

That the Council:

- Note Motion 2 carried at the Annual General Meeting of Electors held on Monday, 3 February 2025.**
- Note the importance of Precinct Structure Plans for the Bull Creek and Murdoch Train Station Precincts as a critical planning and economic development initiative, with advocacy to State Government agencies identified as a priority action.**

3. **Endorse the inclusion of the investigations for preparation of Precinct Structure Plans for these areas as a key advocacy item in the City's Strategic Advocacy Priorities, to be pursued in consultation with:**
 - a) **The Minister for Planning, Minister for Transport, and Minister for Housing;**
 - b) **DevelopmentWA and relevant State Government agencies involved in the Metronet Gateway Model;**
 - c) **The Southwest Group and other regional planning bodies; and**
 - d) **Local Members of Parliament to build political support and funding opportunities.**
4. **Request the CEO to prepare an Advocacy Plan that outlines a strategy for securing State Government support, funding commitments, and technical assistance to progress investigations for Precinct Structure Plans for these station precincts.**
5. **Subject to Point 3 and 4, the Advocacy Plan should include but not be limited to:**
 - a) **Opportunities for leveraging State Government funding to support planning, infrastructure, and land assembly initiatives.**
 - b) **Key stakeholders and an engagement strategy to build alignment with State Government objectives.**
 - c) **Potential partnership models, including joint planning initiatives with State Government agencies.**
 - d) **Alignment with Metronet planning principles and other State Government transit-oriented development initiatives.**
6. **Request a briefing session at an Elected Members Engagement Session on the advocacy approach and potential funding opportunities prior to any formal request for budget allocation by December 2025.**

Response to AGME Motion 3

That the Council:

1. **Note Motion 3 carried at the Annual General Meeting of Electors held on Monday, 3 February 2025; and**
2. **Note that:**
 - (a) **Investigations into the retention of trees on private property are ongoing.**
 - (b) **Investigation findings are scheduled for presentation to Council by December 2025.**
 - (c) **A policy response, such as alignment with the WALGA Planning Tree Retention Policy, will be one of the options presented to the Council for consideration.**

PURPOSE

The City of Melville (City) Annual General Meeting of Electors (AGME) was held on Monday, 3 February 2025, at which, four motions were presented by the community. Three of these motions were carried by the meeting.

This report presents the carried motion to the Council, along with officer comments and recommendations, for consideration and acceptance.

STRATEGIC ALIGNMENT

Outcome	5	Leadership and good governance for the benefit of the whole community.
Objective	5	Good Governance and Leadership
	5.5	Provide excellent customer experiences and ease of access.
	5.4	Strengthen active citizen engagement, participation, and access to information.
	5.1	Provide transparent and accountable good governance.

BACKGROUND

Annual General Meeting of Electors (AGME)

The Community Annual Report 2023-2024 was presented to and endorsed by the Council at the Ordinary Meeting of Council held on Tuesday, 10 December 2024.

Following the Council meeting, the AGME was held on Monday, 3 February 2025, in accordance with section 5.27 of the *Local Government Act 1995* which requires that:

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

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

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

The [Annual General Meeting of Electors 3 February 2025 Minutes](#) are available on the City of Melville website.

CONSIDERATION

Annual General Meeting of Electors (AGME)

The Annual General Meeting of Electors (AGME) was held at 6:00pm on Monday, 3 February 2025 in the Kambarang Room at the City of Melville Civic Centre. At the commencement of the AGM, 33 members of the public were in attendance in the Kambarang (Conference) Room, and 6 members of the public were in attendance electronically, via a Teams Webinar. Additionally, the meeting was streamed to the [City of Melville Council Meetings YouTube](#) channel.

While four motions were received during the meeting, only three were carried. These motions are now presented for the consideration of Council as below:

AGME Motion 1

That the Council; in accordance with Key Priority 3* of the City of Melville Community Annual Report 2023-2024, immediately address the apparent non-compliance in the recently presented consultation process diagram for LPS6 review (23/01/25) with respect to the City's Stakeholder Engagement Policy (CP – 002) which mandates that all relevant stakeholders be given a fair and meaningful opportunity to participate. Specifically, we the community, should be given the opportunity to:

- 1. Review the Report of Findings (Report) from the recent LPS6 community consultation.***
- 2. Have the Report amended (including but not limited to outcomes and recommendations made) where the Report fails to respond appropriately to the feedback, comments and concerns resulting from the community consultation process.***
- 3. Carry out the above before submission to Council for approval and subsequent progression to the Statutory Scheme Amendment Process.***

Officer Comment

The City of Melville acknowledges the motion brought before Council regarding the consultation process for the Local Planning Scheme 6 (LPS6) review and the concerns raised about adherence to the City's Stakeholder Engagement Policy (CP-002).

The City remains committed to transparent and meaningful engagement with the community throughout the LPS6 review process.

A comprehensive report on the engagement findings will be prepared and presented publicly at a Council meeting before seeking approval to submit the draft changes to the WAPC/Minister for Planning for advertising. The Engagement Snapshot 3 (attached) is a summary of key aspects of community participation, including:

- Number of community participants,
- Methods used to inform and engage the community, and
- High-level themes that emerged from the consultation.

The City acknowledges that stakeholder engagement is fundamental to good governance and decision-making. Community and stakeholder engagement enables Elected Members and staff to be confident that all views are considered along with technical requirements, research, and any other policy or legislative considerations. This is in line with the City's adopted CP-002 Stakeholder Engagement Policy.

The City's Stakeholder Engagement policy highlights the importance of public participation. However, it also recognises that the level and method of participation may vary based on the stakeholders, the issues, and the project's requirements. With that in mind, the recent engagement sought to gather initial feedback and understand key concerns, which will inform further planning work. The City is confident that the concerns of the broader community are reflected in the hundreds of survey responses and petitions received, and additional feedback would likely reiterate these concerns. Community consultation is an ongoing and essential component of the scheme review process. While formal consultation is required later, the City has proactively engaged the community throughout, including preliminary engagement to help shape the recommendations that will be put to Council. These early consultations were designed to ensure broad participation and inform the next stages.

To enable fair and meaningful participation, an extensive engagement approach was developed. Stage 3 engagement included online and in-person methods such as surveys (both hard copy and online), drop-in sessions, and face-to-face meetings. These efforts were widely promoted through traditional and digital channels, with targeted outreach to impacted landowners.

While the engagement outcome was to gather a broad range of feedback from a cross-section of the community, the objective was to understand key issues and concerns rather than simply the number of participants.

Addressing the Motion's Specific Requests

1. A comprehensive report on the engagement findings will be prepared and presented publicly at a Council meeting before seeking approval to submit the draft changes to the WAPC/Minister for Planning for advertising.
2. Due process limits the ability for a motion to pre-empt the content of a report that has yet to be prepared/published. Community feedback through stage 3 of the engagement is being considered.
3. As points one and two indicate, the report still needs to be developed, so it is not possible to provide a pre-approval review at this stage. The engagement report will be made publicly available when completed.

The City of Melville is dedicated to a transparent and inclusive consultation process, ensuring community voices are heard and considered. As the engagement process continues, there will be further opportunities for participation before final decisions are made. We appreciate the community's ongoing involvement, recognise the sensitivity and impact of the review, and remain committed to achieving the best possible outcome for our community.

Reason for the Recommendation

The City has not yet made changes based on community feedback. However, when changes are made the City is committed to preparing and presenting the relevant documentation to explain the rationale behind them. Ultimately, the decision to modify the content of the future report will rest with the Council.

That said, there will be opportunities for the public to review the report and advocate to the Council if they believe the feedback has been misrepresented. With this in mind, the City offers the following alternative recommendation.

AGME Motion 2

That the Council;

1. ***Requests the Chief Executive Officer to present a report to Council on the resource requirements, key considerations, and implications of developing Precinct Structure Plans for the Bull Creek and Murdoch Train Station Precincts – for inclusion on the LP6 review.***
2. ***Request that the key considerations include but not be limited to:***
 - (a) ***Identification of the location and construction of safe pedestrian and bicycle accessways from surrounding residential and or business areas.***

- (b) Approach the State Government for:**
 - (i) Funding to support the preparation of the plans and construction of pedestrian and bicycle accessways.**
 - (ii) Technical support from the Metronet/DevelopmentWA planning teams/professionals who have already developed the Metronet station 'Gateway' model for station precinct activation. Specifically, utilise this existing expertise and model approach to support activation of Bull Creek and Murdoch Train Station Precincts.**
 - (c) Preparation of land use plans (including zoning and density).**
 - (d) Include the identification of new public open spaces and other necessary infrastructure changes or requirements that are required to support the increased density.**
- 3. Request an Elected Member Briefing Session on the key considerations and other related matters prior to presentation to Council.**
 - 4. Request that the report be presented to an Ordinary Meeting of Council by May 2025.**

Officer Comment

The City of Melville (City) acknowledges the community interest in investigating potential development opportunities for residential areas surrounding the Bullcreek and Murdoch train station precincts.

While the Council at its meeting on 17 September 2024 has decided not to proceed with these investigations immediately, both areas have been identified as priority sites for future strategic planning as part of the City's review of its Local Planning Scheme.

The Council is committed to ensuring that these transit precincts, which are significant assets within the City, are carefully examined as part of its long-term strategic land-use planning framework.

The City's ongoing review of Local Planning Scheme No.6 has identified Bull Creek and Murdoch station precincts as areas to be considered for future development. Once progress has been made on other strategic priority development areas, the Council will revisit the potential for high-density development at these train station sites.

In the future, the Council will assess the timing, funding requirements, and the processes for community and stakeholder engagement to ensure that any decisions made reflect the needs and aspirations of both the current and future community.

The City remains committed to capitalising on its valuable transit infrastructure to benefit residents and create vibrant, sustainable and well-connected neighbourhoods.

While investigations into high-density development in these precincts are not planned for the immediate future, they remain important considerations in the City's strategic land-use planning priorities and will be investigated at a future date.

Context

The report proposed by the motion would examine the resources required, key considerations, and implications of preparing [Precinct Structure Plans](#) for land surrounding the Murdoch and Bull Creek rail stations. These areas broadly encompass the four quadrants surrounding each station precinct: north-west, north-east, south-west, and south-east.

The report will outline the scale and complexity of developing Precinct Structure Plans (statutory plans) for these station precincts and provide recommendations for further strategic (non-statutory) planning investigations to inform the Council's decision on whether to invest in the process.

The report is also likely to identify several critical pre-requisites for progressing Precinct Structure Plans, including business planning, State Government agency commitment, political advocacy and buy-in, cost-benefit analysis, reputational considerations, staging and phasing of investigations, governance modelling, economic analysis, and engagement with a range of stakeholders.

