

**MINUTES
OF THE
ORDINARY MEETING OF THE COUNCIL**

6.30PM TUESDAY, 16 June 2020

**Held electronically in accordance with Regulation 14D(2)(a) of the
Local Government (Administration) Regulations 1996.**

Due to the State of Emergency declared in Western Australia, effective 16 March 2020 and the subsequent government directives with regard to public gatherings and physical distancing only a limited number of the public were able to physically attend this meeting.

This meeting was publically broadcast to the community and the minutes and the audio recording of the meeting available on the City's website as soon as practicable after the meeting to meet the requirements of Regulation 14E(3)(b)(i) and (ii) of the *Local Government (Administration) Regulations 1996*

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

DISCLAIMER

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The Audio Recording will be available within 10 days of the meeting and may be accessed at www.melvillecity.com.au/agendas in accordance with the provisions of the Policy.

DISTRIBUTED: 19 June 2020

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1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and officially declared the meeting open at 6:30pm and invited Cr Karen Wheatland to read the Acknowledgment of Council

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

The Presiding Member requested Mr B Taylor, Manager Governance Property read aloud the Disclaimer and then Mayor, Honourable George Gear, advised that the meeting was being recorded for minute taking purposes and read aloud the following Affirmation of Civic Duty and Responsibility.

Affirmation of Civic Duty and Responsibility

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

Mayor Honourable George Gear advised that Deputy Mayor, Cr N Pazolli and Cr J Barton were in attendance electronically with his approval and that Cr Robins had submitted a written request for a leave of absence that included this meeting and needed to be considered before the business of the meeting.

COUNCIL RESOLUTION

At 6:33pm Cr Wheatland moved, seconded Cr Pazolli –

That the application for a new leave of absence submitted by Cr Robins on 16 June 2020 be granted.

At 6:34pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

2. PRESENT

Mayor Honourable G Gear

COUNCILLORS

Cr N Pazolli (Deputy Mayor)
Cr S Kepert
Cr D Macphail
Cr C Robertson, Cr M Woodall
Cr G Barber
Cr J Barton
Cr K Mair, Cr M Sandford
Cr T Fitzgerald, Cr K Wheatland

WARD

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

3. IN ATTENDANCE

Mr M Tieleman	Chief Executive Officer
Mr M McCarthy	Director Technical Services
Mr A Ferris	Director Corporate Services
Ms C Young	Director Community Development
Mr S Cope	Director Urban Planning
Mr L Hitchcock	Executive Manager Governance and Legal Services
Mr B Taylor	Manager Governance and Property Services
Ms C Newman	Governance Coordinator
Ms J Head	Governance Officer

Officers in attendance

Ms K Brosztl	Manager Engineering
Mr P de Lang	Healthy Melville Coordinator – Leisure Planning
Mr G Edwards	Recreation Development Officer
Mr M Tye	Project Officer
Ms L Hartill	Manager Neighbourhood Development
Mr B Dawkins	Manager Neighbourhood Amenity
Ms A Hill	Governance Project Officer

At the commencement of the meeting, there were 2 members of the public in the Council Chambers and 3 members of the public and 1 representative from the Press in attendance electronically.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Cr N Robins Bateman – Kardinya - Murdoch

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

Nil.

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

Nil.

6. QUESTION TIME**6.1 Questions Received with Notice**

Nil.

6.2 Questions Received without Notice

Nil.

6.3 Questions Taken on Notice at Previous Meeting

Nil.

7. AWARDS AND PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY MEETING OF THE COUNCIL – 19 MAY 2020**
Minutes 19 May 2020**COUNCIL RESOLUTION**

At 6:34pm Cr Macphail moved, seconded Cr Barber –

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 19 May 2020, be confirmed as a true and accurate record.

At 6:35pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

8.2 NOTES OF AGENDA BRIEFING FORUM – 2 JUNE 2020
Notes 02 June 2020**COUNCIL RESOLUTION**

At 6:36pm Cr Robartson moved, seconded Cr Barber –

That the Notes of Agenda Briefing Forum held on Tuesday, 2 June 2020, be received.

At 6:36pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

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

Nil.

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Nil.

10. DEPUTATIONS**10.1 Ms M Mews and Mr V Mews of Bicton**

Item P20/3857 – Proposed Amendment to DA-2018-538 – Mixed Use Development – Lot 482 (6) Fifth Street, Bicton (DA-2020-276)

11. APPLICATIONS FOR NEW LEAVES OF ABSENCE

Nil.

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**ITEM M20/3850- GROUND LEASE AGREEMENT FOR MELVILLE, AGED AND COMMUNITY ACTIVITY CENTRE (REC) (CONFIDENTIAL ATTACHMENT)**

The Mayor advised that Item M20/3850 Ground Lease Agreement for Melville, Aged and Community Activity Centre which was to be discussed as a confidential item has been withdrawn from tonight's meeting with his approval to allow for further comment by Elected Members. This will be discussed at a future Elected Member Information Session.

13. PETITIONS**13.1 Petition – Stopping Development at Bert Jeffrey Park**

A petition signed by 105 residents of the City of Melville, and one non-resident, was received and reads as follows:

"We the undersigned, all being electors of the City of Melville respectfully request that the Council passes motions to the effect of stopping the development of buildings at Murdoch's Bert Jeffrey Park and rescinding Council's 18/09/2018 motion in relation to the proposed location of the amenities building at Bert Jeffery Park.

COUNCIL RESOLUTION

At 6:38pm Cr Mair moved, seconded Cr Sandford –

That the petition in requesting that the Development at Bert Jeffrey Park be stopped, signed by 105 residents and one non-resident be acknowledged and a report be prepared.

At 6:38pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

13. *Petitions continued.*

13.2 Petition – Seeking Recreation Zoning for Phil Ward Park, 11 Cottrill Street, Myaree

A petition signed by 140 residents of the City of Melville has been received on 28 May 2020 and reads as follows:

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

- 1) *Refuse to allow Opal Myaree, or any other service provider or proponent/applicant, to commence Community engagement, or obtain development approval, as to the development of aged care or any other residential or commercial development on Phil Ward Park at 11 Cottrill Street, Myaree;*
- 2) *Instruct the CEO to arrange for the rezoning of Phil Ward Park land from residential R40 to such zoning as will preserve its use as a park and public open space for recreational purposes only in perpetuity;*
- 3) *Instruct the CEO to arrange for the amenity of Phil Ward Park to be improved by installing reticulation, seating benches and play equipment following community consultation as to the nature thereof.”*

A further 48 signatures from residents of the City of Melville for the same petition were received on 12 June 2020

COUNCIL RESOLUTION

At 6:39pm Cr Mair moved, seconded Mair –

That the petition in requesting that Phil Ward be rezoned to preserve it for use as a park and public open space, signed by 188 residents be acknowledged and a report be prepared.

At 6:40 the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

14. REPORTS OF THE CHIEF EXECUTIVE OFFICER

At 6.40pm the Mayor brought forward Item P20/3857 – Proposed Amendment to DA-2018-538 – Mixed Use Development – Lot 482 (6) Fifth Street, Bicton 6157 (DA-2020-276) for the convenience of the public gallery.

At 6:41pm Ms M Mews and Mr V Mews entered the Chambers for the purpose of making a deputation in relation to Item P20/3857 – Proposed Amendment to DA-2018-538 – Mixed Use Development – Lot 482 (6) Fifth Street, Bicton 6157 (DA-2020-276) [Deputation-Mews Proposed Amendment](#). The presentation concluded at 6:52pm.

At 7:01pm Ms M Mews and Mr V Mews departed the Chambers.

P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT - LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)

Ward : Bicton - Attadale - Alfred Cove Ward
 Category : Operational
 Application Number : DA-2020-276
 Property : Lot 482 (6) Fifth Street, Bicton
 Proposal : Amendment to DA-2018-538 - Mixed use development
 Applicant : Mr F Caputi
 Owner : Mr F Caputi and V + D Ferreira
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Responsible Officer : Peter Prendergast
 Manager Statutory Planning

AUTHORITY / DISCRETION

DEFINITION

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

P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT - LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- In July 2018, Development Approval was granted for a mixed use development at 6 & 8 Fifth Street, Bicton. The development has recently been completed and a number of the dwellings are occupied.
- Condition 3 of the Development Approval required the installation of privacy screening to various windows on the western elevation of the building.
- The current application seeks to delete Condition 3 on the basis that, post construction, there are no adverse impacts for visual privacy, and as such the amenity consideration that the condition of planning approval was designed to safeguard, no longer applies.
- The proposal to remove Condition 3 requires consideration having regard to State Planning Policy 7.3 Residential Design Codes Volume 2 (the R-Codes).
- The proposal was advertised to the adjoining landowner who lodged a written objection raising concerns that the development as constructed does result in an adverse impact on their residential amenity by virtue of overlooking.
- In accordance with Council Delegation DA-20: *Planning and Related Matters*, the application was referred to the Development Advisory Unit (DAU) on 21 April 2020. The DAU determined that the application be recommended for approval subject to conditions.
- Following the DAU meeting, the development application was called up to Council for determination in accordance with the procedure outlined in Local Planning Policy 1.1 – Planning Process and Decision Making.
- Notwithstanding the objection received, it is considered that the development is acceptable when assessed against the relevant Element Objectives and Design Guidance provided by the R-Codes and it is recommended that the Council approve the deletion of Condition 3.

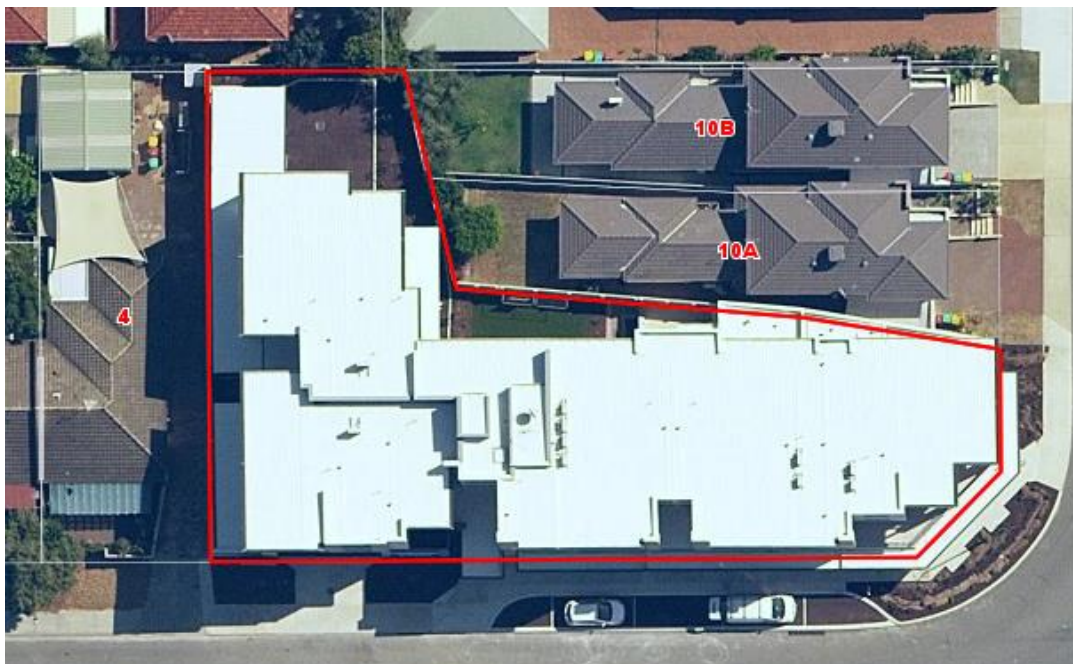


Figure 1 – Aerial Photography

P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT - LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)**BACKGROUND****Scheme Provisions**

MRS Zoning	:	Urban
LPS6 Zoning	:	Mixed Use
R-Code	:	RAC-0
Use Type	:	R50 Mixed Use
Use Class	:	Permitted

Site Details

Lot Area	:	Subject lot - 1239.00m ²
Retention of Existing Vegetation	:	No
Street Tree(s)	:	Not applicable
Street Furniture (drainage, pits, etc.)	:	Not applicable
Site Details	:	Refer photo above – Figure 1

DETAIL

In July 2018, development approval was granted for a three storey mixed use development (10 multiple dwellings & four commercial tenancies) at 6 & 8 Fifth Street, Bicton.

In December 2019 it was noted that the west facing windows on the first floor of the development are not screened in accordance with the requirements of Condition 3 of the planning approval.

[3857 Applicants Copy DA 2020 276 Appeal Condition DA 2018 538 Application and Plans](#)

Condition 3 states as follows:

Prior to the initial occupation of the development, the WESTERN elevation of Unit 1's Living, Meals and Balcony, and the WESTERN elevation of Unit 2's Meals and Kitchen (as marked in RED on the approved plans) shall have installed, fixed obscure screening to a minimum height of 1.6 metres above the finished floor level, or any other screening alternative that complies with the purpose and intent of C1.1 or C1.2 of Clause 6.4.1 of the Residential Design Codes. The screening measures must thereafter be retained in perpetuity to the ongoing satisfaction of the City.

In this case, the windows in question have been constructed with a sill height of 1.5 metres, with no other screening measures applied.

In March 2020, the current development application was submitted which seeks to remove Condition 3 from the approval on the basis that the development as constructed does not give rise to any overlooking or privacy concerns.

P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT - LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)

The development application to remove Condition 3 was advertised in accordance with the provisions of the R-Codes and the City's Local Planning Policy 1.1 Planning Process and Decision Making. In response to this, one submission was received from the owners of the adjoining property at No 4 Fifth Street who oppose the removal of the condition on the grounds that their home is overlooked by the development, and as such their residential amenity levels are adversely affected as their visual privacy is considered to be compromised.

As the setback between the mixed use development and the adjoining property does not meet the acceptable outcomes contained in Clause 3.5 of State Planning Policy 7.3 - Residential Design Codes Volume 2 Apartments (SPP7.3 – Volume 2), a performance assessment is required having regard to the element objectives. This is provided in the table below.

SPP7.3-Volume 2 Requirements

Design Element	Acceptable Outcomes	As constructed	Comments	Delegation to approve variation
Part 3.5: Visual Privacy	Clause A3.5.1: Visual privacy setbacks of 6 metres are provided to the lot boundary for major openings to habitable rooms other than bedrooms and studies.	3.0 metre setback provided.	Requires assessment against the Element Objectives of the R-Codes. Refer to details in report below.	Development Advisory Unit (DAU)
	Clause A3.5.4: Windows and balconies are sited,	Windows are offset from the windows	Meets this acceptable outcome as shown in Figure 3	
	oriented, offset or articulated to restrict direct overlooking without excessive reliance on high sill levels or permanent screening	on the adjoining property	below.	

Note: Commentary in this report relates only to the elements of the proposed development that are the subject of a submission.

P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT - LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Advertising Required: Yes
 Neighbour's Comment Supplied: Yes
 Reason: Required pursuant to LPP 1.1 Planning Process and Decision Making Clause 1.7.7
 Support/Object: One objection received.

A summary of the content of the objection received and associated commentary is provided in the table below.

Summary of Issues Raised	Comments	Action (Condition/ Uphold/ Not Uphold)
Overlooking occurs to major openings to habitable rooms.	Refer to the comments section of this report.	Not Uphold

II. OTHER AGENCIES / CONSULTANTS

No consultation with other agencies/consultants is required.

STATUTORY AND LEGAL IMPLICATIONS

The applicant has the right to have the decision reviewed by the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*.

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

There are no Local Planning Policy or Council Policy implications in relation to this development. The proposed development requires a performance assessment having regard to the relevant Design Principles of the R-Codes.

P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT - LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)**COMMENT**Visual Privacy

The proposed development seeks to delete Condition 3 of DA-2018-538 which requires the installation of screening to the west facing first floor windows of the approved mixed use development. The subject windows are not setback 6.0 metres from the side boundary as required by the acceptable development standards and therefore require a performance assessment having regard to the relevant element objectives of SPP 7.3 – Volume 2. The proposal is considered to meet the element objectives for the following reasons:

- The subject windows are offset from the neighbours kitchen and dining room and as such satisfy Acceptable Outcome 3.5.4 contained within Clause 3.5 *Visual Privacy* (see Figure 3). The offset nature of these windows ensures that any view is oblique rather than direct reducing the visibility into the kitchen and dining room of the adjacent property.
- The subject windows do not directly overlook the outdoor living area of the adjacent property which is located within the front setback area. The outdoor living area is offset from the closest window and the roof covering reduces the ability for people to look downwards into this space.
- The subject windows are located in the kitchen and dining room of Unit 5 (the northern unit) and the dining and living area of Unit 6 (the southern unit). As seen from Figure 4 the kitchen bench provides a physical separation between the window and a person standing at the bench. As such, the opportunity to look into the neighbour's kitchen and dining room is minimised. Regarding the dining room of Unit 5, the windows are at such a height that one would have to stand directly at them and look down at quite a steep, oblique angle to be afforded any view. These principles also apply to the windows of Unit 6 (see Figures 4 -7).
- The element objectives and acceptable outcomes contained in Clause 3.5 seek to strike a balance between protecting the privacy of adjoining landowners and maintaining high levels of amenity for occupiers of apartments. As demonstrated by the illustrations and photographs below, the windows allow for occupiers of the apartments to gain a view towards the west without adversely affecting the amenity levels of occupiers of the adjoining properties.

P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT - LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)

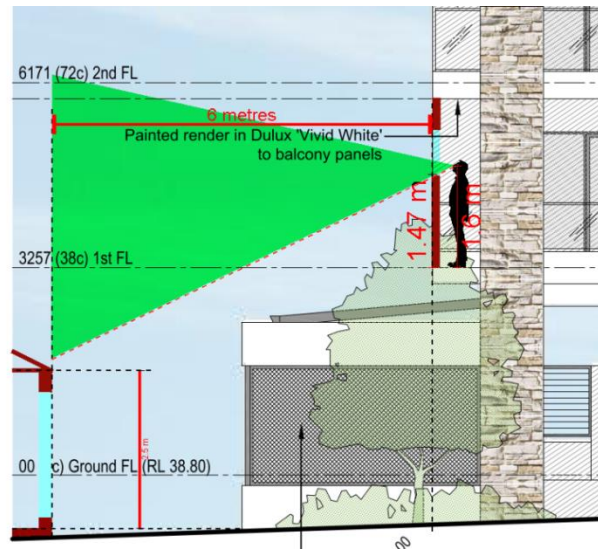


Figure 2: Line of Sight diagram illustrating the steep angle between the subject windows and the neighbour's property.



Figure 3: The subject 1st floor windows in the western side elevation of the development have oblique rather than direct views of the adjoining neighbour's windows. (The windows are highlighted yellow, the blue box represents the neighbour's kitchen and the green box represents the neighbour's dining room).

**P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT -
LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)**



Figure 4: View from Unit 5's kitchen of the neighbour's property. The kitchen bench has the effect of limiting overlooking.



Figure 5: View from Unit 5's dining room of the neighbouring property. Note that this view is towards the roof, not the ground floor eastern side kitchen and dining room windows.

**P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT -
LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)**



Figure 6: The living room window of Unit 6.



Figure 7: The dining room window of Unit 6

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

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

P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT - LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)

CONCLUSION

Given the performance assessment that has been applied in this case concludes that the development as designed is acceptable in principle, it is recommended that approval for the removal of Condition 3 of DA-2018-538 be granted.

OFFICER RECOMMENDATION (3857)

APPROVAL

At 7:03pm Cr moved, seconded Cr –

That the Council:

1. **Endorses the deletion of Condition 3 of DA-2018-538.**
2. **Approves the insertion of an Advice Note on the Development Approval DA-2018-538 as follows:**

“With the exception of Condition 3, the development shall comply with DA-2018-538 and the associated approved plans at all times unless otherwise approved in writing by the City.”

At 7:13pm the Mayor declared the motion

LOST (2/10)

Vote Result Summary	
Yes	2
No	10

Vote Result Detailed	
Cr Macphail	Yes
Cr Robartson	Yes
Cr Barber	No
Cr Barton	No
Cr Fitzgerald	No
Cr Kepert	No
Cr Mair	No
Cr Pazolli	No
Cr Sandford	No
Cr Wheatland	No
Cr Woodall	No
Mayor Gear	No

At 7.13pm the Mayor brought forward Motion With Notice - 16.1 Review of Meeting Procedures Local Law 2017 at the request of Elected Members.

16.1 Review of Meeting Procedures Local Law 2017

COUNCIL RESOLUTION

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

That the Council directs the CEO to initiate a review of the *Meeting Procedures Local Law 2017* in compliance with Section 3.12 of the *Local Government Act 1995*. This includes giving local public notice of the City of Melville's intention to amend the Local Law and to invite suggested amendments from the public, City administrators and Elected Members.

At 7:16pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

Reasons for the Motion as provided by Cr Kepert

The City of Melville's *Meeting Procedures Local Law 2017* was last reviewed in 2017, receiving Council endorsement on the 18th of April 2017.

Particular sections of the Local Law require amendment for a variety of reasons. These include:

- Providing greater clarity to prevent unintended processes that could inhibit sound meeting procedures.
- The ability for Elected Members to be able to appropriately carry out their roles in compliance with the *Local Government Act 1995*.
- Reducing the amount of time required to raise a notice of motion.

A review also provides the opportunity for further suggestions to be brought forward from the public, City administrators and Elected Members.

It is suggested at this stage that the required changes can be made through amendments to the existing local law, negating the need to create a new local law.

An Advice Note from Officers was circulated in relation to Item P20/3835 – Final Adoption of the Local Heritage Survey 2019 and Local Planning Scheme No 6 Heritage List ([3835 Advice Note Local Heritage](#))

P20/3835 - FINAL ADOPTION OF THE LOCAL HERITAGE SURVEY 2019 AND LOCAL PLANNING SCHEME NO.6 HERITAGE LIST (REC) (ATTACHMENT)

Ward	: All
Category	: Policy & Strategic
Application Number	: N/A
Property	: Various
Proposal	: Final Adoption of 2019 Local Heritage Survey and updated Local Planning Scheme No.6 Heritage List
Applicant	: City of Melville
Owner	: Various
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Not applicable
Responsible Officer	: Gavin Ponton Manager Strategic Urban Planning

AUTHORITY / DISCRETION

DEFINITION

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

P20/3835 - FINAL ADOPTION OF THE LOCAL HERITAGE SURVEY 2019 AND LOCAL PLANNING SCHEME NO.6 HERITAGE LIST (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- Every local government in Western Australia is required under section 103 of the *Heritage Act 2018* to prepare a list of places of local heritage significance.
- Additionally, under Schedule 2 of the *Planning and Development (Local Planning) Regulations 2015* each local government must also maintain a Heritage List. The Heritage List comprises the best places on the survey and is associated with the statutory protection mechanisms of the Local Planning Scheme.
- A number of places have been nominated for consideration since the 2014 review
- A public call for public nominations was undertaken in May/June 2019. A total of four nominations were received that were appropriate for heritage assessment.
- The four nominations assessed include Lemon Scented Gums at Tompkins Park, the Melville Bowling and Recreation Club, Ardross Hostel, and a house at 211 Forrest Street, Palmyra.
- Independent heritage consultants, Hocking Heritage and Architecture, completed heritage assessments and produced place records for the four nominated places.
- The Local Heritage Survey (LHS), including the new nominations, and Heritage List were advertised for public comment from 7 November to 5 December 2019.
- A total of 32 submissions were received which primarily demonstrated strong opposition to the proposed listing of the Melville Bowling and Recreation Club.
- It is recommended that the Council consider the submissions and adopt the draft LHS and the Heritage List.

BACKGROUND

In response to obligations under s.103 of the now *Heritage Act 2018*, the City engaged Hocking Planning and Architecture Pty Ltd to compile its first heritage inventory in 1993. The inventory comprised nominations from the public which were then assessed and graded according to significance.

In keeping with the heritage trends of the time, the inventory focussed on larger, more impressive places such as Heathcote Hospital, the Wireless Hill buildings, the Tivoli Theatre/Applecross District Hall and some grand private residences. The inventory was adopted by Council in 1995.

Following establishment of the initial inventory, in 1999 a list of 38 places was adopted under Schedule 2 of Community Planning Scheme No. 5. Known as the Heritage List, the places in Schedule 2 were the best of the inventory. As inventories normally have no legal substance and therefore no implications for developers, it was hoped that the higher status of a Scheme listing would enable more effective heritage management. This proved not to be the case.

An informal review of the City's Local Government Inventory (LGI) and Heritage List in 2002 added approximately 20 additional places. The informal review did not involve the community or any specialised heritage advice.

P20/3835 - FINAL ADOPTION OF THE LOCAL HERITAGE SURVEY 2019 AND LOCAL PLANNING SCHEME NO.6 HERITAGE LIST (REC) (ATTACHMENT)

In 2003 a formal review was begun in recognition of the changing circumstances (eg demolitions/alterations) and the need to incorporate additional listings. At this time the community was involved in the review and professional heritage advice was sought for some of the more complex assessments. An inventory of 72 (up from 54) places was adopted in March 2004.

A comprehensive review of the LGI and Heritage List was again undertaken in 2014 which recognised that as redevelopment and infill becomes more common, heritage places are becoming rarer and increasingly recognised by the community as valuable. Overall the heritage inventory was consolidated from 72 entries to 69.

The Heritage Council of Western Australia guidelines for Local Heritage Surveys (2019) recommend local governments undertake LHS reviews every 5-8 years. Since the 2014 review, legislation applicable to the Local Heritage Survey and Heritage List has been updated including the *Heritage Act 2018*, the *Planning and Development (Local Government) Regulations 2015* as well as the Heritage Council of Western Australia – Guidelines for Local Heritage Surveys (2019). The Local Heritage Survey 2019 reflects the current standards.

Scheme Provisions

MRS Zoning	:	Various – mostly Urban and Reserve: Parks & Recreation
LPS Zoning	:	Various – mostly Residential and Reserve
R-Code	:	N/A
Use Type	:	N/A
Use Class	:	N/A

Site Details

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

DETAIL

The purpose of the LHS review is to produce a comprehensive, up-to-date LHS and Heritage List that is consistent with the best practice guidelines set out by the Heritage Council of Western Australia.

Since the last LHS review in 2014, applicable heritage legislation and guidelines have been updated including the *Heritage Act 2018*, the *Planning and Development (Local Government) Regulations 2015* as well as the Heritage Council of Western Australia – Guidelines for Local Heritage Surveys (2019). In addition to new nominations, administrative changes have been made throughout the LHS to reflect these contemporary standards.

Overall the size of the LHS is proposed to increase by four places to 73 compared with 69 in the 2014 LGI. No existing places listed are proposed for removal, while four new places have been nominated. The four new nominations assessed include Lemon Scented Gum trees at Tompkins Park, the Melville Bowling and Recreation Club, Ardross Hostel, and a house at 211 Forrest Street, Palmyra.

P20/3835 - FINAL ADOPTION OF THE LOCAL HERITAGE SURVEY 2019 AND LOCAL PLANNING SCHEME NO.6 HERITAGE LIST (REC) (ATTACHMENT)

The Heritage Council Guidelines for Local Heritage Surveys require the assessment of a place to include a classification identifying the contribution of a place to local cultural heritage. Classification, including determination as to whether a place meets the threshold for inclusion in the LHS, should be guided by a suitably qualified and experienced heritage professional, with 'Classifications of Significance' to be consistent with the following:

LEVEL OF SIGNIFICANCE TO THE LOCAL AREA	CLASSIFICATION	DESCRIPTION
Exceptional	Category 1	Essential to the heritage of the locality. Rare or outstanding example.
Considerable	Category 2	Very important to the heritage of the locality.
Some/moderate	Category 3	Contributes to the heritage of the locality.
Little	Category 4	Has elements or values worth noting for community interest but otherwise makes little contribution.

The independent heritage consultants, Hocking Heritage and Architecture, have been engaged to complete heritage assessments and produced place records for the four newly nominated places. The four new nominations have been awarded 'Categories of Significance' as follows:

LHS REF	PLACE	CATEGORY
AC07	Lemon Scented Gums	4
AC08	Melville Bowling and Recreation Club	4
AR13	Ardross Hostel	3
PA38	House	3

[3835 New Nomination AC07 Lemon Scented Gum Trees](#)

[3835 New Nomination AC08 Melville Bowling and Recreation Club](#)

[3835 New Nomination AR13 Ardross Hostel.](#)

[3835 New Nomination PA38 House 211 Forrest Street.](#)

[3835 All Place Records \[merged\]](#)

In considering the new nominations it is important to recognise that the LHS is a collection of heritage stories only and there are no statutory implications associated with being listed. Each of the nominated places has been deemed to meet at least the minimum threshold for inclusion in the LHS.

The Heritage List comprises only the most significant places extracted from the LHS. The Heritage List is proposed to remain unchanged at 35 places with no proposed removals or new nominations appropriate addition.

P20/3835 - FINAL ADOPTION OF THE LOCAL HERITAGE SURVEY 2019 AND LOCAL PLANNING SCHEME NO.6 HERITAGE LIST (REC) (ATTACHMENT)

A significant aspect of heritage assessment is the process which precedes entry of any place into the LHS and the final decision to list. The LHS and Heritage List are subject to consideration by and endorsement by the Council of the City of Melville. Council has the power and the ability to exercise judgement which acknowledges community input, and without undue bias, Council can also make decisions to list or not list a place contrary to the view of the community.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

A call for public nominations was undertaken between 13 May and the 21 June 2019. A total of four nominations were received that were deemed appropriate for heritage assessment.

The draft LHS and Heritage List was advertised for public comment for 28 days between the 7 November and 5 December 2019.

The call for nominations and draft LHS were advertised, including invitation to provide feedback on the four new nominations, via the Melville Talks engagement page of the City's website, 454 random sample emails, social media and the Melville Times.

Engagement results:

- 32 submissions were received
- 31 people opposed the inclusion of the Melville Bowling Club
- Of these people, five people also opposed the inclusion of the Ardross Hostel and seven opposed the inclusion of the Lemon Scented Gums
- One person supported the inclusion of all the nominated places

[3835 LHS Engagement Report](#)**II. OTHER AGENCIES / CONSULTANTS**

The Heritage Council of Western Australia has been notified of the City's review of the Local Heritage Survey and will be forwarded a copy of the endorsed Local Heritage Survey 2019 for their information.

The heritage consultancy Hocking Heritage and Architecture was engaged to complete heritage assessments and produced place records for the nominated places.

STATUTORY AND LEGAL IMPLICATIONS

An up-to-date LHS is a legal requirement for the City under section 103 of the *Heritage Act 2018*.

There are no statutory implications for LHS listings.

P20/3835 - FINAL ADOPTION OF THE LOCAL HERITAGE SURVEY 2019 AND LOCAL PLANNING SCHEME NO.6 HERITAGE LIST (REC) (ATTACHMENT)

As there are no proposed changes to the Heritage List and 18 of the 35 places are owned by the City, implications for private owners are negligible.

FINANCIAL IMPLICATIONS

The Local Heritage Survey review has cost \$4,515 including GST.

Apart from rare instances of site-specific future development where expert heritage advice will be needed, no funding is required for the ongoing maintenance of the LHS or Heritage List.

[3835 Local Heritage Survey 2019](#)

[3835 Heritage List 2019](#)

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

With many listings being on parks and reserves, the LHS and the Heritage List will help preserve the City's natural environment in accordance with Environmental Policy CP-030.

Risk Statement	Level of Risk	Risk Mitigation Strategy
Risk of outrage from listings made against a property owners or the communities wishes.	Possible likelihood of insignificant consequences, resulting in low level of risk.	Upfront liaising with property owners and community including ongoing education and dialogue.
Risk of neglecting to list important places.	Unlikely likelihood of insignificant consequences, resulting in low level of risk.	Public advertising of LHS review, liaison with museums and involvement of local history officers in project.
Risk of inconsistency with Heritage Council or other listings.	Unlikely likelihood of insignificant consequences, resulting in low level of risk.	Engagement of well-known heritage expert for LHS review, direct consultation with Heritage Council.

POLICY IMPLICATIONS

There is no Council Policy that relates to the Local Heritage Survey 2019.