Engagement and Stakeholder Implications

Landowner Implications

High-density development in suburban areas with fragmented land ownership presents significant challenges and requires extensive stakeholder engagement and alignment.

Many fragmented landowners with varying levels of interest and capacity to develop their properties can lead to challenges in achieving coordinated outcomes. Incentives, regulatory certainty, and clear staging strategies are essential.

Residents often express concerns about increased density, traffic, parking, and impacts on local character. Effective preliminary consultation, clear direction on the future planning framework, and strategic communications are required to manage expectations, education and mitigate concern.

State Government Agencies Requiring Engagement and Buy-In

Given the scale and complexity of precinct-scale planning and development around train stations, coordination and buy-in with multiple WA State Government departments and agencies will be required.

Need for Political Advocacy

The successful coordination of this initiative requires strong political advocacy due to the significance of the change and significant number of state agencies involved, many of which operate beyond the City's direct influence.

Key advocacy efforts will need to focus on:

State Government Commitment – Securing policy alignment, project buy-in and funding commitments from key Ministers and government departments. Encouraging a whole-of-government approach to facilitate the preparation of plans, funding, and infrastructure coordination.

Local Member and Ministerial Support – Engaging local MPs and relevant Ministers (Planning, Transport, Housing) to champion the initiative within government and ensure resource allocation and buy-in. Securing ministerial and departmental support for precinct planning under the **Metronet Gateway Model** to ensure a coordinated approach.

Given the scale, complexity, and number of agencies involved, a structured governance model will be required to oversee the planning, funding, and delivery of such an initiative.

Financial Implications

Should the Council choose to proceed with further investigations, additional staff resources, external consultancy funding, and the reprioritisation of other projects will be necessary. These requirements would be outlined in a subsequent report to the Council should the motion be endorsed.

The initial report requested through the motion can be prepared using existing staff resources, requiring approximately 40 hours of senior strategic planning staff time and 10 – 15 hours of management and executive oversight.

The requested May 2025 timeframe cannot be accommodated within current project schedules and staff resourcing. However, a revised completion date of December 2025 can be achieved within existing resources and workload capacity.

Alternatively, if the Council wishes to maintain the May 2025 deadline, an estimated budget of \$15,000 would be required to engage external assistance to expedite the report and require an Absolute Majority decision from the Council.

Policy Implications

Seeking reforms to planning frameworks or state government arrangements that could facilitate coordinated precinct planning in fragmented land areas requires influence on state government policy directions. This is particularly relevant for the DevelopmentWA and the Metronet Gateway Model.

The **Metronet Gateway Model** cited in the AGME motion provides an opportunity to streamline collaboration between state and local government, ensuring that precinct planning is well-integrated with infrastructure delivery and transit-oriented development objectives. However, political advocacy will be essential to secure the required state agency buy-in, policy shifts, resource allocations and funding commitments to facilitate the process through the Metronet Gateway Model.

Local Planning Scheme No.6 and Precinct Plan

A Local Planning Scheme Review and a Precinct Planning process are both essential planning tools, but they serve different purposes, operate at different scales, and have distinct levels of detail.

Notwithstanding, they are related because a scheme review sets the overall planning framework for the district while the precinct plan outlines the guidance needed for a defined precinct and its scale of implementation.

Local Planning Scheme No.6 (LPS6) Review

The LPS6 Review looks at the entire local government area and assesses whether the LPS6 is still suitable for achieving the outcomes desired or if a review of areas is needed.

The LPS6 Review involves assessing zoning, land use controls, density provisions, and key policy directions to ensure alignment with State and local planning frameworks.

The outcome may involve community engagement, rezoning land, updating development controls, or introducing new policy requirements to guide growth and change.

Key Focus:

1. Entire municipality or large areas of land in between Precinct Structure Plans or Activity Centre Plans
2. Updates zoning, land use controls, and makes recommendations for the development of policies
3. Ensures consistency with State Planning Policies and Strategies
4. High-level and broad in scope

Precinct Structure Plans

A Precinct Structure Plan focuses on a specific locality, such as a train station precinct, town centre, or key redevelopment site.

It provides a detailed vision, land use mix, built form controls, transport planning, infrastructure needs, and public space design for that specific precinct.

The process often includes detailed consultation with landowners, businesses, and the community to create a shared vision and buy-in for future development.

The outcome is a detailed Precinct Plan that guides how a specific area will evolve, often leading to changes in zoning, development standards, and infrastructure investment.

Key Focus:

1. A defined precinct (e.g., train station precinct, town centre)
2. Provides detailed planning, including built form, transport, and public space design
3. Guides local investment and infrastructure planning
4. Engages directly with affected landowners and stakeholders

How are they related?

A broad-scale scheme review sets the overall planning framework for land outside of a Precinct Structure Plan or Activity Centre Plan, while a Precinct Structure Plan provides the detailed implementation strategy within a key precinct.

Precinct Plans often follows a scheme review—if a scheme review identifies an area as needing significant change (e.g., increasing density near train stations), a Precinct Plan is then investigated to be prepared to guide how that change should occur.

Scheme changes provide the legal framework, while Precinct Plans shape and guide on-the-ground development through specific design and infrastructure requirements for a specific precinct.

While the two are related planning tools, they run through different timeframes and processes meaning a Precinct Plan could not form part of the LPS6 review but may form as a parallel or proceeding project.

Consequences

The preparation of Precinct Structure Plans for fragmented suburban areas surrounding Murdoch and Bull Creek train stations represents a significant and complex undertaking that extends beyond standard strategic planning processes. The Council must be fully aware of the scale, challenges, and long-term implications associated with this initiative, particularly as it involves planning controls over large areas of privately owned land.

Alternative Recommendations

Alternative Recommendation 1 (Simple Majority – no budget implication):

In the context of the information detailed in the Local Planning Scheme No.6 and Precinct Plan and Financial Implications headings above, the below modifications are recommended.

That the Council:

1. Requests the CEO to present a report to Council on the resource requirements, key considerations, and implications of developing Precinct Structure Plans for the Bull Creek and Murdoch Train Station Precincts. ~~— for inclusion on the LPS6 review~~
2. Request that the key considerations include but not be limited to:
 - a) Identification of the location and construction of safe pedestrian and bicycle accessways from surrounding residential and or business areas.
 - b) Approach the State Government for:
 - i) Funding to support the preparation of the plans and construction of pedestrian and bicycle accessways.
 - ii) Technical support from the Metronet / DevelopmentWA planning teams / professionals who have already developed the Metronet station 'Gateway' model for station precinct activation. Specifically, utilise this existing expertise and model approach to support activation of Bull Creek and Murdoch Train Station Precincts.
 - c) Preparation of land use plans (including zoning and density).
 - d) Include the identification of new public open spaces and other necessary infrastructure changes or requirements that are required to support the increased density.
3. Request a dedicated Elected Member Briefing Session on the key considerations and other related matters prior to presentation to Council.
4. That the report be presented to the Ordinary Meeting of Council by ~~December 2025.~~ ~~May 2025.~~

Alternative Recommendation 2 (Absolute Majority – budget implication):

Should Council be of a view to pursue the progression of the report to Council by May 2025, the below modifications are recommended.

That the Council:

1. Requests the CEO to present a report to Council on the resource requirements, key considerations, and implications of developing Precinct Structure Plans for the Bull Creek and Murdoch Train Station Precincts. ~~—for inclusion on the LPS6 review.~~
2. Request that the key considerations include but not be limited to:
 - a) Identification of the location and construction of safe pedestrian and bicycle accessways from surrounding residential and or business areas.
 - b) Approach the State Government for:
 - i) Funding to support the preparation of the plans and construction of pedestrian and bicycle accessways.
 - ii) Technical support from the Metronet / DevelopmentWA planning teams / professionals who have already developed the Metronet station 'Gateway' model for station precinct activation. Specifically, utilise this existing expertise and model approach to support activation of Bull Creek and Murdoch Train Station Precincts.
 - c) Preparation of land use plans (including zoning and density).
 - d) Include the identification of new public open spaces and other necessary infrastructure changes or requirements that are required to support the increased density.
3. Request a dedicated Elected Member Briefing Session on the key considerations and other related matters prior to presentation to Council.
4. **Allocate \$15,000 from the Strategic Planning Projects Reserve.**
5. That the report be presented to the Ordinary Meeting of Council by May 2025.

Reason for the Officer Recommendation

Should the Council be of a view not to progress the precinct planning process at this time but have a desire to explore State Government political and agency alignment before considering embarking on the process, the Officer Recommendation has a focus on advocacy efforts and has no immediate budget implications.

Advocating for the State Government to be a lead stakeholder in the development of the train station precinct plans offers several key benefits. By engaging directly with the State, the City can seek to leverage additional resources, expertise, and funding. It could also streamline decision-making and coordination, particularly in navigating the complex land ownership issues and reconciling the interests of multiple state agencies.

Early involvement by the State can also ensure that what the City anticipates for the future of these two precincts can be considered alongside the State Government's presumptions for these areas, rather than spending considerable time and resources developing an approach that may ultimately contravene the strategic approach expected by the State, fostering a more cohesive and strategic approach to urban renewal. Ultimately, an early focus on advocacy could expedite the process and reduce the burden on the City, enabling more efficient and effective improvements to these key development areas.

AGME Motion 3

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

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

Officer Comment

The City is actively exploring options to achieve the retention of tree canopy on private property. Following a Notice of Motion resolved at the December 2022 Ordinary Meeting of Council, the City initiated comprehensive examination of options to encourage and/or require retention of trees on private property. The results of these investigations were presented to the Council at the 16 May 2023 Ordinary Meeting (Item UP23/4030). The investigations included a review of approaches for tree retention employed by various other local governments and the preparation of an Options Paper outlining the merits of these.

The assessment focused on opportunities to use the planning framework to protect tree canopy and included overview of the WALGA Local Planning Tree Retention Policy. Other options identified included use of significant tree registers, scheme provisions regarding tree protection and other Local Planning Policy responses. The May 2023 resolution provided a commitment for the Council to continue to progress consideration of tree retention options.

An Elected Member Engagement Session (EMES) held in April 2024 further advanced the consideration of options relating to tree protection on private property. The EMES proceeded a community engagement phase from 1 October 2024 to 17 November 2024 aimed at gaining community input on the concept of tree protection controls and the range of potential planning responses.

The engagement phase has indicated a range of views on tree protection with general level of support for a local planning policy and/or significant tree register response. The results of this engagement phase are scheduled for presentation to an EMES in April 2025 and then intended reporting to the Council for direction and decision making in May 2025.

Tree retention on private property through a policy response, such as the WALGA Local Planning Tree Retention Policy, will form one of the options for consideration by the Council.