P20/3835 - FINAL ADOPTION OF THE LOCAL HERITAGE SURVEY 2019 AND LOCAL PLANNING SCHEME NO.6 HERITAGE LIST (REC) (ATTACHMENT)**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Council could decide to list or not list any of the newly nominated places. Such a decision may be seen as contrary to the views of the community.

Council could also choose not to adopt the Local Heritage Survey 2019 and Heritage List. Doing so would mean the City has not fulfilled its obligations under section 103 of the *Heritage Act 2018*.

CONCLUSION

The Local Heritage Survey 2019 is comprehensive, up-to-date and in line with the State Heritage Council's best practice guidelines. The document records the chief places of cultural heritage significance to Melville and will guide heritage-sensitive development.

The unchanged Heritage List will continue to assist in the management of the more valuable places in the Local Heritage Survey 2019. As the City owns most of these places the number of affected private properties is small.

OFFICER RECOMMENDATION (3835)**APPROVAL**

At 7:18pm Cr Macphail moved, seconded Cr Fitzgerald –

That the Council:

1. **Notes the submissions received during the public advertising for the Local Heritage Survey 2019.**
2. **Adopts the Local Heritage Survey 2019.**
3. **Adopts the 35 places, comprising the 2019 Heritage List under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
4. **Directs the Chief Executive Officer to make available to the public the Local Heritage Survey 2019 and forwards a copy to the Heritage Council of Western Australia for their information.**
5. **Directs the Chief Executive Officer to advise the submitters in writing of the Council's decision.**

P20/3835 - FINAL ADOPTION OF THE LOCAL HERITAGE SURVEY 2019 AND LOCAL PLANNING SCHEME NO.6 HERITAGE LIST (REC) (ATTACHMENT)

Amendment

At 7:19pm Cr Sandford moved, seconded Cr Mair –

That point 2 of the Officer Recommendation be amended by including the following words at the end:

“subject to the Classification of MI Ref ACO7 Lemon Scented Gums at 596 Canning Highway, Alfred Cove being upgraded from Category 4 to Category 1.”

At 7:42pm the Mayor declared the motion

LOST (5/7)

Vote Result Summary	
Yes	5
No	7

Vote Result Detailed	
Cr Barton	Yes
Cr Pazolli	Yes
Cr Mair	Yes
Cr Robartson	Yes
Cr Sandford	Yes
Cr Barber	No
Cr Fitzgerald	No
Cr Kepert	No
Cr Macphail	No
Cr Wheatland	No
Cr Woodall	No
Mayor Gear	No

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3835)

APPROVAL

At 7:18pm Cr Macphail moved, seconded Cr Fitzgerald –

That the Council:

1. **Notes the submissions received during the public advertising for the Local Heritage Survey 2019.**
2. **Adopts the Local Heritage Survey 2019.**
3. **Adopts the 35 places, comprising the 2019 Heritage List under Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.**
4. **Directs the Chief Executive Officer to make available to the public the Local Heritage Survey 2019 and forwards a copy to the Heritage Council of Western Australia for their information.**
5. **Directs the Chief Executive Officer to advise the submitters in writing of the Council's decision.**

At 7:44pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

**P20/3857 - PROPOSED AMENDMENT TO DA-2018-538 - MIXED USE DEVELOPMENT -
LOT 482 (6) FIFTH STREET, BICTON 6157 (DA-2020-276) (REC) (ATTACHMENT)**

Item Brought Forward
See Page 8

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

Ward : Central
 Category : Operational
 Subject Index : Safe Active Street
 Customer Index : Department of Transport
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Item T18/3782 – Proposed Safe Active Street – Links Road, Collier Street, Millington Street and Hope Road, Ardross - Ordinary Meeting of Council 19 June 2018
 Works Programme : Construction 2020-2021
 Funding : \$850,000 Department of Transport
 \$1,350,000 2019-2020 & 2020-21 Capital Works Program
 Responsible Officer : Kimberly Brosztl
 Manager Engineering

AUTHORITY / DISCRETION

DEFINITION

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

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- The City was successful in applying for \$850,000 in 2016 from the Safe Active Street Pilot Program, managed by the Department of Transport, to establish the Links Road Safe Active Street.
- A Safe Active Street is a quiet, low traffic, low speed Local Street, a family oriented route catering for short/medium local trips, local connector to amenities and higher order cycle facilities and minimises stops or delays for active travel modes.
- A Safe Active Street aims to increase safety for vulnerable road users, increase the number of people making local trips on bikes, reduce vehicle speeds, increase the 'spread' of bike trips over a typical day and utilise local roads to fill gaps in the network where separated infrastructure is not possible.
- The proposed Links Road Safe Active Street encompasses Links Road, Collier Road south of Millington Street, Millington Street east of Collier Road, Hope Road south of Millington Street onto Willcock Street; a total length of 1.3 kilometres.
- The project is proposed to be an active link between Westfield Booragoon and the Riseley Centre to encourage pedestrians and cycling amenity, and to improve safety around two schools.
- Although the total project was initially planned to be funded by the \$850,000 grant, based on costs experienced by previous Safe Active Streets pilots, additional features and improvements supported by Department of Transport during the design development and stakeholder consultation phase, resulted in a higher standard of finish, which included the introduction of superior road and drainage features.
- The proposal based on the current detailed design is estimated to cost up to \$2.2 million, with \$850,000 funded by Department of Transport and the balance of \$1.35 million funded by the City through the bringing forward of planned capital works projects and improvements over the next ten years.
- Extensive stakeholder engagement was undertaken in 2018-2019 and the detailed design is ready to be endorsed by Council in order to progress the project to construction stage.
- Construction would take place in 2020-2021.
- The project would be delivered in partnership with Department of Transport and is supported by Main Roads WA and local schools.

BACKGROUND

The Links Road Safe Active Street (SAS) was proposed as a fully funded Department of Transport (DoT) pilot project in the original grant application submitted in 2016. Grant funding was sought and approved on the basis for covering costs involving the development of a Concept Design, Detailed Design, stakeholder engagement and ultimately the construction works.

The DoT was integral throughout the whole process, with DoT officers participating regularly in internal project review meetings coordinated by the City.

A report to Council was submitted in June 2018, and Council subsequently confirmed support for the Links Road SAS resulting in a Detailed Design that is pending Council endorsement

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

A Safe Active Street is:

- A quiet, low traffic, low speed Local Street.
- Family oriented routes catering for short/medium local trips.
- Local connector to amenities and higher order cycle facilities.
- Minimises stops or delays for active travel modes.

The aims of Safe Active Streets are to:

- Increase safety for vulnerable road users.
- Increase the number of women and children making local trips on bikes.
- Reduce vehicle speeds.
- Increase 'spread' of bike trips over a typical day.
- Utilise local roads to fill gaps in the network where separated infrastructure is not possible.

The proposed Links Road Safe Active Street encompasses Links Road, Collier Road south of Millington Street, Millington Street east of Collier Road, Hope Road south of Millington Street onto Willcock Street.

The total length of the proposed Safe Active Street is 1,300 metres, which at the time was the longest SAS proposed for the Perth metropolitan area. The streets involved in the SAS project are quiet and have low traffic volumes and are therefore well suited to the proposal. The maximum speed on the Safe Active Street would be reduced to 30km/h and motor vehicles give way to cyclists therefore encouraging families to take short and medium trips by bicycle or foot. The project will provide a safe and defined active link between the Westfield Booragoon and Riseley Street Activity Centres. The Safe Active Street passes two schools creating a safer, slow speed environment encouraging students to walk and cycle to school.

Links Road Safe Active Street has been presented three times at Elected Member Information Sessions in February 2018, May 2018 and December 2018. A report to Council seeking support for the Safe Active Street Concept Plan was presented on 19 June 2018 whereby Council resolved to proceed with the Detailed Design through a consultative process involving stakeholders. The Safe Active Street project is being undertaken in partnership with DoT.

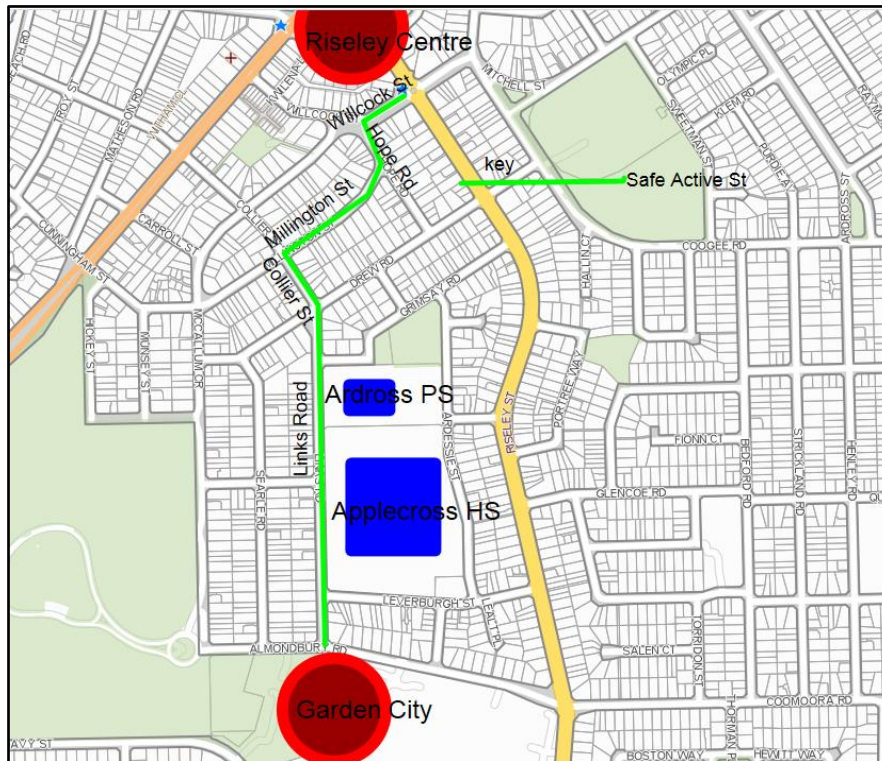
DETAIL

The installation of the Safe Active Street connects the Melville City Centre to the Riseley Centre and involves the construction of a high quality road surface, shared path and associated traffic controls and streetscapes.

The Safe Active Street creates a pedestrian/cycling corridor linking centres, passing two schools and providing a safe, pleasant journey for residents and students alike.

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

The proposed route for the Links Road Safe Active Street proposal is provided below.



By creating a Safe Active Street, the City is promoting cycling and pedestrian activity in a safe environment leading to increased safety and a reduction in road trauma, creating a unique local street setting that encourages increased use of active modes of transport in the community. The idea of a Safe Active Street is not just a travel route but an activated street that can be enjoyed by all age groups as a place of recreation.

Some of the key features and characteristics of the Links Road Safe Active Street include;

- Reducing the speed to 30 km/h.
- 4.7m wide minimum roads widths.
- Intersections will have distinguishing treatment.
- Parking bays with contrasting asphalt colour.
- Links Road and Collier Street intersection to be realigned. Priority changes at the intersection of Drew Road, Collier Street and Links Road.
- Modified kerb radii still allowing for service vehicles.
- Safe active street symbol at the entrances.
- Raised platforms at all intersections and at strategic points along the route.
- Wide shared path along Links Road adjacent to the two schools.
- Tying into existing bike parking at primary and high schools.
- Modification to the T intersection at the Hope Road and Millington Street intersection to reinforce priority for the Safe Active Street.
- Water sensitive planting (rain gardens) and natural infiltration drainage where possible.
- More tree planting along the route and garden beds with reticulation for establishment.

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

To date, a Detailed Design has been prepared and was fully funded by the DoT. The Detailed Design has been peer reviewed by three transport consulting companies, Main Roads WA and the DoT. All recommendations have been considered and amendments that were deemed appropriate and achievable incorporated into the design.

Independent Road Safety Audits have been undertaken on the Preliminary Design and on the Detailed Design. The SAS route alignment is presented below in sections including the detailed treatments. Large scale print outs of the designs have been prepared and will be made available at the ABF and Council meetings. Copies can be provided to Elected Members if required.

[3847 Links-Collier-Millington-Hope Safe Active Street-7243A1-19E Drew](#)

[3847 Links-Collier-Millington-Hope Safe Active Street-7234A1-19E Willcock Hope](#)

[3847 Links-Collier-Millington-Hope Safe Active Street-7235A1-19E Millington](#)

[3847 Links-Collier-Millington-Hope Safe Active Street-7236A1-19E Millington Collier](#)

[3847 Links-Collier-Millington-Hope Safe Active Street-7237A1-19E Collier Drew Links Drumfern](#)

[3847 Links-Collier-Millington-Hope Safe Active Street-7238A1-19E Links](#)

[3847 Links-Collier-Millington-Hope Safe Active Street-7239A1-19E Alexander](#)

[3847 Links-Collier-Millington-Hope Safe Active Street-7240A1-19E Leverburgh Almondbury](#)

'Before' surveys involving pedestrian, cycling and motorised vehicular movements have been undertaken by the DoT to complement the standard traffic counts undertaken by the City of Melville. A video survey measuring the number of pedestrians and cyclists, particularly on the affected streets, was completed in the beginning of May 2018.

Community consultation was a key component of the process in developing a Detailed Design in order to capture stakeholder feedback, views and issues.

It became clear during the development of the detailed design that the Links Road Safe Active Street project was very complex. The Links Road SAS project has undergone a number of iterations that were shaped with input and officer level support by the DoT, peer reviewers, consultants as well as the community and key stakeholders.

The initial costing was based on a generic linear meterage supplied by the DoT and did not fully take into account the topographical variations, street intersection alignments and drainage issues associated with the project. The general topography is gently undulating to moderately steep which creates drainage issues, greater earth moving volumes and complexity in levels compared with a flat terrain.

The peer review and preliminary design Road Safety Audit identified major realignments of the intersections to provide "through" priority to the safe active street. The change of traffic priority at Links Road/Drew Road/Collier and Millington Street/Hope Road increases costs as the intersections are required to be rebuilt with adjustments to pavement levels.

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

In the revised design of May 2018, the curved design prepared for Millington Street was rejected by the DoT and the resumption of a straight road with plateaus was recommended.

The Road Safety Audit recommended a footpath on Millington Street, which was not originally planned. Additionally, the Road Safety Audits shaped a range of other design and safety features resulting in a high quality and leading edge project with added benefits.

The proximity of the schools to the Safe Active Street brought inherent problems when dealing with traffic management and flow, due to intense congestion periods of drop off and pick up during school days. These factors are not present in purely residential streets previously established as SAS pilots. The use of plateaus, rather than pinch points, and one way flow devices to slow traffic was recommended to ensure traffic flow at the school was not impeded. This was an important factor identified through the community engagement process.

Consultants involved in the peer review process fully supported the wide paved footpath on Links Road adjacent to the schools. This area is proposed to be an Activity Centre Path servicing the schools, accommodating pedestrians, and young learner cyclists. Trees shade the area; street furniture and landscaping provide increased amenity and functionality, with the proposed path ultimately joining Westfield Booragoon and the bus station. The design is in accordance with the Shared Path Design Technical Guidelines (DoT/WALGA).

Ardross is one of the older suburbs in the City of Melville and the drainage along the route was designed to old standards where water is allowed to flow down the road from the higher levels with minimal intervention in between the low points in the road. When minimal intervention is in place, particularly during Perth's more frequent intense storms, the stormwater can sheet along the road and increase the risk of local flooding and cars skidding or aquaplaning.

The use of plateaus in the design also contributed to the need to upgrade the drainage to avoid flooding and the pooling of water caused by the raised sections. As part of the project, the drainage will be upgraded and Water Sensitive Urban Design measures incorporated. As the area continues to develop, the upgraded drainage will also cater for extra stormwater run-off resulting from residential infill over time.

An upgrade to landscaping was an important component in the detailed design and attracted considerable interest and feedback throughout the stakeholder engagement process. The streetscapes within the areas of the Riseley Centre and Melville City Centre Structure plans will be upgraded as those areas develop. Therefore, it was important that the landscapes on the major cyclist and pedestrian link between these centres reflect these upgrades, particularly to encourage users and alternatives to car dependency.

The current streetscape is relatively harsh and uninviting. Further tree planting has been incorporated in line with the City's Urban Forest Strategy to increase shade and further assist with traffic calming. Parklets were developed and soft landscaping incorporated as a component of the rain gardens, as well as tree wells as part of the Water Sensitive Urban Design package. Particular plants adapted to survive in these drainage features and able to remove nutrients from the stormwater will improve water quality through the treatment of captured water prior to it soaking into the ground.

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

The Safe Active Street Design forwarded to DoT for review in May 2019 was a major road upgrade from the original design and incorporated the following improvements:

- Speed plateaus
- Intersection upgrades to change priority
- Reduction in road widths
- Raised intersections
- Road Rehabilitation of Links Road
- Road resurfacing for the entire length
- Drainage upgrades including WSUD treatments
- Streetscape upgrades
- Path upgrades
- New path installation on Millington Street
- Street lighting upgrades
- Installation of a new irrigation bore
- Signage and pavement marking

As the project would cause disruption during the construction period, opportunities to value add while the works were under way were included. This value-add approach has been used on other high profile road upgrade projects such as The Esplanade in Mt Pleasant and Melville Beach Road in Applecross with considerable success.

It is relevant to note that once the project is completed as planned, there would be no need for the City to return to the route (apart from minor maintenance) to perform any other asset renewal works or upgrades, thereby saving on these costs (around \$400,000 to \$500,000 over ten years) that would otherwise have been incurred under a business as usual approach.

The cost to deliver the design, incorporating all of the above features, was estimated at \$2.6 million. This escalation in costs was discussed at the internal project review meetings involving DoT officers and the City was encouraged to submit a best practice detailed design based on the comprehensive scope.

Following submission of the detailed designs and cost estimate, City officers then worked with DoT to revise the design to reduce costs where possible. After numerous exchanges with DoT to include design amendments, it was indicated by DoT at the time that there may be the possibility for increased grant funding to cover some costs over and above the original proposal.

As a result, a revised and pared back design was developed to align with an estimated budget of \$1.5 million and submitted to DoT in December 2019. The reduced design included cost savings in the following areas:

- removal of most of the landscaping.
- reduction in the street lighting upgrade.
- removal of parking on Leverburgh Street (though this removal had also been requested in the consultation).
- reduction in the length of many of the plateaus.
- removal of the raised intersection plateau on Willcock Street.
- removal of a large number of the pavement markings and street print features.

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

Further discussions were then held with DoT on the justification of further funding towards the project, which involved the City providing details and methodology associated with the remaining value add features.

Also at this time, DoT developed a Rubric (a tool to assess safety and performance) to rate the design of a safe active street and the Links Road Safe Active Street rated as an 87% Ultra Safe Active Street. It was the highest rating project in the SAS pilot program.

In March 2019, DoT informed the City that it would only fund \$850,000 towards the project as originally pledged. No further funds were available; however DoT did fully support the project with value added components and wanted the project to proceed. The project was then reviewed again to look at options to stage the project over a number of years to cover the shortfall with municipal funds taking into account potential savings in the capital works program over that period.

It was conveyed to DoT that there was a raised expectation amongst stakeholders involved in the community consultation process that many of the value add components were actually integral to the project. As a result, there was considerable risk of public backlash if these were removed and the project pared back significantly. The City of Melville and the DoT had undertaken extensive consultation and compromising on the design to the extent proposed at that time would result in a different outcome to the proposal put forward to the residents.

It should be noted that due to the nature of the project, the construction would be highly disruptive to residents even with a pared back minimalist design. Staging this project over a number of years would cause further disruption, longer delays in project completion and undesirable traffic impacts over an extended period.

With the onset of the COVID-19 pandemic, the need for stimulus projects during the recovery phase was identified. The Links Road SAS is the flagship project for the Civil Construction team and is shovel ready. As well as directly involving the City's Civil Construction team, the majority of the Links Road Safe Active Street project would be undertaken by a wide range of contractors. Due to the diversity of the project, bringing forward all the works and completing them in one stage would help provide work for a number of local contracting firms and inject funds into the economy.

Whilst the main goal of this project is to provide a safe active street, the project would also bring forward funding and enable upgrades to key assets directly linked to the project including:

- road rehabilitation project (\$400,000)
- footpath construction and upgrade project (\$300,000)
- major drainage upgrade project incorporating Water Sensitive Urban Design (\$300,000)
- streetscape upgrade project (\$250,000)
- traffic calming on adjacent streets (\$60,000)

The streets involved in the Safe Active Street proposal would be due for resurfacing in the next ten years at a cost of \$400,000, with Links Road originally programmed for road rehabilitation in 2019/2020 at a cost of \$200,000.

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

Millington Street currently has no footpath on either side of the road and therefore \$40,000 would have been listed in the footpath program for construction in the future.

The drainage along the route does not meet the latest standards and would eventually have been upgraded (approximately \$200,000) with the added benefit of water sensitive design features.

The City is continuing to plant street trees in line with the Urban Forest Strategy, with \$30,000 towards tree planting incorporated as part of this project.

When the detailed design Road Safety Audit was undertaken, some of the recommendations involved reinstating features that had been removed due to cost cutting. For example, the plateaus needed to be lengthened and the intersection treatment on Willcock Street needed to be included as was originally designed.

There was also a design adjustment to the intersections of Hope Road/Millington Street and Collier Street/Millington Street, due to the recommendations in the Road Safety Audit.

The revised estimate to complete the project in the 2020-2021 financial year is \$2.2 million. This budget would deliver the final detailed design in its entirety.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

The focus of the community engagement program was to 'Consult' and 'Involve', noting that for some aspects, it was required that the City to 'Collaborate' with stakeholders (e.g. schools).

The predominant level of communication in accordance with the Stakeholder Engagement Policy CP-002 for this item, was to 'Involve' the community because the Safe Active Street directly affected the residents along the Safe Active Street alignment and in the surrounding streets. Gaining community and stakeholder support for the project would allow for a more orderly and smooth transition to the implementation of road and verge improvements.

Community engagement included:

- Creation of a Community Focus Group
- Councillor and Officer Technical Tour to visit existing Safe Active Streets in Perth and the proposed project site
- Letters to residents along proposed route with link to Melville Talks
- Street signage directing residents to Melville Talks
- Melville Talks project web page included a social map for resident feedback on the draft plan
- Community information session/s
- Community input at important periods during the development of the detailed design

The Stakeholder Engagement Plan considered these and other activities in detail. Community input was extremely important in shaping the Detailed Design. Council were also kept informed on the progress through EMIS briefings during the concept and detailed design process. Key activities specifically aimed at local residents included:

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

- Residents along the proposed route were informed of the Safe Active Street project, opportunities for community participation and where they could get more information.
- Residents who live along the proposed route were involved in the concept design process, this included two opportunities to participate:
 - Use of a social map on the City's engagement platform, Melville Talks
 - Attendance at a workshop to discuss findings from an earlier phase and respond to issues, concerns and ideas to enhance the Safe Active Street
- Both schools and Parents and Families groups were informed about the project, where to get more information, add pins to a map of the route and links to DoT services and programs.
- The broader community and key advocacy groups were informed about the project and where they could get more information, including links to DoT services and programs. The broader consultation was undertaken after consultation with residents along the route, schools and people who use the route had occurred.
- A YouTube flyover of the route 'before' and 'after' was posted on the City of Melville's web site for people to view and comment on.

The Community Consultation Report is attached.

[3847 Safe Active Streets Community Consultation Report](#)

Outcomes for the Detailed Design after Community Consultation

- Removal of parking bays on Leverburgh Street and Alexander Road
- Removal of parking bays on the west side of Links Road
- Traffic calming measures such as speed plateaus in favour of one way or pinch points
- Inclusion of a footpath on the southern side of Millington Street
- Traffic calming on Drew Road in anticipation of increased traffic volume (rat running)

II. OTHER AGENCIES / CONSULTANTS

DoT will and have been working in partnership with the City of Melville in delivering this project. Main Roads WA is fully supportive of the Safe Active Street proposal. Applecross Senior High School and Ardross Primary School also support the concept of a Safe Active Street and have been involved in the engagement process.

STATUTORY AND LEGAL IMPLICATIONS

Nil

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)**FINANCIAL IMPLICATIONS**

There is currently a budget of \$850,000 listed on the 2019-2020 Capital Works Program (DoT Funding). There is also \$200,000 listed on the 2019-2020 Capital Works Program for Bike Plan implementation works as these funds have been set aside for this project.

- \$950,000 has been listed on the 2020-2021 Capital Works program.
- \$200,000 has been listed for consideration under the stimulus program.

Total budget for the project will be \$2,200,000.

The project has also been put forward for Federal Stimulus funding as part of the South West Group's proposal through Development WA. If successful this funding would reduce the amount of municipal funding needed to complete the project. Officers will also investigate other possible stimulus funding options as and if they become available.

Increased maintenance costs due to the upgraded streetscape works are estimated to be \$10,000 annually.

The City was proposing to expend about \$400,000 to \$500,000 over the next ten years for asset renewal of the existing assets along the SAS route alignment under a business as usual scenario, so these funds would not be required within this timeframe if the SAS is implemented based on the recommended detailed design.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The recommendations in this report align with the Strategic Community Plan – People, Places, Participation 2016-2026, particularly the aspiration of Sustainable and Connected Transport and the objective of Better public transport, cycling and walking infrastructure and responsive traffic management.

The design of the Safe Active Street will include water sensitive urban design elements to improve drainage and will include soft and hard landscaping. The project is expected to increase the number of pedestrians and cyclists in the area therefore reducing a reliance on car vehicle trips. The project will have positive environmental and social implications for the area.

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

Risk Statement	Level of Risk	Risk Mitigation Strategy
As a result of changing traffic priority at the intersection of Millington St and Collier Rd, Collier Road and Drew Road and Millington St and Hope Rd vehicles not familiar with the change may fail to stop.	Major consequences which are unlikely, resulting in a Medium level of risk	New Stop signs, education campaigns and raised platforms to reduce vehicular speeds and make drivers aware there is a modified driving environment. (This mitigation would reduce the risk to Low)
Risk of vehicles not yielding to cyclists.	Major consequences which are unlikely, resulting in a Medium level of risk	Road design includes self-explaining streets that create caution and raised platforms result in low vehicular speeds. Education and awareness campaigns. (This mitigation would reduce the risk to Low)
Risk of residents not wanting a Safe Active Street	Moderate consequences which are possible in a Medium risk level	Comprehensive community engagement was undertaken to involve the community in the project progression to provide a state of the art Safe Active Street. (This mitigation would reduce the risk to Low)
Risk of not going ahead with the Safe Active Street installation means there is no traffic calming and improved road safety, street resurfacing, improved neighbourhood amenity and street scaping	Moderate consequences which are possible in a Medium risk level	Proceed with the detailed design installation.
Project is staged over a number of years increasing disruption to residents.	Moderate consequences which are possible in a Medium risk level	Complete project in one stage.

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)**POLICY IMPLICATIONS**

There is no Council Policy implication that relates to this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

An alternative option is to continue business as usual and not progress the Safe Active Street opportunity. The roads in the project would not have any of the road safety, Travelsmart, and community health and well-being benefits associated with a Safe Active Street. There would be no safe active transport link between Westfield Booragoon/Civic Centre and the Riseley Centre.

Another option would be to reduce the scope of works of the project. There would then be a risk that the project would not achieve the outcomes of the Safe Active Street and the project would not be consistent with the design elements presented during the community consultation phase and identified from feedback from stakeholders. The opportunity to upgrade the road in one stage would also be lost causing disruption to residents over a number of years as different asset renewals or upgrades are progressed over time.

CONCLUSION

Linking Activity Centres with safe transport routes to foster active transport without road closures or hindrance to motor vehicle users is a high priority. The construction of a Safe Active Street in partnership with the DoT along Links Road, Collier Street, Millington Street and Hope Road in Ardross, with associated streetscaping improvements, provides a superior outcome for the residents and wider community. The State Government is fully supportive of the Safe Active Street installation and has provided \$850,000 in funding towards the project.

Whilst the main goal of this project is to provide a safe active street, the project also incorporates complementary asset projects such as:

- road rehabilitation project
- footpath construction and upgrade project
- major drainage upgrade project including Water Sensitive Urban Design
- streetscape upgrade project
- traffic calming on adjacent streets

The Links Road Safe Active Street project has been included in the City's Stimulus Package and represents the City's flagship Engineering project for 2020-2021.

The detailed design of the Safe Active Street is required to be endorsed by Council, in accordance with DoT requirements, in order to proceed to construction in 2020-2021 following the adoption of the 2020-2021 annual budget.

T20/3847 – CONSTRUCTION OF SAFE ACTIVE STREET – LINKS ROAD, COLLIER STREET, MILLINGTON STREET AND HOPE ROAD, ARDROSS (REC) (ATTACHMENT)

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3847) APPROVAL

At 7:47pm Cr Barber moved, seconded Cr Mair –

That the Council endorses the Detailed Design of the Safe Active Street between Westfield Booragoon and Riseley Street Activity Centres along Links Road, Collier Street, Millington Street and Hope Road, Ardross.

At 7:58pm the Mayor declared the motion

CARRIED (10/2)

Vote Result Summary	
Yes	10
No	2

Vote Result Detailed	
Cr Barton	Yes
Cr Barber	Yes
Cr Fitzgerald	Yes
Cr Kepert	Yes
Cr Macphail	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Sandford	Yes
Mayor Gear	Yes
Cr Wheatland	No
Cr Woodall	No

At 7:46 Ms Young left the meeting, and returned at 7:4pm.

At 7:47 Cr Kepert left the meeting, and returned at 7:49pm.

At 7:48 Cr Wheatland left the meeting, and returned at 7:49pm.

**T20/3855 – REQUEST TO REMOVE AND REPLACE STREET TREES AT 44 AND 44A
POLGLASS WAY ARDROSS (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- Request by the residents of 44 and 44A Polglass Way, Ardross for removal and replacement of the verge trees adjoining each of their properties.
- The tree located on the verge of 44 Polglass Way is a *Lophostemon confertus* or commonly known as the Queensland Box Tree.
- The Mayor and Ward Councillors could not reach agreement with Director Technical Services to have the trees removed, therefore a decision by Council is required to retain or remove the trees in accordance the recently updated Tree Policy CP-029.
- City Officers have assessed the trees on a number of occasions over the years and have conducted minor pruning works as required.
- An independent assessment of the trees by an arborist has concluded that the trees are in good health, structurally sound and did not recommend any works.
- The Officers recommendation is for the two *Lophostemon confertus* (Queensland Box) trees at 44 and 44A Polglass Way, Ardross be retained.

BACKGROUND

The residents at 44 and 44A Polglass Way, Ardross have requested that the two City trees located on the verge adjoining their properties be removed. The trees are mature *Lophostemon confertus* (Queensland Box) trees with an estimated age of up to 50 years.

City Officers have assessed the trees over the years and consider them to be worthy of retention. An independent Arboriculture Consultant has also assessed the trees and considered them to be in good condition with many years of useful life left in them.

Agreement could not be reached by the Mayor and Ward Councillors with the Director Technical Services to remove the trees, resulting in the application of the following clauses under Section 3.3 of the Tree Policy CP 029:

- If agreement cannot be reached by the Mayor, the relevant Ward Councillors and the Director of Technical Services, a report which outlines the advantages and disadvantages of removing the tree is to be presented to the Council in order for the Council to determine whether or not the tree will be removed. This report is to include the results of notification of local residents seeking feedback on request for tree removal as part of the City's community consultation process.
- Any tree removal, approved by the Council, is to be paid for by the person seeking the removal (applicant).

T20/3855 – REQUEST TO REMOVE AND REPLACE STREET TREES AT 44 AND 44A POLGLASS WAY ARDROSS (REC) (ATTACHMENT)

This report presents the background information from the residents as to why they request the trees to be removed, maintenance history, community feedback on the request and information provided by an independent Arboriculture Consultant on the condition of these trees. Photos of the trees located adjacent to 44 and 44A Polglass Way, Ardross are attached. [3855 – Photos of Trees](#)

DETAIL

The residents of 44 and 44A Polglass Way have requested that the verge trees be removed as they are concerned that the nuts from the trees are creating a slip hazard, are messy and that the size of the trees is potentially creating a danger to property. In an email received by the City, the residents cite a number of health issues that impact on their ability to clean up the debris from the trees as well as one of the residents having a foot condition causing her to be unstable which is further compromised by the debris from the trees.