Reason for the Officer Recommendation

The City's investigations into options for the protection/retention of trees on private property is ongoing. Reporting on findings of these investigations and opportunity for the Council to decide on regulatory responses is scheduled for May this year. The option of a local planning policy response, such as the WALGA Local Planning Tree Retention Policy, will form part of the report to Council. It is recommended that decision making on responses to tree protection be deferred to allow for the Council to consider the community engagement outcomes and conclusions regarding options analysis.

Accordingly, it is recommended that Motion from the Annual General Meeting of Electors be noted. It is further recommended that the Council note that opportunity to consider and decide on the introduction of a local planning policy response, such as the WALGA Local Planning Tree Retention Policy, is imminent.

ENGAGEMENT

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

- on the City's website;
- on public notice boards at the Civic Centre and all the City of Melville libraries;
- in Fremantle Herald on Saturday, 11 January 2025;
- in the Perth Now Melville on Thursday, 16 January 2025;
- in the City's electronic Newsletter; and
- via the City's social media platforms.

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

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

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

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

FINANCIAL IMPLICATIONS

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

CONSEQUENCE

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

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

Community Development

CD25/41 Assess the Impacts of Prohibiting Alcohol and Unhealthy Food Advertising on Bus Shelters within the City of Melville

File Number:	
Responsible Officer:	Director Community Development
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	<ol style="list-style-type: none"> Cancer Council - Bus shelter advertising audit report ↓ Legal Advice McLeods (confidential)

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> This report responds to the Council’s request to assess the impacts of prohibiting alcohol and unhealthy food advertising on bus shelters within the City of Melville. The report outlines the public health benefits of such restrictions, as well as legal constraints associated with the City’s current contract with oOh!media Street Furniture Pty Ltd (oOh!media). The report recommends that any restrictions be considered for inclusion in future contracts and other options explored.

OFFICER RECOMMENDATION

That the Council:

- Notes the confidential legal advice received, as attached to this report.**
- Requests the CEO to investigate, scope and report back to Council by March 2026 on the feasibility of an advertising policy for restricting alcohol and unhealthy food advertising on or in City owned property.**
- Requests the CEO write to oOh!media Street Furniture Pty Ltd requesting they voluntarily restrict alcohol and ‘unhealthy food’ advertising on bus shelters installed and maintained by them for the remaining duration of the contract.**
- Requests the CEO to prioritise the use of the City’s free oOh!media digital advertising on bus shelters to support health promotion campaigns.**
- Requests the CEO to include restrictions in future contracts for the installation and maintenance of bus shelters which prohibit alcohol and unhealthy food advertising.**
- Requests the CEO to include relevant action(s) in the City’s future Healthy Melville Plan (Public Health Plan) to investigate strategies that will limit the exposure of advertising of alcohol and unhealthy food and drink in the City of Melville.**

PURPOSE

The purpose of this report is to evaluate the impacts of prohibiting alcohol and unhealthy food advertising on bus shelters within the City of Melville, as requested by Council following the Notice of Motion resolved at the 15 October 2024 Ordinary Meeting of Council.

STRATEGIC ALIGNMENT

Outcome	1	Healthy, safe and inclusive communities with a sense of belonging and wellbeing.
	5	Leadership and good governance for the benefit of the whole community.
Objective	1	Healthy, Safe and Inclusive
	1.1	Facilitate a sense of community, wellbeing, social connection, and participation.
	5	Good Governance and Leadership
	5.2	Ensure long term financial sustainability, strategic advocacy and partnerships, and diverse revenue streams.

BACKGROUND

At the Ordinary Meeting of Council held on 15 October 2024, Cr Lee moved the following Notice of Motion, which was resolved by Council:

That the Council requests the CEO to prepare a report outlining the impacts of prohibiting alcohol and unhealthy food advertising on bus shelters in the City to be presented to an Ordinary Meeting of Council by March 2025.

This report outlines the impacts of prohibiting alcohol and unhealthy food advertising in the City in accordance with the Council resolution.

CONSIDERATION

The City has approximately 600 bus stops across the City, of which there are approximately 300 shelters. The City currently holds a contract with oOh!media Street Furniture Pty Ltd (oOh!media) for the supply, installation and maintenance of 58 (of the 300) bus shelters.

The contract with oOh!media commenced on 1 November 2018 and expires on 31 October 2033 and has two (2) five (5) year option periods.

The existing contract of supplying, installing, and maintaining the 58 bus shelters is provided at no cost to the City (estimated value ~ \$3M). Furthermore, the City receives a financial return of approximately \$140,000 per annum which is quarantined for five years to complete capital works to improve access for people with disability access for existing bus shelters.

The contract also entitles the City to five percent share of time, free advertising on all the oOh!Media digital panels (four locations).

Alcohol, food and beverage product advertising is regulated only through self-regulation in Australia. Below is a table outlining the key standards and regulations that are used in Australia to guide advertising of alcohol, food and non-alcohol beverage products:

Standard and Regulation	Summary
Outdoor Media Association (OMA) National Health and Wellbeing Policy	<p>Promotes responsible advertising practices in relation to food and drink. Relies on a Food Standards Australia and New Zealand (FSANZ) Nutrient Profile Score using FSANZ Nutrient Profile Calculator which is calculated by the advertiser or manufacturer.</p> <p>Provides details around the ability to ‘Master Brand’ (e.g. McDonalds, vs Big Mac) and placement of advertising near schools.</p>
Australian Association of National Advertisers (AANA) – Food and Beverage Advertising Code	<p>Develops advertising codes which are the rules that advertisers must follow. The Food and Beverage Advertising Code includes the following key areas:</p> <ul style="list-style-type: none"> • truthful and honest claims • not undermining the importance of a healthy lifestyle • portrayal or promotion of excess consumption • health and nutrition claims • claims relating to characteristics of the product • advertising to children
<p>Main Roads WA Policy Assessment Guidelines for Digital and Static Advertising Signs</p>	<p>Core focus is outlining policy requirements to maintain safety for road users, prevention of adverse impacts on the visual amenity of the roadside environment and surrounding areas, and ensuring signs comply with local planning schemes.</p> <p>Refers to AANA Food and Beverage Advertising Code with regard to unhealthy food and alcohol.</p>
ABAC Responsible Alcohol Marketing Code	<p>Sets key standards for the responsible content and placement of alcohol marketing in Australia. It covers:</p> <ul style="list-style-type: none"> • Responsibility towards minors: Ads must not target or appeal to minors. • Depictions of alcohol consumption: Ads must not portray irresponsible or unsafe alcohol consumption. • Portrayal of alcoholic beverages: Ads must represent alcohol in a socially responsible manner. • Alcohol safety: Ads must avoid encouraging unsafe behaviours related to alcohol use. <p>These standards are self-regulated and voluntary</p>
Ad Standards	<p>Australia’s (non-government) advertising regulator. Handles complaints and provides secretariat support to the Ad Standards Community Panel who are an independent group of people entrusted with adjudicating complaints and making decisions about ads.</p> <p>Governs implementation and review of AANA Codes.</p>

The Cancer Council WA encourages Local Governments to introduce healthy advertising standards in local government processes through three key methods:

- Strategy or Plan: introducing actions to reduce community exposure to unhealthy advertising through relevant strategies and plans (eg: The Public Health Plan).
- Policy: creating a Council Policy that prohibits advertising of unhealthy food and drink and alcohol products through advertising and promotional materials that are displayed on local government infrastructure.
- Contracts and agreements: specifying within the contract (at the procurement stage) for the supply and maintenance of street furniture with advertising space (bus shelters, street signs, bins, seats) that unhealthy advertising is not permitted, along with a definition of unhealthy advertising.

Most Local Governments, including the City of Melville, already have actions to promote healthy behaviours associated with consuming food and beverages within relevant strategies and plans, however the following Local Governments have introduced policy measures:

- City of Nedlands
- City of Mandurah
- City of Kwinana
- Town of Mosman Park.

Whilst these Local Governments have introduced prohibitions on unhealthy content on local government infrastructure into contracts and agreements with suppliers:

- City of Subiaco
- City of South Perth

Notably the Western Australian State Government has prohibited alcohol advertising on public transport systems since June 2018. However, it has not extended this ban to include unhealthy food and drink advertising.

In January 2025, the Western Australian State Government announced that it will not consider banning unhealthy food advertising on public transport. This decision followed inquiries about whether they would follow the lead of the South Australian State Government which had recently implemented such a ban.

Public Health Context

The Western Australian Department of Health identified that City of Melville residents (aged 16 years and over) through the City of Melville Health and Wellbeing Profile (October 2023):

- 64% of adults are overweight or obese:
 - 23.3% of adults are obese.
 - 40.6% are overweight
- 50.4% of adults eat less than 2 serves of fruit daily
- 88.8% of adults eat less than 5 serves of vegetables daily
- 8.3% of adults drink alcohol at levels that puts them at risk for short term harm
- 21.1% of adults drink alcohol at levels that puts them at risk for long term harm
- 29% of adults eat fast food at least weekly

Advertising content on the City Bus shelters

Cancer Council WA conduct regular audits of advertising on bus shelters as part of advocacy measures to local and state government. The most recent audit was completed on 20 January 2025 and is provided in Attachment 1 of this report.

oOh!media was contacted to provide an overview of alcohol and unhealthy food advertising to support the preparation of the report. oOh!media advised they do not collect data specifically accounting for alcohol or unhealthy food. As such data provided on 19 December 2024 is a culmination of all food and drink advertising.

The table below provides a summary of the advertising breakdown from Cancer Council WA and oOh!media. The Classification of City of Melville bus shelter advertisements was included in the audit completed by Cancer Council WA staff on January 20, 2025.

A summary of the data is as follows:

Classification	Cancer Council (January 2025)		oOh!media (December 2024)
	Number of advertisements	% of advertisements	
Alcohol	21	17	10.7% (n=13)
Unhealthy food and drinks	27	21	
Healthy food and drinks	3	2	
Food and drink - other	2	2	
Other products and brands	73	58	89.3%
Total advertisements	126	100%	100%

Positive impacts of prohibiting alcohol and unhealthy food advertising

Prohibiting alcohol and unhealthy food advertising on bus shelters in the City of Melville would have several positive impacts on public health and the community including:

- Exposure to alcohol advertisements is linked to early initiation of drinking and increased risky consumption, contributing to long-term health issues such as liver disease, cancer, and alcohol dependency.
- Alcohol-related harm remains a leading cause of preventable disease in Australia, putting significant strain on healthcare systems.
- Advertisements promoting unhealthy foods high in sugar, salt, and saturated fats encourage poor dietary habits, which contribute to rising obesity rates, type 2 diabetes, and other chronic health conditions.
- Limiting the exposure would assist the protection of vulnerable groups who are less informed about making healthy food choices (eg young children)

Overall, prohibiting these advertisements would not only improve public health but also enhance the visual and social environment of the City of Melville, creating a more supportive and health-conscious community.