The City has received fifteen requests since July 2010 for maintenance on the two trees, 6 requests for 44 Polglass Way and 9 requests for 44A Polglass.

According to the City's records, the requests have been attributed to the four points below;

- Pruning;
- Branch removal;
- Pest management; and
- Sticky substance or sap being produced.

The City has also conducted pruning of the tree at 44 Polglass Way to ensure light spillage from the street light on to the road is maintained.

City Officers have recently inspected these trees and determined that there is no justification for the trees to be removed in accordance with the reasons outlined in Tree Policy CP-029. The tree at 44 Polglass Way is mature and in good health, has an anticipated useful life expectancy of 20 years with an amenity dollar value of \$15,396. The tree at 44A Polglass Way is mature, in fair health and has a useful life expectancy of 20 years with an amenity dollar value of \$11,244. The amenity dollar value has been determined by City Officers utilising the City of Melville Tree Evaluation Method.

In addition to this the City engaged an independent arboriculture consultant, Paperbark Technologies, to assess the trees who provided the following summary.

The tree at 44 Polglass Way is a mature *Lophostemon confertus* (Queensland Box) is at a height of 11.6 meters and has a canopy spread of up to approximately 9.0 meters and trunk diameter of 53 centimetres. The tree was found to be in good health and sound structural condition with a full canopy of healthy foliage and vigorous extension growth with no evidence of insect infestation visible at this time. A visual amenity valuation took place using the Helliwell System, which is used by this consultant to assess the amenity value of a tree; in this case the tree was valued at \$19,205.

T20/3855 – REQUEST TO REMOVE AND REPLACE STREET TREES AT 44 AND 44A POLGLASS WAY ARDROSS (REC) (ATTACHMENT)

The tree at 44A Polglass Way is a mature *Lophostemon confertus* (Queensland Box) is at a height of 10.2 meters and has a canopy spread of up to approximately 8.5m and trunk diameter of 49 centimetres. This tree was also found to be in good health and sound structural condition with a full canopy of healthy foliage and vigorous extension growth with no evidence of insect infestation visible at this time. A visual amenity valuation took place using the Helliwell System, which is used by this consultant to assess the amenity value of a tree; in this case the tree was valued at \$15,364.

The consulting arborist concluded the report by stating the trees are likely to have been planted within the first several years of the development of this urban precinct and that the trees are considered likely to be 50 – 60 years old, while the health and condition of the trees suggests they are likely to persist for 50 or more years. A copy of the Arboriculture Advice is attached. [3855 – Arboriculture Advice](#)

Lophostemon confertus (Queensland Box) Trees

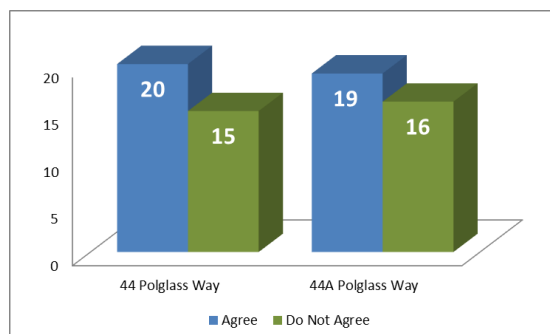
Within the City there are approximately 2,760 *Lophostemon confertus* (Queensland Box) trees located on verges. These trees were regularly planted by local governments in the past across Perth as well as Sydney and Melbourne. The trees are considered useful as a street tree, due to its disease and pest resilience, its high tolerance to air pollution, drought and the fact that it needs only moderate-to-light upkeep. The tree is considered one of the hardiest and most successful street trees utilised by local governments.

Unfortunately the trees do drop a fair amount of debris mainly the nuts which are considered a nuisance by many in the community, noting that all trees drop foliage and other materials during their life. Many local governments have gone away from planting these trees as a result of the complaints received. There is again discussion about the many benefits of the Queensland Box trees in particular its resilience in a tough growing environment such as a streetscape. The City does not plant new Queensland Box trees at this point but will monitor industry best practice and consider planting of these trees in future.

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

The consultation process involved writing to residents in the local area who may be impacted by the decision and sought feedback on their preference to remove or retain the trees. Residents were advised that their feedback would be included in the report and used to assist in the decision making process. A copy of the survey form is attached for information. [3855 – Survey Form.](#)



T20/3855 – REQUEST TO REMOVE AND REPLACE STREET TREES AT 44 AND 44A POLGLASS WAY ARDROSS (REC) (ATTACHMENT)

As can be seen in the above graph, of the 78 properties surveyed 35 residents provided feedback for 44 Polglass Way and 35 residents provided feedback for 44A Polglass Way. The outcome of the survey indicates minor favoritism towards the removal of the trees. Note that the feedback information and comments from residents does not include the preference from the residents at 44 and 44A Polglass Way, as they obviously support the removal of the tree. [3855 – Residential Feedback Summary.](#)

II. OTHER AGENCIES / CONSULTANTS

Arboriculture consultant, Paperbark Technologies conducted a site visit to inspect the trees at 44 and 44A Polglass Way on 22 April 2020 and provided the above attached report.

STATUTORY AND LEGAL IMPLICATIONS

No legal or statutory advice has been sought on this item.

FINANCIAL IMPLICATIONSTree Removal and Replacement

The cost to procure an independent Arboriculture Report for decisions referred to Council is around \$350 per tree request.

If the decision to remove the trees is approved by the Council, all costs associated with the removal and replacement is to be paid for by the person seeking the removal (applicant) as if the tree was authorised for removal under Clause 6.4 of Tree Policy CP-029 which is outlined below.

In the event a tree is authorised for removal as part of a development application, (including planning, building, demolition and crossover application), the following will occur:

- The applicant will approach the City to formally request the approved trees removal process to commence.
- The applicant will pay the invoice provided by the City for:
 - Tree removal.
 - Stump grinding to min 300mm below ground level.
 - Traffic management cost as required.
 - Two replacement trees.
 - Establishment of replacement trees for 3 years.
- Upon receipt of this payment the City will arrange:
 - Tree removal and stump grinding within approximately 10 weeks
 - Tree replacement during the next planting season after development works have been completed.
- A minimum of one street tree shall be replaced on the verge adjacent to the development, where sufficient space.
- Where sufficient space additional trees may be placed on the verge at the City's discretion.

T20/3855 – REQUEST TO REMOVE AND REPLACE STREET TREES AT 44 AND 44A POLGLASS WAY ARDROSS (REC) (ATTACHMENT)

The City would manage the removal and replacement process utilising the City’s tree pruning contract, CO20/17 Supply of Tree Pruning Services. The contracted rates have been market tested and are very competitive.

The removal costs for each tree is \$410 which includes stump grinding. As per the policy two trees would need to be purchased for each tree removed. Each tree will cost \$440 for a total of \$880. A total of \$1290 would be invoiced to the applicants seeking removal for each tree.

Tree Retention

If the decision by the Council is to retain the trees they would be managed within on-going operational budgets, the required works generally includes;

- Pruning – formative, remedial (due to damage), asset/boundary clearance.
- Health treatments – fertiliser, microbes, pesticide etc.
- Removal at end of useful life (ULE), including stump grinding and replacement.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
<p>A Council decision to remove healthy trees will result in community opposition and reputational damage. This may set a future precedent requesting the removal of healthy trees.</p> <p>Inconsistent with other Council City’s policies and strategies to protect and enhance the City’s green spaces.</p>	<p>Major consequences which are possible, resulting in a High level of risk</p>	<p>During the decision making process ensure Council is aware and consider the following endorsed Council Policies and Strategy documents.</p> <p>Environmental Policy CP-030</p> <p>Urban Forest and Green Space Policy CP-102</p> <p>CP- 029 Tree Policy</p> <p>Urban Forest Strategic Plan – Part A</p>

POLICY IMPLICATIONS

Environmental Policy CP-030 – Policy Statement - The City aims to prevent, manage and minimise environmental impacts associated with its activities, while conserving and enhancing the City of Melville’s biodiversity and environmental quality, thereby maintaining and creating healthy surroundings for the community.

**T20/3855 – REQUEST TO REMOVE AND REPLACE STREET TREES AT 44 AND 44A
POLGLASS WAY ARDROSS (REC) (ATTACHMENT)**

Tree Policy CP-029 – Policy Statement - All trees are assets of the City that contribute to the well-being of the community and to the natural environment. The City recognises and values the significance of trees within the urban setting for the many social, economic and environmental benefits they provide. The City is committed to protecting, maintaining and increasing its tree population.

Urban Forest and Green Space Policy CP-102 – Policy Statement:

1. To protect, preserve and enhance the aesthetic character of the City of Melville.
2. To realise the social, environmental and economic benefits of trees and other vegetation as an integral element of the urban environment.
3. To contribute to community wellbeing by integrating and aligning the efficient provision of physical, social and green infrastructure and management of natural areas to achieve community wellbeing today and tomorrow.
4. To encourage a sense of shared responsibility and balance individual and community rights to equitably distribute the costs and the benefits of a greener City.
5. To ensure that the urban forest and green spaces that are integral to the City's sense of place are not compromised in areas of increased residential density.

ALTERNATE OPTIONS AND THEIR IMPLICATIONSApprove the removal of the trees

Approve the removal and replacement of the trees, all costs associated with this process the responsibility of the applicants seeking removal.

Replace with transplanted mature trees

Remove trees and replace with mature trees that will reduce the impact of the loss of the existing mature trees, funded by the individuals seeking removal. Costs would include the tree, installation, including crane and traffic management as required, watering and management of the tree to warranty requirements for 24 months after planting. Dependant on the tree selected the value of purchasing a mature tree can range from \$5,000 to \$15,000 dependant on height and species of trees.

Access the Age Friendly Assistance Fund

The City's Age Friendly Assistance Fund was set up for older residents, living in the City of Melville, to help them maintain their independence in their own home. The fund offers a choice of short term or one-off support services to older residents living independently in the community or in residential care within the City. This fund could be utilised by the residents, if they meet the criteria, to assist with the clean up of the debris dropped by the trees.

**T20/3855 – REQUEST TO REMOVE AND REPLACE STREET TREES AT 44 AND 44A
POLGLASS WAY, ARDROSS (REC) (ATTACHMENT)****CONCLUSION**

Green space and trees figure prominently in The City of Melville's Strategic Community Plan People Places Participation 2016 – 2026. Our community vision for the future is described as:

- A safe City with green, leafy streets, suburbs and open spaces where people enjoy high levels of health and wellbeing, participate in local events and activities; have access to community services and local business opportunities are encouraged.

Specific aspirations in the Community Plan are impacted by the benefits of trees as detailed in the below points:

- Clean and Green - We want our pathways, well-shaded for when temperatures soar and a place where people are encouraged to be physically and mentally healthy in an attractive outdoor environment.
- Sustainable and Connected Transport - We need to use alternative forms of transport, including public transport, walking or cycling to get where we need to go.
- Healthy Lifestyle - Opportunities for a healthy lifestyle both indoors and out and about in local parks and suburbs walking, running, cycling and exercising individually or in groups

Debris from trees is common with all trees and is a natural characteristic which does impact on the community. Removing healthy mature trees may solve short term issues, such as debris drop, however the multiple benefits that tree has provided (e.g. shade, amenity, heat reduction, habitat, oxygen generation, contribution to visual streetscape) will take many years to replace. It may solve today's problem, however consideration also needs to be given to the benefits the tree will provide for future generations and its contribution toward adapting to the impacts of climate change.

There are a number of risks in removing healthy trees, particularly along street verges where multiple functions essential for living are required to be undertaken and located (paths, crossovers, utilities such as power, water, gas and communications). Verges are one of the key locations outside of parks and bushlands where the City can not only protect but add to the urban forest. A major risk in removing healthy trees is it sets an undesirable precedent and may generate concerns in the wider community regarding the City's genuine direction toward the environment, sustainability and potentially lead to an increase in similar requests further challenging the number of strategic documents and Council endorsed policies relating to protecting and enhancing the City's urban forest.

The officers recommendation is for the *Lophostemon confertus* (Queensland Box) verge trees at 44 and 44A Polglass Way, Ardross be retained.

T20/3855 – REQUEST TO REMOVE AND REPLACE STREET TREES AT 44 AND 44A POLGLASS WAY, ARDROSS (REC) (ATTACHMENT)

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3855) APPROVAL

At 7:58pm Cr Macphail moved, seconded Cr Wheatland –

That the Council:

1. **For the reasons outlined in Item T20/3855 – Request to Remove and Replace Street Trees at 44 and 44A Polglass Way, Ardross, rejects the request for the removal of the Lophostemon confertus (Queensland Box) verge trees at 44 and 44A Polglass Way, Ardross.**
2. **Directs the CEO to advise the applicants seeking removal the trees of this decision.**

At 8:26pm the Mayor declared the motion

CARRIED (9/3)

Vote Result Summary	
Yes	9
No	3

Vote Result Detailed	
Cr Barton	Yes
Cr Barber	Yes
Cr Fitzgerald	Yes
Cr Kepert	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Wheatland	Yes
Cr Woodall	Yes
Cr Mair	No
Cr Sandford	No
Mayor Gear	No

At 8:21pm Cr Barber left the meeting and returned at 8:25pm.

T20/3858 – REQUEST TO REMOVE AND REPLACE STREET TREE AT 63 ARDROSS STREET, APPLECROSS (REC) (ATTACHMENT)

Ward : Applecross-Mount Pleasant
 Category : Operational
 Subject Index : Street Trees
 Customer Index : Resident at 63 Ardross Street, Applecross
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Not Applicable
 Works Programme : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Jeff Bird
 Manager Natural Areas and Parks

AUTHORITY / DISCRETION

DEFINITION

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

T20/3858 – REQUEST TO REMOVE AND REPLACE STREET TREE AT 63 ARDROSS STREET, APPECROSS (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- Request by the resident of 63 Ardross Street, Applecross for removal and replacement of the verge tree adjoining their property.
- The tree located on the verge of 63 Ardross Street, Applecross, (Munro Road verge) is an ***Erythrina skyesii*** or commonly known as the Coral Tree or Flame Tree.
- City Officers have assessed the trees on a number of occasions over the years and have conducted minor pruning works as required.
- The Mayor and Ward Councillors could not reach agreement with Director Technical Services to have the trees removed, therefore a decision by Council is required to retain or remove the tree in accordance the recently updated Tree Policy CP-029.
- Two independent assessments of the tree by qualified arborists have been conducted.
- The Officers recommendation is for the ***Erythrina skyesii*** tree at 63 Ardross Street, (Munro Road verge) Applecross be retained.

BACKGROUND

The resident at 63 Ardross Street, Applecross has requested the City remove the street tree located on the Munro Road verge. The tree is an ***Erythrina skyesii*** or commonly known as a Flame Tree or Coral Tree and is approximately 50 years old. The basis for the request is the tree has dropped branches in the past and concern has been raised that it may harm persons or property.

City Officers have assessed the tree over the years and consider it to be worthy of retention. Independent Arboriculture Consultants have also assessed the tree and considered the tree to be in overall good health with some pruning requirements and to monitor the tree ongoing into the future.

Agreement could not be reached by the Mayor and Ward Councillors with the Director Technical Services to remove the trees, resulting in the application of the following clauses under Section 3.3 of the Tree Policy CP 029.

“If agreement cannot be reached by the Mayor, the relevant ward Councillors and the Director of Technical services, a report which outlines the advantages and disadvantages of removing the tree is to be presented to the Council in order for the Council to determine whether or not the tree will be removed. This report is to include the results of notification of local residents seeking feedback on request for tree removal as part of the City’s community consultation process.”

Any tree removal, approved by the Council, is to be paid for by the person seeking the removal (applicant).”

This report presents the background information from the residents as to why they requested the tree to be removed, maintenance history, community feedback on the request and information provided by the Arboriculture Consultants on the condition of the tree. Photos of the tree located adjacent to 63 Ardross Street, Applecross are attached.
[3858 Photo of Tree](#)

T20/3858 – REQUEST TO REMOVE AND REPLACE STREET TREE AT 63 ARDROSS STREET, APPECROSS (REC) (ATTACHMENT)**DETAIL**

The residents of 63 Ardross Street, Applecross have requested that the verge tree, *Erythrina skyesii*, be removed due to the size of the tree and potential branch fall creating a danger to person or property. The tree in question is located on the verge of Munro Road.

Since 2008, the City's records indicate that 14 requests have been received in relation to the tree. The requests have been attributed to the three points below;

- Pruning (4).
- Branch fail (5).
- Request for Inspection of the tree (4).

City Officers have recently inspected this tree and determined that there is no reason as per Tree Policy CP-02, for the trees to be removed. This tree is not common in a streetscape environment and is a good example of this species of tree growing on a City verge. Whilst it has had sporadic branch failures over the years, due to previous pruning practices, it has always appeared to respond well to corrective pruning and appears to thrive in its location. The tree has an anticipated useful life expectancy of up to 40 years. Officers valued this tree to be at \$37,984 utilising the City of Melville Tree Evaluation Method.

In addition to this, the City engaged two independent arboriculture consultants, Paperbark Technologies and Consulting Arborist Jonathan Epps, to assess the tree and have provided the following advice.

Paperbark Technologies

The tree is a mature tree, *Erythrina x sykesii* (Coral Tree) and is at a height of 16.2 meters with a canopy spread of approximately 14 meters and trunk diameter of 104 centimetres.

The tree was found to be in good health, has a poor structure due to past pruning and displays a full canopy of dense foliage. All major limbs consisting of mature epicormic stems were found to be soundly attached at their point of emergence with no evidence of cracking, splitting or separation.

A visual amenity valuation took place using the Helliwell System which is used by this consultant to assess the amenity value of a tree and in this case, the tree was valued at \$17,924.00.

In the conclusion, Paperbark Technologies recommended a property line prune, reduction in end loads of branches to selectively thin conflicting growth and to reinspect in 12 months. The consultant also undertook a Quantified Tree Risk Assessment which found the tree to be a tolerable risk in terms of tree or branch failure at this time. A copy of Paperbark Technologies Arboriculture Report is attached. [3858 – Paperbark Technology Report](#).

T20/3858 – REQUEST TO REMOVE AND REPLACE STREET TREE AT 63 ARDROSS STREET, APPLECROSS (REC) (ATTACHMENT)Consulting Arborist Jonathan Epps

The tree is located on Munro Road at the side of 63 Ardross Street, Applecross and is 14 meters tall with a crown spread of 20 meters.

The tree has a slight lean to the north. The tree has a history of lopping and/or topping that has taken place at around 2.5 – 3 meters above ground level. The regrowth appears sound and healthy. There is evidence of an old branch failure wound at around 6.5 meters on the road side, the wood tissue surrounding this wound appears healthy and there is no evidence of decay in this area. There is a branch removal wound with a tear in the low crown, east side near the road, the exposed wood appears sound. There is evidence of branch removal wounds in the low crown property side; the exposed wood in all of these old wound sites appears sound.

In conclusion the consulting arborist advised the tree is a good specimen of its type. It appears to be structurally sound, healthy and has a 'Risk Rating Status' of LOW. The subject tree has an expected useful life expectancy of between 15-40 years, with the following recommendations to be considered:

- No tree works are recommended at the present time.
- Reinspect regularly in accordance with the City of Melville's routine street tree inspection program.
- May require maintenance pruning in the future such as property line clearance.

A copy of Jonathan Epp's Arboriculture Report is attached. [3858 – Jonathan Epps Arboriculture Report](#).

It is interesting to note that the tree was originally inspected by Jonathan Epps in December 2009 and was found to be sound and healthy at that time.

Erythrina trees

Erythrina trees are commonly known as Coral Trees/Flame trees. There are records of *Erythrina sp.* being sold in nursery catalogues in Australia as early as the 1850's and they have been used extensively in gardens/parks as they grow fast and are ornamental.

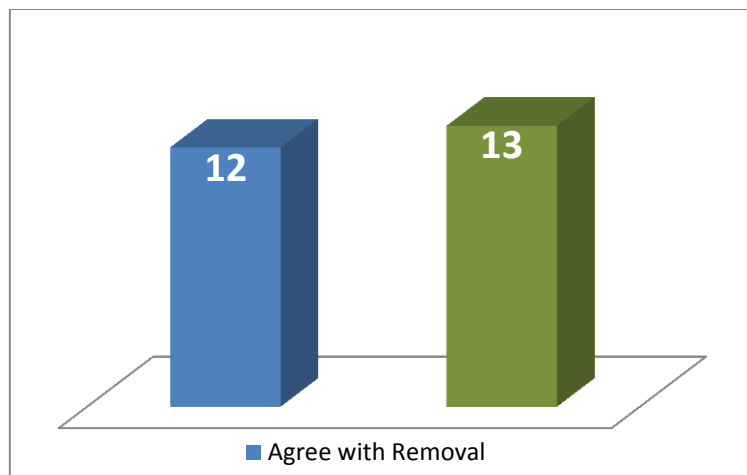
In Perth, *Erythrina x skyesii* is a tall tree up to 20 meters, on average 15 meters. The species is known for its deciduous nature and bright red flame-like flowers. Coming from more tropical environments, its wood strength is weaker when compared to many of our local trees and it has prickles along most branches as a defence mechanism. It does not produce viable seed, but grows very easily from cuttings, branches and twigs which is why it has naturalised itself in some parts of Australia and is considered a weed – generally near water bodies/ rivers.

T20/3858 – REQUEST TO REMOVE AND REPLACE STREET TREE AT 63 ARDROSS STREET, APPLECROSS (REC) (ATTACHMENT)

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

The consultation process involved writing to residents in the local area who may be impacted by the decision and sought feedback on their preference to remove or retain the tree. Residents were advised that their feedback would be included in the report and used to assist in the decision making process. A copy of the survey form is attached for your information. [3858 – Survey Form](#).



As you can see in the above graph, out of the 64 properties surveyed, 25 residents provided feedback. The outcome of the survey indicates slight favoritism to the retain the tree, noting the submissions received did not include the preference from the resident at 63 Ardross Street, Applecross who are the applicant with request to remove tree. The attached residential feedback summary includes the applicants comments. [3858 – Residential Feedback Summary](#).

II. OTHER AGENCIES / CONSULTANTS

Arboriculture consultant, Paperbark Technologies conducted a site visit to inspect the trees at 63 Ardross Street, Applecross on 9 January 2020 and provided the above attached report.

Consulting Arborist, Jonathan Epps conducted a site visit to inspect the tree at 63 Ardross Street, Applecross on 6 January 2020 and provided the above attached report.

STATUTORY AND LEGAL IMPLICATIONS

No legal or statutory advice has been sought on this item.

T20/3858 – REQUEST TO REMOVE AND REPLACE STREET TREE AT 63 ARDROSS STREET, APPECROSS (REC) (ATTACHMENT)**FINANCIAL IMPLICATIONS**Tree Removal and Replacement

The cost to procure an independent Arboriculture Report for decisions referred to Council is around \$350 per tree request.

If the decision to remove the trees is approved by the Council, all costs associated with the removal and replacement is to be paid for by the person seeking the removal, (applicant) as if the tree was authorised for removal under Clause 6.4 of the Policy, which is outlined below.

“In the event a tree is authorised for removal as part of a development application, (including planning, building, demolition and crossover application), the following will occur:

- *The applicant will approach the City to formally request the approved trees removal process to commence.*
- *The applicant will pay the invoice provided by the City for*
 - *Tree removal*
 - *Stump grinding to min 300mm below ground level*
 - *Traffic management cost as required*
 - *Two replacement trees*
 - *Establishment of replacement trees for 3 years*
- *Upon receipt of this payment the City will arrange:*
 - *Tree removal and stump grinding within approximately 10 weeks*
 - *Tree replacement during the next planting season after development works have been completed.*
- *A minimum of one street tree shall be replaced on the verge adjacent to the development, where sufficient space.*
- *Where sufficient space additional trees may be placed on the verge at the City’s discretion.”*

The City would manage the removal and replacement process utilising the City’s tree pruning contract, CO20/17 Supply of Tree Pruning Services. The contracted rates have been market tested and are very competitive.

The removal costs for this tree is \$1,580.00 which includes stump grinding. As per the Policy, two trees would need to be purchased for each tree removed. Each tree will cost \$440.00 for a total of \$880. A total of \$2,460.00 would be invoiced to the applicant seeking removal of the tree.

Tree Retention

If the decision by the Council is to retain the trees, they would be managed within on-going operational budgets and the required work generally includes:

- Pruning – formative, remedial (due to damage), asset/boundary clearance.
- Health treatments – fertiliser, microbes, pesticide etc.
- Removal at end of useful life (ULE), including stump grinding and replacement.

T20/3858 – REQUEST TO REMOVE AND REPLACE STREET TREE AT 63 ARDROSS STREET, APPECROSS (REC) (ATTACHMENT)

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
<p>A Council decision to remove healthy trees will result in community opposition and reputational damage. This may set a future precedent requesting the removal of healthy trees.</p> <p>Inconsistent with other Council City's policies and strategies to protect and enhance the City's green spaces.</p>	<p>Major consequences which are possible, resulting in a High level of risk</p>	<p>During the decision making process ensure Council is aware and consider the following endorsed Council Policies and Strategy documents.</p> <p>Environmental Policy CP-030 Urban Forest and Green Space Policy CP-102 CP- 029 Tree Policy Urban Forest Strategic Plan – Part A</p>

POLICY IMPLICATIONS

Environmental Policy CP-030 – Policy Statement states:

“The City aims to prevent, manage and minimise environmental impacts associated with its activities, while conserving and enhancing the City of Melville’s biodiversity and environmental quality, thereby maintaining and creating healthy surroundings for the community.”

Tree Policy CP-029 – Policy Statement states:

“All trees are assets of the City that contribute to the well-being of the community and to the natural environment. The City recognises and values the significance of trees within the urban setting for the many social, economic and environmental benefits they provide. The City is committed to protecting, maintaining and increasing its tree population”.

T20/3858 – REQUEST TO REMOVE AND REPLACE STREET TREE AT 63 ARDROSS STREET, APPECROSS (REC) (ATTACHMENT)

Urban Forest and Green Space Policy CP-102 – Policy Statement states:

1. *“To protect, preserve and enhance the aesthetic character of the City of Melville.*
2. *To realise the social, environmental and economic benefits of trees and other vegetation as an integral element of the urban environment.*
3. *To contribute to community wellbeing by integrating and aligning the efficient provision of physical, social and green infrastructure and management of natural areas to achieve community wellbeing today and tomorrow.*
4. *To encourage a sense of shared responsibility and balance individual and community rights to equitably distribute the costs and the benefits of a greener City.*
5. *To ensure that the urban forest and green spaces that are integral to the City’s sense of place are not compromised in areas of increased residential density.”*

ALTERNATE OPTIONS AND THEIR IMPLICATIONSApprove the Removal of the Trees

Approve the removal and replacement of the trees, all costs associated with this process the responsibility of the applicant seeking removal.

Replace with Transplanted Mature Trees

Remove trees and replace with mature trees that will reduce the impact of the loss of the existing mature tree, at the cost of the individuals seeking removal. Costs would include the tree, installation, including crane and traffic management as required, watering and management of the tree to warranty requirements for at least 24 months after planting. Dependant on the tree selected, the value of purchasing a mature tree can range from \$5,000.00 to \$15,000.00, dependant on height and species of trees.

Access the Age Friendly Assistance Fund

The City’s Age Friendly Assistance Fund was set up for older residents, living in the City of Melville, to help them maintain their independence in their own home. The fund offers a choice of short term or one-off support services to older residents living independently in the community or in residential care within the City. This fund could be utilised by the residents, if they meet the criteria, to assist with the clean up of the debris dropped by the trees.

CONCLUSION

Green space and trees figure prominently in the *City of Melville’s Strategic Community Plan People Places Participation 2016 – 2026*. Our community vision for the future is described as:

“A safe City with green, leafy streets, suburbs and open spaces where people enjoy high levels of health and wellbeing, participate in local events and activities; have access to community services and local business opportunities are encouraged”.

T20/3858 – REQUEST TO REMOVE AND REPLACE STREET TREE AT 63 ARDROSS STREET, APPLECROSS (REC) (ATTACHMENT)

Specific aspirations in the Community Plan are impacted by the benefits of trees as detailed in the below points:

- Clean and Green - We want our pathways, well-shaded for when temperatures soar and a place where people are encouraged to be physically and mentally healthy in an attractive outdoor environment.
- Sustainable and Connected Transport - We need to use alternative forms of transport, including public transport, walking or cycling to get where we need to go.
- Healthy Lifestyle - Opportunities for a healthy lifestyle both indoors and out and about in local parks and suburbs walking, running, cycling and exercising individually or in groups

Debris from trees, including fallen branches, is common with all trees and is a natural characteristic which does impact on the community. Removing healthy, mature trees may solve short term issues, such as debris drop, however the multiple benefits that tree has provided, (e.g. shade, amenity, heat reduction, habitat, oxygen generation, contribution to visual streetscape) will take many years to replace. Consideration also needs to be given to the benefits the tree will provide for future generations and its contribution toward adapting to the impacts of climate change.

There are a number of risks in removing healthy trees, particularly along street verges where multiple functions essential for living are required to be undertaken and located (paths, crossovers, utilities such as power, water, gas and communications). Verges are one of the key locations outside of parks and bushlands, where the City can not only protect but add to the urban forest.

A major risk in removing healthy trees is it sets an undesirable precedent and may generate concerns in the wider community regarding the City's genuine direction toward the environment, sustainability and potentially lead to an increase in similar requests further challenging the number of strategic documents and Council endorsed policies relating to protecting and enhancing the City's urban forest.

The officers recommendation is for the *Erythrina skyesii* (Coral Tree or Flame Tree) at 63 Ardross Street (Munro Road verge), Applecross be retained.

T20/3858 – REQUEST TO REMOVE AND REPLACE STREET TREE AT 63 ARDROSS STREET, APPECROSS (REC) (ATTACHMENT)

OFFICER RECOMMENDATION (3858)

APPROVAL

At 8:28pm Cr Macphail moved, seconded Cr Wheatland –

That the Council:

1. **For the reasons outlined in Item T20/3858 – Request to Remove and Replace Street Tree at 63 Ardross Street, Applecross, rejects the request for the removal of the Erythrina skyesii (Coral Tree/Flame Tree), Munro Street verge, 63 Ardross Street, Applecross.**
2. **Directs the CEO to advise the applicants seeking removal the trees of this decision.**

At 8:36pm the Mayor declared the motion

LOST (5/7)

Vote Result Summary	
Yes	5
No	7

Vote Result Detailed	
Cr Fitzgerald	Yes
Cr Macphail	Yes
Cr Robartson	Yes
Cr Wheatland	Yes
Cr Woodall	Yes
Cr Barber	No
Cr Barton	No
Cr Kepert	No
Cr Mair	No
Cr Pazolli	No
Cr Sandford	No
Mayor Gear	No

CD20/8126 - NEW COUNCIL POLICY CP-112 CUSTOMER FEEDBACK POLICY (REC)
(ATTACHMENT)

Ward : All
 Category : Policy
 Subject Index : Policy & Policy Development
 Customer Index : Community Development Policies & Procedures
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Item CD16/8087- Complaints Management Policy Ordinary Meeting of the Council 26 September 2016
 Works Programme : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Leanne Hartill
 Manager Neighbourhood Development

AUTHORITY / DISCRETION

DEFINITION

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

CD20/8126 - NEW COUNCIL POLICY CP-112 CUSTOMER FEEDBACK POLICY (REC)
(ATTACHMENT)**KEY ISSUES / SUMMARY**

This item proposes that a Customer Feedback Policy be endorsed by the Council. The primary objectives being to:

- Value and welcome customer feedback (compliments, complaints and suggestions)
- Provide a framework to ensure customer feedback is managed in a friendly, respectful, confidential, transparent and timely manner
- Use data and information obtained to drive improvements to policies, processes, products and services and
- Demonstrate the City's commitment to continuous improvement.

To establish this policy, and in accordance with best practice details provided by the Customer Services Institute of Australia, there is a further recommendation to revoke CP-107 – Managing Unreasonable Conduct by Customers, as the matters covered by this policy will be addressed operationally.