Negative impacts of prohibiting alcohol and unhealthy food advertising.

As identified in the background of this report, oOh!media currently supplies, installs and maintains 58 bus shelters across the City which is estimated to be of a value of approximately \$3M across the duration of the contract (1 November 2018 to 31 October 2033)

Furthermore, the City receives income of approximately \$140,000 per annum which is utilised to improve disability access to existing bus shelters.

Alternative opportunities

The following opportunities have been explored:

- Write to oOh!media requesting they voluntarily restrict alcohol and unhealthy food advertising on bus shelters installed and maintained by them for the remaining duration of the contract.
- Investigate the feasibility of a Council Policy that considers advertising restrictions on the City's bus shelters, City owned buildings and reserves to limit alcohol and unhealthy food advertising. This investigation and subsequent Report would also address the concerns raised in the legal advice in the confidential attachment to this Report (Attachment 2) regarding the difficulty in enforcing advertising restrictions given the subjective nature the effect of advertisements has on the health and welfare of persons in the district.
- Continue to partner with Live Lighter, Cancer Council and Diabetes WA to promote positive health messaging to counteract unhealthy messaging.
- Prioritise the use of the City's share of oOh!media digital bus shelter advertising for health promotion campaigns
- Not exercise the option periods within the contract that would enable the contract to exceed beyond the current expiry and at its expiry include reasonable contract restrictions within any future contracts for similar services.

ENGAGEMENT

The City engaged with the following organisations to develop this report:

- oOh!media
- Cancer Council WA
- McLeods Lawyers

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

Information in this report is aligned with the following legislative and policy frameworks:

- *Local Government Act 1995*: Section 5.41
- Regulation 21A of the *Local Government (Functions and General) Regulations 1996*

FINANCIAL IMPLICATIONS

There are no current or future budget impacts associated with the adoption of the recommendation.

CONSEQUENCE

The Officers Recommendation within this report supports the overall intent, without placing financial and legal risk upon the City, however, should Council not want to proceed with the Officers Recommendation there are two other options which are canvassed in the attached confidential legal advice (Attachment 2).

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

CD25/42 Netball and Multi Use Indoor and Outdoor Courts Needs Assessment

File Number:	
Responsible Officer:	Director Community Development
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this item has a declarable interest in the matter.
Attachments:	<ol style="list-style-type: none"> 1. City of Melville - Needs Assessment - Netball and Multi-Use Indoor and Outdoor Courts ↓ 2. Needs Assessment - Netball and Multi-Use Indoor and Outdoor Courts - Engagement Summary Report ↓ 3. Financial Implications - Needs Assessment - Netball and Multi-Use Indoor and Outdoor Courts Recommendations ↓

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> • The draft Netball and Multi Use Indoor and Outdoor Courts Needs Assessment (Needs Assessment) was presented to the October 2024 Ordinary Meeting of Council, where the Council resolved to: <ul style="list-style-type: none"> • Endorse the Needs Assessment for further engagement with local netball clubs. • Present the final draft Needs Assessment by March 2025 Ordinary Meeting of Council. • Following the October 2024 resolution, local netball clubs were invited to provide feedback and are supportive of the draft, with some minor amendments. • Minor amendments, driven by engagement with local netball clubs, have been made and the final draft Needs Assessment is presented, along with a summary of club engagement, to Council for consideration. • It is recommended to incorporate the Needs Assessment findings into the Active Reserve Infrastructure Strategy review to further develop the recommendations into prioritised infrastructure proposals.

OFFICER RECOMMENDATION

That the Council:

1. **Notes the feedback provided following engagement with local netball clubs.**
2. **Endorses the Netball and Multi Use Indoor and Outdoor Courts Needs Assessment, inclusive of recommendations.**
3. **Notes the recommendations and prioritisation of future infrastructure outlined in the Netball and Multi-Use Indoor and Outdoor Court Need Assessment will be incorporated in the 2025 review of the Active Reserve Infrastructure Strategy.**

PURPOSE

The purpose of this report is to present the final Netball and Multi Use Indoor and Outdoor Courts Needs Assessment (Needs Assessment) to Council for endorsement.

STRATEGIC ALIGNMENT

Outcome	1	Healthy, safe and inclusive communities with a sense of belonging and wellbeing.
	3	Sustainable, connected development and transport infrastructure across our City.
Objective	1	Healthy, Safe and Inclusive
	1.4	Provide inclusive multipurpose places and facilities to encourage healthy lifestyles and wellbeing.
	1.5	Support sustainable sporting and community groups and volunteering.
	3	Sustainable and Connected Development
	3.2	Deliver sustainable and well-planned infrastructure and public places and spaces.

BACKGROUND

At the 15 August 2023 Ordinary Meeting of Council, the Council resolved:

That the Council directs the CEO to prioritise the Netball and Courts Needs Assessment Plan / Report that was approved in the 2023/2024 budget and bring the final report back to Council no later than the June 2024 Ordinary Meeting of Council.

At the 18 June 2024 Ordinary Meeting of Council, City Officers sought an extension of the above time period due to the high number of submissions received in the procurement process which extended the time to award the contract. Subsequently, Council resolved:

That the Council notes that the Netball and Multi Use Indoor and Outdoor Courts Needs Assessment will be presented to an Ordinary Meeting of Council no later than October 2024.

The draft Netball and Multi-Use Indoor and Outdoor Courts Needs Assessment (Needs Assessment) was presented at the October 2024 Ordinary Meeting of Council where the following resolutions were made:

“That the Council:

- 1. Endorses the draft Netball and Multi Use Indoor and Outdoor Courts Needs Assessment (Attachment 1) for further engagement with local netball clubs.***
- 2. Requests the CEO to present the final draft Netball and Multi Use Indoor and Outdoor Courts Needs Assessment by no later than the March 2025 Ordinary Meeting of Council.”***

CONSIDERATION

The Needs Assessment has sought to clarify the sport of netball's current and future needs within the City, as well as indoor and outdoor multi-use courts more generally. It has been informed by: The City's strategic planning and policies.

- Relevant state sporting associations strategic plans and guidelines.
- Analysis of current benchmarking and industry trends.
- Engagement with relevant clubs and state sporting associations.
- Analysis of current and future demographic data in the City.

A summary of key findings and how they are proposed to be treated are as follows (recommendations are contained on page 49 and 50 of the attached):

- The City has a sufficient number of outdoor hard courts to meet current and future needs, though the quality of and access to, is varied. Recommendations target specific site and club needs.
- Netball club supporting infrastructure does not currently meet the needs of most of the City's clubs. Subsequently, a standard of provision has been established as a benchmark to meet the needs of clubs and recommendations for site specific and club needs are informed by the standard of provision.
- Existing indoor court provision is deemed suitable for Netball.
- There is some capacity at existing indoor multi-use court facilities to meet current demand for indoor court sports more broadly.
- It is recommended to reconsider future indoor multi-use court provision in the Active Reserve Infrastructure Strategy review due to a number of significant project proposals in nearby municipalities seeking funding commitments.

Since the October 2024 OMC, further engagement with local netball clubs has occurred, with amendments made to the draft Needs Assessment based on club feedback. The final Needs Assessment (Attachment 1) is now presented to Council for consideration.

ENGAGEMENT

The City has significantly engaged with nine local Netball clubs to clearly understand and consider their aspirations in the preparation of the draft Needs Assessment.

Following the resolution of the October 2024 Ordinary Meeting of Council, all nine City of Melville based netball clubs were invited to provide feedback on the draft Needs Assessment in their preferred format (face-to-face meeting, phone call or written submission).

A summary of feedback from all nine clubs and resulting amendments to the Needs Assessment is provided as an Attachment 2 - "Needs Assessment - Netball and Multi-Use Indoor and Outdoor Courts – Engagement Summary Report".

Feedback was collated and validated from November 2024 to February 2025 with each club to ensure amendments aligned with club expectations.

A summary of engagement outcomes in preparation of the draft is on pages 33-41 of the attached Needs Assessment.

SUSTAINABILITY IMPLICATIONS

The Needs Assessment and recommendations have sought to meet club needs without duplicating provision of infrastructure.

This is primarily achieved through shared use of assets and seeking to secure security of tenure at school sites with existing assets that are of good quality and accessible.

LEGISLATIVE AND POLICY ALIGNMENT

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

FINANCIAL IMPLICATIONS

Following adoption of the Needs Assessment (as per the officer recommendation of this report), the Needs Assessment recommendations will be integrated into the upcoming review of the Active Reserve Infrastructure Strategy (ARIS) and prioritised amongst all other sport and recreation infrastructure needs.

These sport and recreation infrastructure needs will then inform the City's key Integrated Planning and Reporting documents including future Annual Budgets, Capital Works Programs, the City's Long Term Financial Plan, as well as annual Service Plans and Project Plans where relevant and human and financial resources are available.

Currently the City's adopted Long-Term Financial Plan 2024 - 2034 includes provisions for:

- \$200,000 per annum allocated for the renewal of sporting assets which can contribute to court resurfacing.
- \$150,000 is allocated annually for sports floodlighting.

In addition to the City's financial allocations, identified needs within the Needs Assessment are eligible for regular WA State Government funding programs whereby up to a third (in some instances 50%) contribution will be made such as:

- Community Sporting and Recreation Facilities Fund (CSRFF)
- Community Night Lights Program (CNLP)

In some locations identified in the Needs Assessment, infrastructure is shared with the Department of Education and therefore specific Shared Use Agreements are or are proposed to be developed which will include sharing both capital and operational costs where there is mutual benefit.

At the time of writing this report, the following election commitments have been made related to recommendations in the Needs Assessment:

Party/Electorate	Commitment	Commitment Value	Project Estimate	Recommendation
Labor/Jandakot	Court resurfacing, Peter Ellis Park, Leeming Netball Club	\$60,000	\$200,000	5
Labor/Bateman	Club facility, Morris Buzacott Reserve, Kardinya Netball Club	\$900,000*	\$900,000	3
Labor/Bateman	LED floodlighting, Brentwood Primary School, Tingara Netball Club.	\$300,000*	\$300,000	2

A summary of recommendations and their estimated financial impact is found in the Attachment 3 - "Financial Implications – Needs Assessment – Netball and Multi Use Indoor and Outdoor Courts Recommendations".

To implement this Needs Assessment, the future financial impact (based on 2025 estimates) is summarised as follows:

Capital cost	The total estimated capital cost is \$3.2M. Currently, \$1.26M is attributed to election commitments, therefore \$1.94M is remaining, however other sources of external funding may be sourced (e.g. CSRFF, CNLP)
Annual operating cost	The total annual operating cost of proposed infrastructure within the Needs Assessment is estimated to be \$152,812 which includes depreciation of \$85,912.
Capital replacement	<p>The infrastructure proposed in the Needs Assessment has varied estimated useful life. In order to forecast renewal, the following assumptions have been made:</p> <ul style="list-style-type: none"> • New Building (80 Years) • Storeroom (40 Years) • Internal refurbished building (20 Years) • Floodlighting (20 Years) • Fencing (20 Years) • Netball Court Sub-Grade (20 Years) • Netball Court Surface (7 Years) <p>When individual projects are realised, estimated Capital Replacement Costs will be integrated into the relevant Asset (Class) Management Plans.</p>
Annual Operating Income	<p>Under existing and proposed management models, utility costs are re-couped based on utility provider charges.</p> <p>The City receives a fee for use of courts as set by the City's Fees and Charges (Seasonal Allocation) where the City owns and/or manages the asset. The existing income per annum is approximately \$12,710 and there is no additional income generated following the implementation of infrastructure within the Needs Assessment.</p>

CONSEQUENCE

An alternative would be not to adopt the Needs Assessment, though it is considered by officers that this would not serve the intent of the Notice of Motion raised and resolved at the August 2023 Ordinary Meeting of Council, nor address the needs for netball and multi-use court infrastructure in the City of Melville.

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

Environment and Infrastructure

E25/62 Response to Petition - Brentwood Village Shopping Centre Car Park

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

COUNCIL’S ROLE

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

<p>SUMMARY</p> <ul style="list-style-type: none"> The City of Melville (the City) received a petition signed by 91 residents of the City of Melville requesting the City to undertake investigation and study to redesign the car park at Brentwood Village Shopping Centre to make the car park safe for all pedestrians and drivers that use the carpark. The Cranford Avenue entry to the carpark is very close to the existing roundabout in Moolyeen Road at the intersection with Cranford Avenues and needs to be reviewed. Initial site inspection revealed that the lane way at the back of the shops is not used properly by the shop owners and needs to be investigated and possible redesign to improve traffic flow in the lane way.
--

OFFICER RECOMMENDATION

That the Council request the Chief Executive Officer to:

- Undertake a detailed investigation and review the design of the existing carpark to improve traffic flow and safety.**
- Review the current design of the laneway at the rear of the shops to clearly define the area between the laneway and private property.**
- Carry out consultation with shop owners to discuss concepts/design which improve traffic flow and safety.**
- Write to the Lead Petitioner on the outcome of the Council resolution.**

PURPOSE

This report is to present to the Council the initial investigation and findings regarding safety concerns regarding parking and access associated with the Brentwood Village Shopping Centre.

STRATEGIC ALIGNMENT

Outcome	1	Healthy, safe and inclusive communities with a sense of belonging and wellbeing.
Objective	1	Healthy, Safe and Inclusive
	1.3	Improve community safety and security.

BACKGROUND

The City of Melville received a petition signed by 91 residents of the City of Melville. The petition reads as follows:

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

Undertake an investigation and/or study to redesign the carpark at the Brentwood Village Shopping Centre on the corner of Moolyeeen Rd and Cranford Avenue. We want to make the carpark safer for all pedestrians and drivers that use the carpark. On almost a daily basis there are accidents or near misses with cars trying to navigate multiple entrances and directions of traffic. All business owners have been consulted and feel it is only a matter of time before someone is seriously hurt.”

At the Ordinary Meeting of Council held on 19 November 2024, the Council resolved:

That the Council acknowledge the petition and prepare a report on the matters raised, to be presented to the March 2025 Ordinary Meeting of Council.

The Brentwood Village Shopping Centre carpark is under the care and control of the City of Melville and is located within the road reserve. The laneway behind the shopping centre is freehold land owned and managed by the City of Melville.

The carpark was last renewed with minor upgrades in 2011.

CONSIDERATION

The City has carried out an initial review of the conformity of existing carparking layout to the Australian Standard AS/NZS 2890.1:2004 Off-street car parking. The size of the general parking bays and aisle width conform to the standard. However, since the renewal of the carpark in 2011, the standard for ACROD bays (AS 2890.6:2022 Off-street parking for people with disabilities) has been updated. These bays would need to be updated to the latest standards in any future works on the carpark.

Although the design layout meets the car parking standards, the initial desktop analysis shows motorists entering the carpark from the Cranford Avenue entry could be at risk of conflict with vehicles reversing from the parking bays. Due to the high traffic volume in Cranford Avenue, motorists could enter the carpark area without proper observation of the traffic conditions within the carpark or not observe reversing vehicles. The Cranford Avenue entry to the carpark is very close to the existing roundabout at Moolyeeen Road at the intersection with Cranford Avenue and needs to be reviewed.

As part of the initial investigation, the Lead Petitioner was contacted to discuss the Brentwood Village Shopping Centre Carpark issues and concerns and get further details. The main issues were:

- When visiting the shopping centre several times a day several “near miss” incidents were witnessed.
- In discussions with shop managers, it was noted that numerous low-speed car crashes occurred in this carpark had occurred recently.
- The current condition of laneway at the back of shops should be investigated to improve general traffic circulation.

Initial investigation indicates that the entry off Cranford Avenue is a key contributor for the low-speed crashes and “near misses” experienced at the site.

Crash data from the last five years (2019-2023) shows that there have been two right angle crashes in Cranford Avenue involving exiting traffic from the carpark and eastbound traffic along Cranford Avenue. There is no record for crashes within the carpark as off-road crashes may not get reported due to the minor nature of the crash. The City has organised a 24-hour video survey of the conflict location to gain a better understanding of the situation and identify traffic conditions within the carpark.

Site investigations to date show that the laneway at the back of the shops is not properly used by the shop owners as rubbish bins and other material are stored within the lane, potentially blocking access and creating a hazard. It was observed that deliveries to the shops using the lane way resulted in blocking the laneway and creating congestion in the lane way to traffic.

A detailed investigation and design review of the carpark need to be undertaken to fully assess the issues and recommend changes to the carpark and laneway.



Aerial image of Brentwood Village Shopping Centre

ENGAGEMENT

It is recommended that more detailed investigations be undertaken to assess the issues raised in the petition. Part of these investigations would involve consultation with the shop owners to discuss the issues raised and seek feedback and comments on the potential design solutions and proposals to improve traffic flow and safety.

SUSTAINABILITY IMPLICATIONS

Traffic congestion can have negative climate impacts due increased emissions from stationary vehicles, noting that it is essential that safe parking facilities are provided at shopping centres particularly for City managed land.

LEGISLATIVE AND POLICY ALIGNMENT

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

FINANCIAL IMPLICATIONS

The financial implications will be known once the detailed investigation and the best solution to address the safety concerns is identified. The costs associated with the officer recommendations in this report can be undertaken as part of the operational expenses of the Traffic and Road Safety team. Any recommendations from the investigation would then be listed for consideration in a future capital works program.

CONSEQUENCE

It would be difficult to identify and improve the safety concern raised by the petitioners, if the recommendation to conduct further investigation and consultation with the shop owners is not supported by the Council, noting that the CEO is able to instruct officers to address safety issues related to Council managed lands if required.

BRIEFING FORUM – FURTHER INFORMATION

This section may be updated following the Agenda Briefing Forum to include any Elected Members questions and responses, or requests for further information.

E25/64 Moreau Mews Town Square Public Open Space - Concept Designs (Late Covering Report)

This report is scheduled to be distributed to Elected Members and published on the City's website on Friday, 7 March 2025.

Planning

UP25/60 Review of Local Planning Policy 1.21 - Short Term Accommodation (Late Covering Report)

This report is scheduled to be distributed to Elected Members and published on the City's website on Friday, 14 March 2025.

15 MOTIONS WITH PREVIOUS NOTICE

15.1 Notice of Motion – Superannuation for Elected Members

File Number:	
Related to Item:	Nil
Elected Member:	Cr Jane Edinger
Attachments	Nil

MOTION

That the Council directs the CEO to prepare a report, to be presented to the April 2025 OMC, in relation to the City commencing paying superannuation to all Elected Members, and if a decision is made to commence making superannuation payments, for the payments to be backdated to start from 1st February 2025.

OBJECTIVES, BENEFITS AND RISKS

Objective

- To commence paying superannuation entitlements to Elected Members

Benefit

- Elected Members are able to make provision for their futures

Potential risk

- Budget amendment will be required for payments to commence.

REASONS FOR THE MOTION.

- Local Governments are now able to voluntarily commence paying superannuation for Elected Members.
- From 19th October 2025 payments will be required to be paid.
- The motion will put in place superannuation payments from February 2025.

16 MOTIONS WITHOUT PREVIOUS NOTICE (APPROVAL BY ABSOLUTE MAJORITY)

17 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC

Nil.

18 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

19 CLOSURE



**PERTH
SOUTH WEST**
Metropolitan Alliance

CORPORATE GOVERNANCE CHARTER
PERTH SOUTH WEST METROPOLITAN ALLIANCE

December 2024
Version 7

Restrictions

This document may be released to any party on the authority of the Director.

Acknowledgement

This Charter uses material from the Corporate Governance Charters of Silver Chain, Care Options and the City of Cockburn.



Version History

No	Date	Date Approved	Resolution	Effective Date
1	February 2010		Modified by CEO Forum and the Board	
2	June 2010	14 June 2010	Approved by the Board	14 June 2010
3	February 2011	14 February 2011	Approved by the Board	14 February 2011
4	May 2015		Modified by the Board	
5	August 2015	3 August 2015	Approved by the Board	3 August 2015
6	November 2019	2 December 2019	Approved by the Board	2 December 2019
7	December 2024	2 December 2024	Approved by the Board	



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1 INTRODUCTION

The Perth South West Metropolitan Alliance (hereafter referred to as “the Alliance”) is a voluntary regional organisation of councils (VROC) comprised of the Cities of Cockburn, Fremantle, Kwinana, Melville and Rockingham and the Town of East Fremantle as the member local government authorities.

It was established in 1983 as the South West Group, to respond to high unemployment and slow regional growth by establishing a grouping of local government councils to work in partnership with the other spheres of government to promote the sustainable development of the South West Corridor.

The Alliance seeks to work with these six local governments and through cooperation with industry, community and the other spheres of government to capture a wide range of opportunities to enhance economic growth promote a resilient economy and contribute toward a diversity of quality lifestyles.

The Alliance will be persuasive, forward looking and influential in representing, supporting and promoting Local Government interests that facilitate both long term integrated planning and coordinated infrastructure development to improve the quality of life for residents of the South West Metropolitan Region.