BACKGROUND

In September 2016, the [8126 Complaints Management Policy \(CP- 101\)](#) was adopted by Council following a Notice of Motion for a Council Policy to be developed. Prior to this all customer services related policies were at an operational policy level.

In November 2016, a new section heading: 'reporting to the Council' was added to CP - 101, via a notice of motion. (Item 16.1 – Amendment to Complaints Management Policy- CP101).

*'That the Council resolve to amend Council Policy **CP-101 Complaints Management Policy** as follows:*

*1. After External Review on page 3 add a new section heading and text as follows:
"Reporting to the Council: Annually, at the first Governance Committee meeting held at least two months after the close of the relevant financial year, the Chief Executive Officer will report to the Committee, in a report intended for review by the Council, to inform the Council on customer service data, trends, issues and improvements as a minimum, while protecting the privacy and confidentiality of all parties, unless a written law requires otherwise. For avoidance of doubt the report for the 2015/2016 financial year will be made through the next available Governance Committee meeting after this policy is adopted.*

*At 9:00pm the Deputy Mayor submitted the motion, which was declared **CARRIED UNANIMOUSLY (10/0)**"*

A review of the effectiveness of the proposed new policy will be reported to the Council on an annual basis.

In July 2018, the Council policy: [8126 CP 107 Managing Unreasonable Conduct by Customers](#) was endorsed. This policy aimed to provide guiding principles and a fair mechanism for dealing with unreasonable conduct by customers to provide a safe working environment for staff, volunteers and Elected Members, whilst meeting the genuine needs of customers fairly and equitably, representing the best interests of the interests the community.

CD20/8126 - NEW COUNCIL POLICY CP-112 CUSTOMER FEEDBACK POLICY (REC) (ATTACHMENT)

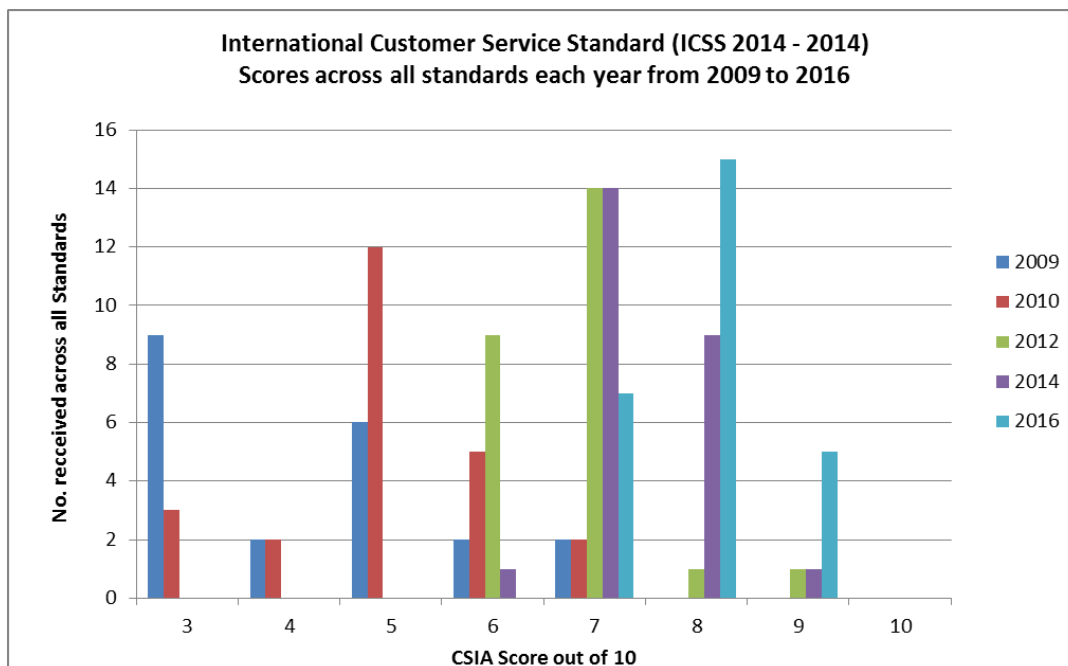
The City of Melville has proactively participated in benchmarking customer excellence programs, to promote best practices across the organisation. A sample of these programs includes:

- Australian Business Excellence Framework
- Customer Service Excellence Certification

These programs recognise the focus on continuous improvement and the delivery of products and services that enhance customer satisfaction and community wellbeing.

In order to achieve certification by the Customer Services Institute of Australia (CSIA), the City is independently assessed against a set of internationally recognised standards and criteria demonstrating a commitment to sustainable results, leadership, people, systems and processes.

The City has participated in the Customer Service Excellence Certification since 2008. The last certification was obtained in 2018. This is a bi-annual program for the City and has guided all the improvements since 2009. The following table shows the improvement scores up to 2016.



**CD20/8126 - NEW COUNCIL POLICY CP-112 CUSTOMER FEEDBACK POLICY (REC)
(ATTACHMENT)**

In 2018 the certification standard was updated and the scores attained by the City are shown in the following table with the scoring standard criteria also explained:

ASSESSMENT MATRIX

	INTENTION			IMPLEMENTATION			INTEGRATION				
	0	1	2	3	4	5	6	7	8	9	10
Service Perspective											
1.1											○
1.2								○			
2.1											○
2.2											○
3.1											○
3.2											○
3.3											○
3.4											○
3.5											○
Finance & Governance Perspective											
4.1											○
4.2											○
5.1											○
6.1											○
6.2											○
6.3											○
Operational Perspective											
7.1											○
7.2											○
8.1											○
8.2											○
9.1											○
Learning & Growth Perspective											
10.1											○
10.2											○
10.3											○
11.1											○
11.2											○
12.1											○
12.2											○

THE INTERNATIONAL CUSTOMER SERVICE
STANDARD SCORING CRITERIA

	OBSERVATION	SCORE
Intention	No evidence (or only anecdotal evidence), to show that the attribute is to be addressed.	0
	Evidence exists to show that the attribute is to be addressed in the next business planning phase.	1
	Evidence exists to show that the attribute is being addressed in the current business planning phase.	2
Implementation	Evidence exists to show that the attribute has been implemented in parts of the organisation.	3
	Evidence exists to show that the attribute has been implemented in the majority of the organisation.	4
	Evidence exists to show that the attribute has been implemented in the majority of the organisation and success measures have been identified.	5
Integration	Evidence exists to show that the attribute is integrated over the majority of the organisation.	6
	Evidence exists to show that the attribute is fully integrated across the organisation.	7
	Evidence exists to show that the attribute is fully integrated across the entire organisation and success measures are being monitored.	8
	Evidence exists to show that the organisation is learning from measuring the attribute and is implementing improvement opportunities.	9
	Evidence exists to show that the organisation is considered <i>best practice</i> for the attribute.	10

In March 2019, the City was further certified to the Complaints Handling Framework (CSIA – CHF 2015) via the Customer Service Institute of Australia. This certification is based on the International Standards Organisation (ISO) 10002:2014 – ‘Quality Management – Customer Satisfaction – Guidelines for complaint management in organisations.’

Of the 23 elements assessed, seven were assessed at a score of six (*Evidence exists to show that the attribute is integrated over the majority of the organisation*), seven were assessed at a score of five (*Evidence exists to show that the attribute has been implemented in the majority of the organisation and success measures have been identified*), seven at a score of four (*Evidence exists to show that the attribute has been implemented in the majority of the organisation*) and two at a score of three (*Evidence exists to show that the attribute has been implemented in parts of the organisation*).

As with all certification processes the focus is on addressing the areas of most concern with the objective of improving the processes to achieve better outcomes for customers and, in this instance, complainants.

CD20/8126 - NEW COUNCIL POLICY CP-112 CUSTOMER FEEDBACK POLICY (REC)
(ATTACHMENT)

In June 2019, the Department of Local Government, Sport and Cultural Industries released the Report of the Inquiry into the City of Melville.

Recommendation 2 stated *“That consideration be given by the Council to engage an independent person to review and act on complaints about City processes and decisions for a period of three months from the date of this report.”*

Customer Science, a CSIA certified organisation, was selected to undertake the independent review and following that review a final report was provided in December 2019. This independent review included verification of a number of operational documents and the following Council Policies as part of understanding the City’s practice in the handling of complaints and achieving resolutions:

- CP- 101 Complaints Management Policy
- CP-107 Managing Unreasonable Conduct by Customers
- Customer Feedback Complaints Procedure and
- The recommendations from the CSIA Complaints Handling Framework.

The review also included on site assessments including interviews, observations and viewing of other pertinent systems and documentation. The recommendations in this report are based on findings and observations detailed from this report.

In all of these reports opportunities for improvement were identified including the need for the review of all customer related policies and procedures. The recommendations from these reports inform this current item before Council for consideration.

DETAIL

Every organisation that deals with the public receives feedback. The community expects government organisations to be customer/citizen focused and responsive to feedback provided.

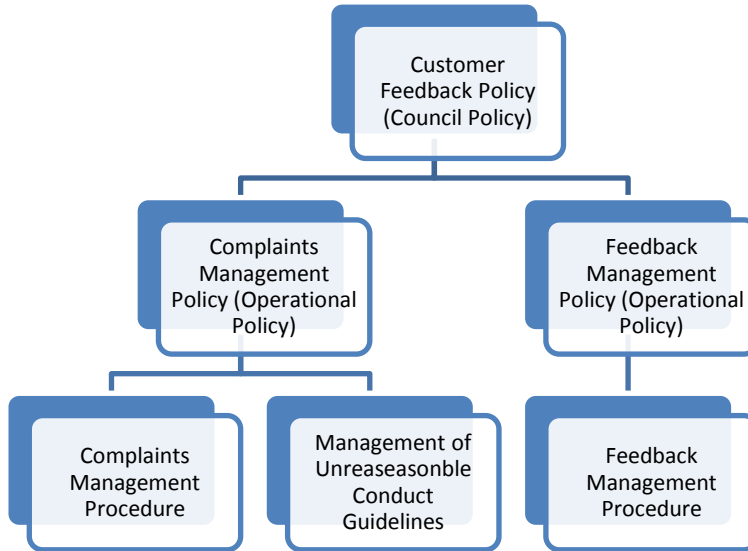
The International Customer Service Standard (ICSS 2015-2020) recommends that every organisation has a formal feedback management strategy and subsequent processes to empower staff to resolve customer issues and complaints.

The data collected through feedback from customers provides meaningful management information designed to highlight trends or systemic problems associated with City of Melville policies, products or service provision. This information is considered and, as appropriate, used to improve business processes.

The proposed [8126 CP-112 Customer Feedback Policy](#) aims to provide the organisation with a strategic uniform and effective mechanism for the management of formal and informal customer feedback. Feedback includes suggestions, compliments and complaints.

CD20/8126 - NEW COUNCIL POLICY CP-112 CUSTOMER FEEDBACK POLICY (REC)
(ATTACHMENT)

The diagram below shows where the proposed Council Policy will align with the updated suite of customer related policy documents:



Following are comments and the key recommendations from the Complaints Management Review December 2019:

1. Definition of Complaint and Feedback

‘Update the Complaints Management Policy, Customer Feedback Policy and Customer Feedback - Complaints Procedure to clarify and consistently align the definition of a complaint.’

The report identified that the use of the terms ‘feedback’ and ‘complaint’ were confusing for the customer, especially if they want to complain.

The Customer Science report has reviewed the current operational policies and a new policy (Feedback Management Policy) has been drafted to separate customer complaints from feedback.

The operational Feedback Management Policy provides a framework for all compliments and suggestions received by the City. It also enables the City to use the data and information received to drive improvements to processes, policies, products and services.

CD20/8126 - NEW COUNCIL POLICY CP-112 CUSTOMER FEEDBACK POLICY (REC)
(ATTACHMENT)**2. Complaints Management Policy (CP- 101)**

- *'The Policy does not outline clearly the steps that will be taken to investigate and resolve a complaint.'*
- *'Currently the owner of the complaints policy and process resides in one of the Directorates and should be elevated to the CEO.'*

Complaints management is about resolving individual complaints and identifying opportunities to make systemic improvements. The actions to be taken to rectify an issue and improve a service are operational matters; hence this policy is identified as an operational document, along with the Feedback Management Policy (new). These operational policies will be owned by the Chief Executive Officer (CEO)

3. Managing Unreasonable Conduct by Customers (CP- 107)

- *'This policy could benefit from being pitched at high level and align with the Customer Service Charter which is already in place and focussed on the protection of employees.'*

Additional comments from the Complaints Handling Framework Report by the Customer Service Institute of Australia also informed the development of this current policy:

- *'The City is encouraged to seek alternatives to the "Managing Unreasonable Conduct by Customers" policy and procedure as this is seen as a combative approach to the problem. That might impact negatively on the organisation's culture towards complainants and complaint handling.'*
- *'Develop a blanket approach to protect individual identity of staff from customers without reducing staff effectiveness or adversely restricting their personal life.'*

The Managing Unreasonable Conduct by Customers council policy's objectives align with the City's Customer Service Charter, which aims to establish a formal customer relationship by:

- Setting behavioural boundaries
- Setting expectations for all parties
- Setting acceptable service levels and
- Establishing acceptable limits.

As such this current Council policy will form the basis for a set of guidelines for staff when dealing with unreasonable conduct, including unreasonable behaviours, demands, persistence and arguments. It will be a practical tool for staff on the frontline and those who are dealing with customers on a daily basis.

The guidelines will be based on existing research and literature published by expert organisations such as the Ombudsman Western Australia and implemented via compulsory training, as part of the existing Customer Service training program.

**CD20/8126 - NEW COUNCIL POLICY CP-112 CUSTOMER FEEDBACK POLICY (REC)
(ATTACHMENT)**

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

The community will be informed of the new policies and procedures via the City's website.

The *Complaints Review Report (2019)* recommended that every formal feedback acknowledgement provided to the customer includes reference to the relevant policies and processes. This will make it easy for customers to understand the clear steps and timelines.

The Complaints process also includes ongoing audits such as the Customer Effort Score informed by survey of customers of the point of complaint resolution. This data will inform further improvements in current processes.

II. OTHER AGENCIES / CONSULTANTS

Review and feedback has taken place with the following agencies / consultants:

- Customer Service Institute of Australia.
- Department of Local Government, Sport and Cultural Industries. An Authorised Inquiry which reviewed a broad range of matters including the City's complaint handling processes.
- Customer Science who conducted an independent review of the City's complaint management processes and decisions from 27 June 2019 for a period of three months, as per recommendation two of the Authorised Inquiry Report into the City of Melville.

STATUTORY AND LEGAL IMPLICATIONS

Not Applicable.

FINANCIAL IMPLICATIONS

Not Applicable.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk*	Risk Mitigation Strategy
The CP-107 – Managing Unreasonable Conduct by Customers is not revoked	Medium	Operational procedures developed to implement the policy will need to link to the Council Policy instead of an Operational Policy

**CD20/8126 - NEW COUNCIL POLICY CP-112 CUSTOMER FEEDBACK POLICY (REC)
(ATTACHMENT)****POLICY IMPLICATIONS**

The proposed Customer Feedback Policy will be the overarching policy for the organisation. This policy aims to demonstrate the importance of customer feedback (complaints, compliments and suggestions). It is recommended in the Complaints Management Review report that this should be a Council Policy.

The Council Policy – Managing Unreasonable Conduct by Customers (CP- 107) is recommended to be revoked, as it does not provide staff with practical guidelines. The content of CP – 107 will be included in the Customer Service Charter which includes tools to deal with various types of unreasonable behaviour especially for all frontline staff

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

In order to improve our customer service interactions and approach we have sought the input and review of our current policies, processes and procedures from external sources with specific expertise in the area of customer service. An alternate option would be to ignore the recommendations outlined in the reports provided and continue with our current approach. This is not recommended if we seek to improve our operations in the area of customer service with clarity of roles and responsibilities for both customers and staff.

CONCLUSION

This Item responds to recommendations made in several key reports, based on assessments conducted by independent Customer Service Institute of Australia endorsed practitioners and in accordance with best practice and the International Standard Organisation (ISO 10002:2014) and the International Customer Service Standard (ICSS 2015:2020).

These International Standards provide guidance for the design and implementation of an effective and efficient feedback handling process for all types of commercial and non-commercial activities, including local government authorities.