Governance has become an increasingly important concept and impacts on all sectors of the community including industry and government. The practice of good governance requires that there is a clear understanding of roles and responsibilities, systems to provide for internal and external accountability and that decisions are taken in the interests of stakeholders.

The Alliance Board has adopted this Corporate Governance Charter to set out its governance principles and policies as they relate to the respective roles, responsibilities and authorities of the Board and of management as to the direction, performance and control of the Alliance and its affiliated bodies.

2 GOVERNANCE ROLES

2.1 Role of the Board

The Board is responsible for and has the authority to determine the policy, practices, management and operations of the Alliance and shall work towards a secure and long term future of the organisation by:

- 1 In conjunction with management:
 - 1.1 Determining the Alliance Vision, providing directions in the context of the South West Metropolitan Region's strategic needs and ensuring the plans encompass the Vision
 - 1.2 Setting the short and long term goals for the Alliance
 - 1.3 Determining the framework governing the operations of the Alliance from which the Memorandum of Understanding, all operational policies and actions are developed
 - 1.4 Identifying areas of risk to the sustainability of the Alliance and ensuring arrangements are in place to adequately manage those risks
- 2 Approving the Annual Work Plan, operating plans, annual and long term budgets.
- 3 Monitoring the financial operations of the Alliance.
- 4 Approving items of capital expenditure in accordance with approval limits.
- 5 Ensuring organisational compliance with laws, regulations and statutory requirements including environmental and occupational health and safety requirements.
- 6 In conjunction with the CEO Forum, appointing the Director and responding to issues reported to the Board regarding the Director's performance as required.
- 7 Deciding what matters are to be delegated to specific Board members or management and what controls are to be put in place to monitor the operation of delegated powers. This includes the delegation of authority to the Director.
- 8 Undertaking succession planning for the Director.
- 9 In conjunction with the CEO Forum, endorsing the key terms and conditions of senior management appointments.
- 10 Approving significant internal and external communications policies.
- 11 Ensuring a sound and transparent link with key stakeholders, both internal and external.
- 12 Promoting and considering opportunities for cooperative service delivery and positive working relationships amongst member local governments.
- 13 Establishing and detailing the powers and functions of all Board Committees.

2.2 Board Structure

It is essential that the Board structure provides for strong regional cooperation and equitable involvement by all member local governments.

The Alliance will be managed by a Board consisting of the Mayor and the CEO of each member local government authority.

Board members are ex officio and their appointments are for the same term for which they hold office. If a Board member for whatever reason is not exercising the authority of Mayor or CEO in their respective local government authority, they are also excluded from participating as a Board member of the Alliance.

To further assist Board members in their deliberations and to facilitate regional development, the Board establishes Committees and Sub-committees which report directly to the Board.

The Committees and Sub-committees of the Alliance currently in operation include:

- 1 CEO Forum
- 2 Planning and Technical Directors Forum
- 3 Corporate Services Directors Forum
- 4 South West Environmental Reference Forum
- 5 Economic Development Forum

The Board approves the ongoing operation and role statements for Alliance Committees and Sub-committees on an annual basis.

The Alliance is also affiliated with, and provides administrative support to, the South West Corridor Development and Employment Foundation Incorporated (SWCDEF) – by the Director or delegate performing the role of SWCDEF Secretary.

2.3 Role of Individual Board Members

Each Board member is accountable for the successful operation of the Alliance including:

- 1 Contributing as an individual Board member to ensure that the Board effectively carries out its role as set out in Clause 2.1.
- 2 Complying with the agreed provisions of the Memorandum of Understanding.
- 3 Complying with the Board members' Code of Conduct at all times.
- 4 Being forthright in Board meetings, requesting information, raising any relevant issue, fully canvassing all aspects of any issue confronting the Alliance and voting on any resolution in the best interests of the region.
- 5 Understanding the business risks facing the Alliance and the mechanisms in place to manage such risks.
- 6 Providing advice to the Director when appropriate.
- 7 Disclosing to the Chair any potential conflicts of interest.
- 8 Disclosing in writing to the Board any related party transactions.
- 9 Acting in a manner to and with staff that creates respect and a sense of leadership and team approach.

2.4 Board Members' Code of Conduct

The Alliance Board has adopted and has agreed to be bound by the Code of Conduct (refer to Appendix A).

2.4.1 Code of Conduct Principles

A Board member:

- 1 Must act honestly, in good faith and in the best interests of the Alliance and the region as a whole.
- 2 Has a duty to use due care and diligence in fulfilling the functions of office and exercising the powers attached to that office.
- 3 Must use the powers of office for a proper purpose, in the best interests of the Alliance and the region as a whole.
- 4 Must recognise that his or her primary responsibility is to the Alliance but should, where appropriate, have regard for the interests of all stakeholders of the organisation.
- 5 Must not make improper use of information acquired as a Board member.
- 6 Must not take improper advantage of the position of Board member.
- 7 Must not allow personal interests, or the interests of any associated person, to conflict with the interests of the Alliance.
- 8 Has an obligation to be independent in judgement and actions and take all reasonable steps to be satisfied as to the soundness of all decisions taken by the Board.
- 9 Should not engage in conduct likely to bring discredit to the Alliance.
- 10 Has an obligation, at all times, to comply with the spirit, as well as the letter of the law and with the principles of the adopted Code of Conduct.
- 11 Shall attend as many meetings as practicable and provide for a fully briefed delegate acceptable to the Chair when absent from scheduled meetings.

2.4.2 Confidential Information

Confidential information received by a Board member in the course of the exercise of Board duties remains the property of the Alliance and it is improper to disclose it, or allow it to be disclosed, unless that disclosure has been authorised by the Alliance, or the person from whom that information is provided, or is required by law.

2.5 Role of the Chair

The Chair will:

- 1 In conjunction with the Chair of the CEO Forum, provide guidance to the Director.
- 2 Ensure that the Board acts efficiently and effectively and provides leadership to the Alliance.
- 3 Ensure that the Board has the right balance of participation and discussion.
- 4 Chair Board Meetings and operate in the manner identified in the MOU.
- 5 In consultation with the Director and the CEO Forum, establish the agenda for Board meetings.
- 6 Establish a clear understanding with the Director on their respective roles when communicating with the media, outside sources and the general community.
- 7 Represent the policy positions agreed by the Alliance.
- 8 Lead Alliance Mayoral Delegations and tours.
- 9 Resolve disputation involving Board members or the Director relating to the operation and resourcing of the Board.

The position of Chair will be filled by annual rotation by Alliance Mayors according to the following rolling schedule:

Rockingham 2025
Cockburn 2026
Town of East Fremantle 2027
Fremantle 2028
Kwinana 2029
Melville 2030

The Deputy Chair will be the Mayor who will next Chair the Alliance.

2.6 Role of the Director

The Director will be appointed by the CEO Forum, in conjunction with the Board, and will be responsible for the on-going management of the Alliance in accordance with the strategies, policies and programs approved by the Board to achieve agreed goals.

The Director's responsibilities will include:

- 1 Developing, with the Board:
 - 1.1 A consensus for the Alliances' Mission, Vision, Values and strategic direction
 - 1.2 Plans that encompass the Mission, Vision and Values
 - 1.3 Short and long term goals for the Alliance
 - 1.4 The framework governing the operations of the Alliance and
 - 1.5 Information resources and promotional material
- 2 Establishing programs and initiatives to implement the Alliances' Mission, Vision and Values.
- 3 Ensuring sound operational and financial performance in accordance with the strategic plans and budgets.



- 4 Establishing an appropriate framework for risk management.
- 5 Providing strong leadership to, and effective management of, the Alliance in order to:
 - 5.1 Encourage co-operation and teamwork and
 - 5.2 Build and maintain staff morale and a sense of allegiance to the Alliance
- 6 Recommending to the CEO Forum the key terms and conditions of appointment of contractors and consultants.
- 7 Signing agreements and contracts with third parties in accordance with Board approval.
- 8 Keeping the Board informed, at an appropriate level, of all activities of the Alliance and its affiliated bodies through a written report to the Board meeting and at other times when appropriate or necessary.
- 9 Maintaining a sound working relationship and dialogue with all relevant government departments, statutory authorities, associations, health and medical providers and other groups and bodies having relevance to the Alliance.
- 10 Maintaining a high profile for the Alliance in the general community by maintaining good public relations with all media.
- 11 The level of supervision, delegations and Extent of Authority for the Director is as follows:
 - 11.1 The Director will receive supervision from the Chair of the CEO Forum and the CEO of the host local government
 - 11.2 Delegations include \$100,000 where the project or activity has been explicitly approved by the Alliance Board or \$10,000 where the project or activity is clearly consistent with the Strategic Plan, Board Policy or Annual Work Plan
 - 11.3 Sponsorship approval is limited to \$2,000
 - 11.4 Travel approval is limited to \$2,000
 - 11.5 Engagement of contractors and consultants limited to \$10,000 per annum for each instance and subject to the above project limitations in aggregate

2.7 Administrative Arrangements

1. The Alliance administrative arrangements and office support for the Director will be provided by a “Host Council”, being one of the member Councils. The administrative arrangements include Executive Assistant support functions, office accommodation, communication equipment and computer support.
2. The City of Kwinana currently is the Host Council, however this function may be provided by another member Council depending upon availability of office accommodation and other matters.
3. Given that the Alliance is not a legal entity, the Host Council is delegated by the Board as the “Employer” of the Director Alliance and administers the Director’s Contract of Employment.
4. An outline of provisional costs associated with the Host Council arrangement are provided in Appendix B, noting these are subject to negotiation with the Board, Director and Host Council and therefore may change through mutual agreement.

3 BOARD PROCESSES

3.1 Board Meetings

3.1.1 Meeting Frequency and Attendees

Unless otherwise determined, the Board will meet on a quarterly basis.

Three Board members or the Chair can convene a Board meeting.

Seven Board members constitute a quorum.

Attendees will comprise Board members, the Chair of the South West Corridor Development and Employment Foundation Incorporated, the Director and the Executive Officer. Only Board members have voting rights.

The meeting dates and times for Board, committee and sub-committee meetings are approved annually by the Board through the adoption of a Meeting Planner.

3.1.2 Board Meeting Agenda

The Director, in consultation with the Chair and the CEO Forum, will prepare the agenda for each meeting.

Items on the agenda will generally include the items listed below:

- 1 Confirmation of the minutes of previous meeting
- 2 Committee minutes
- 3 Budget Report
- 4 Director's Report on priorities identified in the work plan
- 5 Items for Decision
- 6 General Business

3.1.3 Board Papers

The Director is responsible for the circulation of Board papers to Board members at a working week prior to the meeting. Papers should clearly indicate whether a resolution of the Board is required and should include the recommended resolution.

As a minimum, the Board papers must contain:

- 1 The minutes of the previous meeting
- 2 Agenda items with recommendations, and for information.
- 3 Finance Report
- 4 Director's Report

3.1.4 Board Minutes

The minutes must contain a brief review of the discussion at the meeting and record the resolutions adopted by the Board.

Board members who dissent can ask to have their decision noted in the minutes.

The Director will maintain a complete set of papers for each Board meeting at the Alliance principal office. Draft (unapproved) minutes will be circulated by email within ten working days of the Board meeting and formally considered at the next Board meeting.

3.1.5 Board Decision and Compliance Timetable

Prior to the commencement of each calendar year, the Director will provide Board members with a Decision and Compliance Timetable outlining key decision dates for the forthcoming year.

Key decision dates for compliance issues include:

- 1 Approval Role Statements for Alliance Committees and Sub-committees
- 2 Financial contributions from member Councils
- 3 Annual budget for Alliance
- 4 Adoption of Decision and Compliance Timetable
- 5 Commission of Annual Financial Audit
- 6 Approval to publish Annual Report
- 7 Adoption of Annual Meeting Planner
- 8 Adoption of Director's Annual Work Plan

3.1.6 Memorandum of Understanding

The Board members will enter into a Memorandum of Understanding that establishes resources and funding requirements to support the Alliance, Chair and Deputy Chair rotations, contributed funds or 'member equity' reporting and the terms of the agreement.

The Memorandum of Understanding will be based on a six-year commitment to ensure the strategic focus and regional activities of the Alliance can be undertaken with a level of certainty and timeframes consistent with the Director's Contract of Employment.

The Memorandum of Understanding is provided in Appendix C.

3.1.7 Board Proceedings and Dispute Resolution

Decisions of the Board will be made by resolution with Robert's Rules used as a guide to procedure (refer to Appendix D).

It is recognised that from time to time it may not be possible for the Board to reach a consensus position on a potentially conflicting issue that may disadvantage one or more of its member local government authorities. The Chair will in the first instance seek to resolve a potentially conflicting issue or dispute involving Members of the Board or the Director.

The Board may reach a conclusion that it is not in the best interests of the Alliance to pursue further dialogue or establish a position on a particular matter or issue.

This approach accepts that the differing views expressed by member Councils, or established through member Council resolutions, should be respected and that the solidarity and unity of members is a core value and paramount for the ongoing and effective operation of the Alliance. In accordance with this philosophy, decisions on such contentious issues will be dealt with through consensus, rather than by voting to achieve a majority position, to protect the membership of the Alliance.

In the limited cases where it is not possible for the Alliance to adopt a regional perspective and position on a particular issue or proposal, the Board will maintain a neutral position on the issue or matter and defer any stakeholder interest on the issue or matter to the respective member Council.



Any disputes involving the Director Alliance will be dealt with in accordance with the Director's Contract of Employment.

3.1.8 Audit and Review

The Board will ensure that the Alliance and the South West Corridor Development and Employment Foundation are the subject of independent review by a qualified auditor each year.

The South West Corridor Development and Employment Foundation is an independent association whose accounts are managed externally and therefore appoints its auditor according to the rules of association contained in its Constitution.

3.1.9 Withdrawal from the agreement

A member council may at any time give notice of its intention to withdraw from the Alliance. The member council intending to withdraw from the Alliance must notify the Chair in writing no later than one year before its intended withdrawal.

The withdrawal of the member council shall take effect from the end of the financial year following the date that it provides written notice of its intention to withdraw. For example, a member council could provide written notice of its intention to withdraw in June 2026 – the withdrawal would take effect at the end of the financial year following, on 1 July 2027.

3.2 Committees

3.2.1 CEO Forum

The CEO Forum comprises the CEO's of all member local government authorities.

The role of the CEO Forum is to:

1. Provide advice on finances of the Alliance
2. Oversee the employment and activities of the Director Alliance
3. Provide a forum to progress and resolve complex or controversial regional issues
4. Provide advice on areas of member local government activity to be assessed for potential shared service assessment
5. Consider future agenda items for the Alliance Board
6. Consider future project activity, policies and procedures for the Alliance
7. Undertake the annual performance review of the Director Alliance and report on the review outcome to the Board.

The CEO Forum is to be chaired on annual rotation from its members in a manner aligned to the rotation of the Alliance Chair.

The CEO Forum's Role Statement is reviewed and adopted annually by the Alliance Board.

3.2.2 Committees and Sub Committees

The Board may establish Committees and Sub-committees to assist it carry out its role.

The Committees and Sub-committees of the Alliance currently in operation include:

- 1 CEO Forum
- 2 Planning and Technical Directors Forum
- 3 South West Environmental Reference Forum
- 4 Economic Development & Advocacy Forum

The Membership and Role Statements for the Committees and Sub-committees are reviewed and adopted annually by the Alliance Board. Other Forums and/or Committees may be established to support delivery of the Strategic Plan and work plan, with the approval of the Board.

3.3 Key Board Functions

3.3.1 Delegation of Authority

The Board empowers the Director to manage the affairs of the Alliance within a wide range of authorities that are defined in his role as Director but within specified constraints as determined from time to time.

3.3.2 Monitoring

To assist the Board in carrying out its role, the Board will monitor the performance of the Alliance by reference to:

- 1 Key performance indicators as defined in the Director's work plan.
- 2 Key compliance reports including audited statements

3.3.3 Strategy Formulation

The Board's role in the strategic planning process is one of input, review and approval on an annual basis.

3.3.4 Advice

A key aspect of each Board member's duties is to feedback for the Director and his or her ideas.

Board members should provide frank and honest advice to the Director.

Where appropriate, Board members should recommend possible alternative advisors with skills to assist the Board in dealing with specific issues.

3.3.5 Contacts

Board members are expected, where possible and appropriate, to further the Alliance's interests with outside contacts and networks.

3.3.6 Director Evaluation and Annual Performance Review

The Chair of the CEO Forum and Host CEO will evaluate and discuss with the Director his or her performance on an annual basis as part of an Annual Performance Review process, usually on the anniversary of Director's appointment, and report to the Board accordingly. This will include consultation with the CEO Forum.

4 BOARD MEMBER PROTOCOLS

4.1 Obtaining Information

Generally, Board members should only seek information on an issue involving Alliance directly from a staff member, contractor or consultant with the knowledge of the Director, Chair of the CEO Forum or Board Chair.

4.2 Access to Information

The Director must hold a set of Board papers for Board members to access for a period of seven years. Board members are entitled to access these papers on request.

Former Board members are entitled to access Board papers dated up to and including the date they ceased to be a Board member for a period of seven years after such date.

4.3 Insurance Arrangements

The Alliance does not maintain Director's and Officer's Insurance for each Board member as the activities as members of the Alliance are consistent with their roles as Mayor or CEO and therefore covered by member Council insurance policies.

The Host Council, as the delegated employer of the Director Alliance, is to include the Director under its Director's and Officer's Insurance during the period he or she is employed and for 7 years after the date on which he or she ceased to be a Director.

4.4 Board Evaluation

On an annual basis the Board will discuss and evaluate its performance and undertake a review of the Alliance through the Annual Report process.

4.5 Board Member Development

Board members are encouraged and expected, to undergo continued professional and self-development.

4.6 Board Member Induction

Induction of new Board members into their role on the Alliance Board will entail:

- 1 The Director and/or Chair discussing the responsibilities, conduct and contribution expectations of Board members with the new Board members.
- 2 Advising new Board members of this Corporate Governance Charter, the Memorandum of Understanding and relevant strategic documents.
- 3 Providing guidelines on Board processes.
- 4 Providing background information on and contact information for key people in the Alliance including an outline of their roles and capabilities.
- 5 The Director providing an industry background briefing and give the new Board members a package consisting of:



CORPORATE GOVERNANCE CHARTER

- 5.1. Key performance indicators
- 5.2. Last year's Annual Report
- 5.3. Current strategic directions
- 5.4. Relevant brochures and advertising material
- 5.5. Corporate Governance Charter
- 5.6. Memorandum of Understanding

APPENDIX A – CODE OF CONDUCT

Perth South West Metropolitan Alliance CODE OF CONDUCT

OBJECTIVES

The Board is the body responsible for administration of the Alliance as a voluntary regional organisation of Councils. It is in the best interests of the constituent local governments, the local community, as well as the public in general that a Code of Conduct applies to the operation of the Alliance and is approved by the Board.

The public and constituent local governments are entitled to expect that:

- the business of the Alliance and its affiliated bodies will be conducted with efficiency, impartially and with integrity;
- Members and employees will obey the spirit and letter of the law and, in particular, the provisions of all relevant statutes, ordinances, regulations and instruments;
- duty to the public will always be given absolute priority over the private interests of Members and employees.

The Code does not override or affect the legislation applicable to local government. It provides a guide and a basis of expectations for Alliance Board Members, committee members, members of affiliated bodies, the Director and employees and encourages a commitment to ethical and professional behaviour.

DEFINITIONS

In this Agreement:

Act means the *Local Government Act 1995*.

Affiliated body means entities supported by the Alliance or who operate in conjunction with the Alliance such as the South West Corridor Development Foundation Inc.

CEO means Chief Executive Officer of the Host Local Government.

Chair of the Chief Executive Officer Forum means the Executive appointed by the Members of the Alliance Board to that position.

Council means any Council (as defined in the Act) of the Local Government comprising the Alliance.

Director means the Director of the Alliance.

Confidential Information means any and all confidential information, data, reports, operations, know-how, accounts, dealings, records, materials, plans, statistics, finances or other documents and things (other than a document or thing which is already in the public domain), whether written or oral and of whatever type or nature relating to property, assets, liabilities, finances, dealings or functions of the Alliance or any undertaking from time to time carried out by the Alliance and Local Governments.

Host Local Government means: the local government housing the Director and staff of the Alliance. At the time of signing this contract, the Host Local Government is the City of Kwinana.



Intellectual Property means any and all intellectual property belonging to the Local Government including:

- (a) patents, copyright (including all copyright in software), registered designs, registered and unregistered trade marks, rights to have information kept confidential, processes, inventions, improvements, innovations, modifications and discoveries, whether or not capable of being secured, registered or protected by any means; and
- (b) any application or right to apply for registration of any of the rights referred to in paragraph (a); and
- (c) the Director’s Intellectual Property.

Local Government means any of the Local Governments (as defined in the s1.4 of the Act) comprising the Alliance.

Member means any member of a Alliance Board, committee, working group or affiliated body.

Perth South West Metropolitan Alliance means the City of Cockburn, Town of East Fremantle, City of Fremantle, City of Kwinana, City of Melville and City of Rockingham as a voluntary regional organisation of Councils operating through the Host Council.

Perth South West Metropolitan Alliance Board means the Mayors and Chief Executive Officers of member local governments of the Alliance or persons formally appointed to act in those positions.

Policies means all guidelines, policies, practices and procedures of the Alliance and Local Governments as varied from time to time.

POLICY STATEMENT

CONFLICT AND DISCLOSURE OF INTEREST

1. Conflict of Interest

- a) Members, the Director and employees will ensure that there is no actual (or perceived) conflict or incompatibility between their personal interests and the impartial fulfillment of their public or professional duties.
- b) The Director and employees will not engage in private work without the consent of the Chair of the Chief Executive Officer Forum.
- c) The Director and employees will lodge written notice with the Chair of the Chief Executive Officer Forum describing an intention to undertake a dealing in land within the district or which may otherwise be in conflict with the Local Government’s functions (other than purchasing the principal place of residence).
- d) The Director and employees who exercise recruitment or other discretionary functions will make disclosure before dealing with relatives or close friends and should disqualify themselves from dealing with those persons.
- e) The Director and employees will refrain from partisan political activities that could cast doubt on the neutrality and impartiality of employees acting in their professional capacity.

2. Disclosure of Interest

- a) Members, the Director and employees will adopt the principles of disclosure of financial interest and impartiality interest as contained within the Act and the Local Government (Administration) Regulations.
- b) Whenever disclosure is required by legislation, recommended in this Code, or otherwise seems appropriate, it will be made promptly, fully, and in writing to the Chair of the meeting prior to the meeting. In cases of urgency disclosure of an interest should be made orally at the start of the meeting and confirmed in writing.

PERSONAL BENEFIT

3. Use of Confidential Information

- a) Members, the Director and employees will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways in which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation.
- b) Information of a confidential nature will not be communicated until it is no longer regarded as confidential.
- c) Members requesting information of a legal or sensitive nature shall make written application setting out reasons for requesting the document to the Director, accompanied by a Declaration of Interest that may be relevant or appropriate.
- d) The Freedom of Information rules shall apply at all times.
- e) Legal opinions can be read, but copies will not be provided.
- f) Members accessing Alliance records shall do so in the presence of the Director or his nominee, and in accordance with such procedures as deemed appropriate by the Alliance Board.
- g) In accordance with obligations of fidelity to the organisation the Director will inform the relevant Chair of the committee of any request from any Member wishing to access information which, in the opinion of the Director, the Member has a conflict or financial interest in accordance with the relevant legislation.
- h) Members be aware of the Director's legal obligation to report matters (to the relevant government agency) involving improper use of, or access to, information as "serious improper conduct".

4. Intellectual Property

The title to intellectual property in all duties relating to contracts of employment will be assigned to the Alliance or Local Governments upon its creation unless otherwise agreed by separate contract.

5. Improper Use of Undue Influence

Members, the Director and employees will not take advantage of their position to improperly influence other Members or employees in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

6. Gifts and Bribery

Members and Alliance Staff are bound by the Local Government Act rules relating to acceptance and disclosure of gifts, and should be noted in the relevant Local Government registers.

CONDUCT OF MEMBERS AND EMPLOYEES

7. Personal Behaviour

a) Members, the Director and employees will:

i) act, and be seen to act, properly and in accordance with the requirements of the law and terms of this Code;

ii) perform their duties impartially and in the best interests of the Alliance and Local Governments, uninfluenced by fear or favour;

iii) act in good faith (ie: honestly, for the proper purpose, and without exceeding their powers) in the interests of the Alliance and Local Governments and the community;

iv) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and

v) always act in accordance with their obligation of fidelity to the Alliance and Local Governments.

8. Honesty and Integrity

Members, the Director and employees will:

a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;

b) bring to the notice of the Alliance Chair or the relevant Committee Chair any dishonesty on the part of any other Member and, in the case of an employee, to the Director.

c) be frank and honest in their official dealing with each other.

9. Performance of Duties

While on duty, employees will give their whole time and attention to Alliance business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Alliance and Local Governments.

10. Compliance with Lawful Orders

a) Employees will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Director.

b) Employees will give effect to the lawful policies of the Alliance and Local Governments, whether or not they agree with or approve of them.

11. Administrative and Management Practices

Members, the Director and employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

Any Member, who wishes to raise a grievance in relation to the Code of Conduct shall first raise the matter with the Director, the Chair of the Chief Executive Officer Forum or the Alliance Board Chair.

Any employee who wishes to raise a grievance in relation to the Code of Conduct shall first raise the matter with the Director.

If the Director, the Chair of the Chief Executive Officer Forum or the Alliance Board Chair is unable to reach a satisfactory conclusion, then the matter is to be submitted to the Alliance Board for determination. Any member of the Alliance Board who is a party to a grievance process shall be ineligible to sit on the Board whilst it is acting as a grievance panel. The proceedings of the Alliance Board sitting as a grievance panel shall be confidential.

The Alliance Board may also convene a separate grievance panel which shall be comprised according to resolution of the Alliance Board. However, any member of the grievance panel found to be in breach of the Code of Conduct shall be ineligible to sit on the grievance panel for a period determined by the Alliance Board.

Should the grievance panel be unable to reach a satisfactory conclusion, then the matter may be submitted to the Alliance Board for determination.

Should a Member have any grievance in relation to an Officer (other than the Director), then the Director shall be advised of the matter in a timely manner. The Director shall deal with all grievance issues involving staff members.

The Local Government Act provisions relating to financial and conflicts of interest shall apply.

Nothing in this procedure shall prevent a Member/Officer from reporting matters as required under the Corruption and Crime Commission Act 2003.

DEALING WITH ALLIANCE PROPERTY

12. Use of the Alliance Facilities, Funds, Employees and Equipment

Members, the Director and employees will:

- a) be scrupulously honest in their use of the Alliance or Local Governments' resources and shall not misuse them or permit their misuse (or the appearance of misuse) by any other person or body. Resources are defined, for the purpose of this clause, as being funds, facilities, employees and equipment;
- b) use the Alliance or Local Government resources entrusted to them effectively and economically in the course of their duties;
- c) not use the Alliance or Governments' resources (including the services of employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the Director).



13. Travelling and Sustenance Expenses

Members and employees will only claim or accept travelling and sustenance expenses arising out of travel related to matters which have a direct bearing on the services, policies or business of the Alliance and Local Governments in accordance with Policy and the provisions of the Act.

14. Access to Information

Members, the Director and employees will ensure that Members are given access to all information necessary for them to properly perform their functions and responsibilities.

CORPORATE OBLIGATIONS

15. Communication with Community

- a) Members, the Director and employees will ensure that effective communication is promoted to the community, in order to achieve proper accountability and responsibility.
- b) Members, the Director and employees will respect the decision making process of the Alliance and ensure their effective implementation.

16. Communication and Public Relations

- a) All aspects of communication by employees (including verbal, written or personal), involving the Alliance and Local Governments activities should reflect the status and objectives of the Alliance and Local Governments. Communications should be accurate, polite and professional.
- b) The Alliance Board Chair or the Director will only make statements to the press on behalf of the Alliance.

This shall not prejudice an individual Member's right to express a personal opinion on issues of public interest.

17. Standard of Dress

Members, the Director and employees are expected to comply with neat and responsible dress standards at all times. The right to raise the issue of dress with individual employees is reserved.

18. Health, Well Being and Safety

Members, the Director and employees shall ensure that the premises used by the Alliance are adequate to ensure the health, safety and well being of their employees and members of the public.

19. Professional Advice

Members, the Director and other employees shall ensure that no restrictions are placed on the ability of employees to give professional advice to Alliance committees.

20. Entrepreneurial Activities

Members, the Director and employees should ensure that the Alliance impartially and properly assesses its own proposals for entrepreneurial activities, consistent with the scope and standard of the normal assessment of private subdivision, development and/or building applications.

APPENDIX B – ADMINISTRATIVE ARRANGEMENTS

ACTIVITY	ARRANGEMENT	FINANCIAL IMPLICATIONS	COMMENT
Staffing	Staff employed by the Host Council	Fully recouped	CEO Forum set Director Conditions and monitor performance
Accommodation, Computing and Financial Services	Provided by Host Council	Recouped through 5% charge on income for the Alliance	
Mobile Telephone	As per Director's Contract		
Travel	Approved by Host Council CEO	Paid by the Alliance	In consultation with the CEOs Forum Chair for interstate travel
Photocopying	Provided by Host Council	Fully recouped	
Credit Card	Provided by Host Council	Fully recouped	Supplied by Host Council - limit \$10,000

Director is employed under a fixed-term contract.

Additional Staff are employed under normal arrangements by the host Council and is funded by the Alliance.

Financial support services for the Alliance are provided by the host Council through their Financial Services.

Audit costs are directly paid by Alliance.

APPENDIX C – MEMORANDUM OF UNDERSTANDING
ALLIANCE
MEMORANDUM OF UNDERSTANDING
2025/26 – 2030/31
SIGNED XXXXXX
1. Introduction

The Perth South West Metropolitan Alliance (the Alliance) operates to represent the combined regional interests of its member Councils and their constituents in promoting growth and development of the South West Metropolitan Region of Perth. In particular member Councils accept that key infrastructure is best planned and promoted on a regional basis.

2. Alliance Board

The strategic direction and management of the Alliance will be subject to guidance and direction of a Board comprising the Mayors and Chief Executive Officers of member Councils.

In making any determination primary consideration will be given to the impact on the overall region rather than individual Council interests, subject to clause 3.1.7 of the Corporate Governance Charter regarding Board Proceedings and Dispute Resolution.

3. Vision and Mission

Local Governments in South West Metropolitan Region of Perth, through cooperation with industry, community and the other spheres of government seek to capture a wide range of opportunities to enhance economic growth and support a diversity of quality lifestyles for the benefit of the member Councils and their communities.

The partnership approach adopted by the Alliance will extend to maximising cooperation with each other and consideration of shared services and resources. Members of the Alliance commit to discuss major information technology acquisitions and initiatives to allow for common approaches to be adopted where feasible.

The Alliance will be persuasive, forward looking and influential in representing, supporting and promoting Local Government interests that affect the growth and sustainable development of South West Metropolitan Region of Perth.

4. Resources

The member Councils agree to support the operations of the Alliance for the six years from 1 July 2025 to 30 June 2031.

Member Councils will be levied according to the annual budget adopted by the Board. In accordance with a 2017 Board decision, the following formula is applied to determine annual membership fees:

- a) \$25,000 minimum fee, and
- b) 22.95 cents per head of population, and
- c) 22.95 cents per \$1,000 of operating revenue (from the most recent audited financial year statements), and
Funding for work plan projects.