**CD20/8126 - NEW COUNCIL POLICY CP-112 CUSTOMER FEEDBACK POLICY (REC)
(ATTACHMENT)**

OFFICER RECOMMENDATION (8126)

APPROVAL

That the Council:

1. Revokes the policy: [8126 CP-107 – Managing Unreasonable Conduct by Customers.](#)
2. Endorses the [8126 CP-112 - Customer Feedback Policy](#) as the overarching policy for customer feedback.

Procedural Motion**COUNCIL RESOLUTION**

At 8:39pm Cr Sandford moved, seconded Cr Mair –

That Item CD20/8126 - New Council Policy CP-112 Customer Feedback Policy be deferred to the 21 July 2020 Ordinary Meeting of Council to allow Elected Members to consider correspondence received from the community in relation to this item.

At 8:39pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

CD20/8128 PARKING STATION, 893 CANNING HIGHWAY, MOUNT PLEASANT (REC)

Ward : Applecross - Mt Pleasant
 Category : Operational
 Subject Index : Parking Control
 Customer Index : Not Applicable
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Not Applicable
 Works Program : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Brodie Dawkins
 Manager Neighbourhood Amenity

AUTHORITY / DISCRETION

DEFINITION

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

CD20/8128 PARKING STATION, 893 CANNING HIGHWAY, MOUNT PLEASANT (REC)**KEY ISSUES / SUMMARY**

- As part of the community benefits provided in association with the development at 893 Canning Highway Mount Pleasant (The Precinct), the provision of a 54 bay public carpark under the City of Melville's control was approved.
- The Local Government by resolution may constitute any land or structure a parking station as per section 2.1 of the City of Melville Parking Local Law 2016.
- This item requests Council by resolution to constitute the carpark at 893 Canning Highway Mount Pleasant as a parking station.

BACKGROUND

On 30 November 2015, the Metro Central Joint Development Assessment Panel approved a Mixed Use Development (The Precinct) at 893 Canning Highway, Mt Pleasant subject to a number of conditions.

The approved building is now completed with residents moving in. One of the community benefits being provided as part of the approval is the provision of 54 publicly available car parking bays located within the building and accessed via Ogilvie Road.

DETAIL

As part of the community benefit conditions (relating to parking) it states:

'The City shall be entitled to control and manage the public car parking bays, including by installing parking meters and making charges for parking, and may retain any revenue from the charges imposed, and the community benefit deeds shall, if necessary, address and give effect to these matters.'

The ability for the City to manage and charge a fee for this carpark requires the Local Government by resolution to constitute this carpark as a parking station as per section 2.1 of the City of Melville Parking Local Law 2016.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

The level of communication in accordance with the Stakeholder Engagement Policy CP-002 for this item is to "inform" the community through our website and on-street directional signage to the carpark.

CD20/8128 PARKING STATION, 893 CANNING HIGHWAY, MOUNT PLEASANT (REC)

II. OTHER AGENCIES / CONSULTANTS

Engagement with the developer regarding the operations of the carpark was undertaken through an onsite meeting.

STATUTORY AND LEGAL IMPLICATIONS

As per section 2.1 of the City of Melville Parking Local Law 2016, this item is requesting Council by resolution to constitute the carpark at 893 Canning Highway Mount Pleasant as a parking station.

2.1. Establishing parking stations

- (1) The local government may constitute any land or structure as a parking station by-
- (a) resolution; or
 - (b) inclusion of a description of the land in Schedule 1.

FINANCIAL IMPLICATIONS

1. There are minimal direct up front costs as the parking meter (only one required) and signage will be provided by the applicant and not the City.
2. There is the on-going cost for maintenance of the parking machine of \$203 per annum.
3. Income from the car park is hard to estimate during these times. Based on data from another City owned carpark, the estimated income is approximately \$40,000 per annum.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Lack of usage of the carpark.	Moderate consequences which are unlikely, resulting in a medium level of risk	Have a parking fee structure that will assist short term requirements and concessions for all day fees.
Risk Statement	Level of Risk	Risk Mitigation Strategy
Eventual high demand due to concessions for all day parking.	Major consequences which are possible, resulting in a high level of risk	Monitor the occupancy rates and undertake subsequent review of concessions for all day parking.

CD20/8128 PARKING STATION, 893 CANNING HIGHWAY, MOUNT PLEASANT (REC)**POLICY IMPLICATIONS**

There are no implications foreseen with regard to the Parking Policies. The Parking Local Law 2016 is not impacted by this item or proposed actions.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could decide to not designate this carpark as a parking station and therefore leave this car park as a non fee paid un-managed car park which would result in inconsistent approaches to the management of parking in the area and impact the use of other fee paid parking in the area.

CONCLUSION

There is limited all day concession parking on the Mt Pleasant side of Canning Highway. Ogilvie Road on-street parking is currently first hour free, then \$3.00 per hour thereafter and occupancy rates are high.

The fees and charges proposed to go before Council as part of the 2020-2021 budget process lists this carpark as first hour free then \$1.70 per hour thereafter and a rate of \$8.50 for all day parking.

This is in line with the 2019-20 fees and charges and includes Councils recent endorsement of first hour free parking in all City managed paid parking areas.

The additional 54 parking bays along with the all day parking concessions will increase the availability of parking for staff and customers attending the local businesses and the all day rate will result in lower-cost all day parking than is currently provided.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8128)**APPROVAL**

At 8:40pm Cr Woodall moved, seconded Cr Pazolli –

That the Council approves the carpark at 893 Canning Highway, Mount Pleasant as parking station number 28.

At 8.40pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

CD20/8129 - PARKING STATION, 908 CANNING HIGHWAY, APPLECROSS (REC)

Ward : Applecross - Mt Pleasant
 Category : Operational
 Subject Index : Parking Control
 Customer Index : Not Applicable
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Not Applicable
 Works Program : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Brodie Dawkins
 Manager Neighbourhood Amenity

AUTHORITY / DISCRETION

DEFINITION

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

CD20/8129 - PARKING STATION, 908 CANNING HIGHWAY, APPLECROSS (REC)**KEY ISSUES / SUMMARY**

- As part of the community benefits provided in association with the development at 908 Canning Highway Applecross (Stage 1 – Sabina building), the provision of a 12 bay public carpark under the City of Melville's control was approved.
- The Local Government by resolution may constitute any land or structure a parking station as per section 2.1 of the City of Melville Parking Local Law 2016.
- This item requests Council by resolution to constitute the carpark at 908 Canning Highway, Applecross as a parking station.

BACKGROUND

On 26 April 2017, the Metro Central Joint Development Assessment Panel approved a Three Staged Mixed Use Development at Numbers 3-5 Kintail Road and Numbers 908-912 (Lots 1, 2, 19, 20, 268) Canning Highway, Applecross, subject to a number of conditions.

One of the community benefits being provided as part of the approved development is the provision of 30 publicly available car parking bays located over the three stages. The first stage is that of the Sabina building. This is now complete and starting to be occupied. As part of the first stage, 12 public parking bays have now been provided with access from Kintail Road.

DETAIL

With respect to the provision of public car parking as a community benefit it states:

'The City of Melville shall be entitled to control and manage the public car parking bays, including by installing parking metres and making charges for parking, and may retain any revenue from the charges imposed, and the community benefit deeds shall, if necessary, address and give effect to these matters; and the proponent shall install a suitable electronic sign advising the public parking availability to the satisfaction of the City.'

The ability for the City to manage and charge a fee for this carpark requires the Local Government by resolution to constitute this carpark as a parking station as per section 2.1 of the City of Melville Parking Local Law 2016.

CD20/8129 - PARKING STATION, 908 CANNING HIGHWAY, APPLECROSS (REC)

STAKEHOLDER ENGAGEMENT

II. COMMUNITY

The level of communication in accordance with the Stakeholder Engagement Policy CP-002 for this item is to “inform” the community through our website and on-street directional signage to the carpark.

II. OTHER AGENCIES / CONSULTANTS

Engagement with the developer regarding the operations of the carpark was discussed through an onsite meeting.

STATUTORY AND LEGAL IMPLICATIONS

As per section 2.1 of the City of Melville Parking Local Law 2016, this item is requesting Council by resolution to constitute the carpark at 908 Canning Highway, Applecross as a parking station.

2.1. Establishing parking stations

- (1) The local government may constitute any land or structure as a parking station by-
- (a) resolution; or
 - (b) Inclusion of a description of the land in Schedule 1.

FINANCIAL IMPLICATIONS

- 4. There are minimal direct up front costs as the parking meter (only one required) and signage will be provided by the applicant and not the City.
- 5. There is the on-going cost for maintenance of the parking machine of \$203 per annum.
- 6. Income from the car park is hard to estimate during these times. Based on data from another City owned carpark, the estimated income is approximately \$7,000 per annum.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
The limited parking will be used for all day parking.	Moderate consequences which are unlikely, resulting in a medium level of risk	Have a parking fee structure that will assist short term requirements.

CD20/8129 - PARKING STATION, 908 CANNING HIGHWAY, APPLECROSS (REC)**POLICY IMPLICATIONS**

There are no implications foreseen with regard to the Parking Policies. The Parking Local Law 2016 is not impacted by this item or proposed actions.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could decide to not designate this carpark as a parking station and therefore leave this car park as a non fee paid un-managed car park which would result in inconsistent approaches to the management of parking in the area and impact the use of other fee paid parking in the area.

CONCLUSION

The three Staged Mixed Use Development at Numbers 3-5 Kintail Road and Numbers 906-912 Canning Highway, Applecross, when complete will deliver an additional 30 public parking bays for the Applecross area.

With the completion of Stage one, the Sabina building will provide 12 publically available parking bays adding to the parking options that are already available within the area.

When stages two or three are completed, separate reports to Council will be required regarding the designation of further parking stations.

The fees and charges proposed to go before Council as part of the 2020-2021 budget process lists this carpark as first hour free then \$2.20 per hour thereafter.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8129)**APPROVAL**

At 8:40pm Cr Woodall moved, seconded Cr Wheatland –

That the Council approves the carpark at 908 Canning Highway, Applecross as Parking Station Number 29.

At 8:41pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

An Advice Note from Officers was circulated in relation to Item CD20/8130 – Active Reserve Infrastructure Strategy ([8130 Advice Note Active Reserve Infrastructure](#))

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)

Ward : All
 Category : Strategic
 Subject Index : Recreation
 Customer Index : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Works Programme : Capital Works
 Funding : Estimated funding of \$60.5million over 20 years
 Responsible Officer : Peter de Lang
 Healthy Melville Coordinator - Leisure Planning

AUTHORITY / DISCRETION

DEFINITION

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

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- This report and final draft of the Active Reserve Infrastructure Strategy (ARIS) proposes a 20 year strategic plan for development of the City's active reserves.
- The ARIS responds to changing needs in the community and fit for purpose, accessible, inclusive facilities for sport, recreation and other community uses.
- Dave Lanfear Consulting (leisure consultancy) was engaged to undertake the ARIS in conjunction with a City of Melville (COM) project team.
- An extensive community engagement process was undertaken with a number of opportunities for a large number of stakeholders to be involved.
- Several recommendations are contained within the ARIS.
- A detailed 20 year cost plan / investment estimate and schedule per reserve has been developed.
- Total program estimates are \$60.5million.
- Current budgeting (capital and operational) and council resolutions equate to \$32million, with a consideration for an additional \$28.5million.
- Future funding will form part of the Long Term Financial Model review later in 2020.
- Implementation of the ARIS will directly contribute to the community's aspirations.

BACKGROUND

The City of Melville values the benefits of an active lifestyle and has a strategic goal in place to contribute to a healthy and active community.

The provision of sporting reserves and infrastructure is a major factor in achieving this goal; however the City of Melville for some time has been facing a severe overuse of a number of its sporting reserves and accordingly, should implement plans to resolve this issue.

The ARIS has been developed to guide the provision of infrastructure and investment on Active Reserves for the next 20 years. Active Reserves are principally those reserves within the City which provide for formal sport and associated recreational uses. While they are used for sport they also provide a variety of other recreational activities for the local communities they serve.

It is recognised that due to the constraints on the supply of public open space (POS) within an established urban setting, while there will be some playing field availability within schools, there is likely to be limited opportunities to introduce more open space within the City.

The guiding principles under which the ARIS was developed include:

- Wherever practical, ensuring the resident population of the City has equality of access to active reserve infrastructure
- Developing a sound evidence base to identify both perceived and normative need through ongoing engagement with clubs, the community and key stakeholders
- Ensuring that, wherever possible, the capacity of existing active reserves and associated infrastructure is maximised having regard to design and operational limitations

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)

- Ensuring that, wherever possible, the co-location of complementary users is maximised to ensure effective use of limited financial resources
- Ensuring active reserve infrastructure is planned and delivered in a timely manner which is flexible to changing demographic and development profiles
- Providing the optimum level of provision relevant to the functionality and use by the City of Melville community.

The City engaged experienced leisure consultants Dave Lanfear Consulting to undertake the strategy development and extensive research in conjunction with working closely with city officers to plan and implement the detailed community engagement process.

DETAIL

The [8130 Active Reserve Infrastructure Strategy](#) contains all research, engagement reports, recommendations, a detailed cost plan and schedule for investment on Active Reserves over a 20 year period.

The assessment process included the review of existing planning processes, catchment mapping and a visual analysis of the quality and functionality of the 23 Active Reserves which form part of this study (which also including Murdoch University Playing Field). It also considered current Active Reserve usage, booking information and known constraints related to each site. Underpinning all of the analysis was a comprehensive club, community and stakeholder consultation process. This was informed by a demographic analysis which sought to ascertain key changes on a suburb by suburb basis and projected participation rates and demand for infrastructure over a 20 year period.

As part of the analysis a separate study was undertaken with regard to the current usage and capacity of LeisureFit Booragoon which indicated that the aquatic facility was operating at or near capacity. This will necessitate further detailed analysis to be undertaken to determine the development options available to increase water space to serve the future needs of residents.

The analysis of Active Reserves took into account emerging trends in the development of contemporary sporting and community infrastructure and the current funding commitments which have already been made by the City in respect of upgrading pavilions, clubhouses and changing rooms. This is a program which has been developed across the breadth of Active Reserves within the City's control to ensure the facilities fulfil high priority objectives of incorporating gender diverse changing room infrastructure together with increasing access to those members of the community who have varying degrees of physical challenges. Additional funding commitments to gradually replace existing aged lighting infrastructure with more efficient and effective LED lighting have also been considered and incorporated into the recommendations and potential expenditure.

While, it was recognised the City has few opportunities to increase POS, there are two sites which provide potential opportunities to add to the Active Reserve stock. These include an extension to John Connell Reserve with the potential to develop additional sports fields and recreational spaces, John Creaney Park, which has connections to existing adjacent sporting infrastructure and which could provide a senior and junior oval. For the remaining Active Reserves the main focus has been to improve capacity, capability and efficiency.

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)

Having regard to all of the above analysis a series of recommendations have been made across all of the Active Reserves. These are contained on pages 83 to 93 in two parts:

1. Guiding principles associated with the development of active reserves. These are broad City wide requirements which should underpin investment in the development of community sport and recreation facilities
2. Recommendations related to specific developments / considerations on each Active Reserve that have been based on the future growth projections of the City.

The recommendations have been individually costed and timelines for implementation have been established.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

Engagement objectives met during the Active Reserve Infrastructure Project are as follows:

*To **inform** all stakeholders about the Project, the engagement process, and opportunities to participate.*

*To **consult** with sporting clubs by identifying:*

- *What they value about reserves*
- *improvements which might add value to the reserves*

*To **consult with** people likely to use the 23 reserves under consideration by inviting them to comment on:*

- *what they value about reserves*
- *potential improvements in reserves*

*To **consult** with the wider community about levels of support for the draft Strategy.*

The engagement processes, for the **first phase of engagement** (launch of the Active Reserve Infrastructure Strategy Project) were as follows:

- Sporting clubs currently using City of Melville facilities (72) were directly surveyed in June/July 2019 following the public launch of the project - 26 clubs returned surveys.
- 3792 residents living close to 'Active Reserves' and who may be most likely to use the spaces received a direct email invitation complete a survey in June/July 2019 - 327 surveys were completed.
- Consultation with younger people between the ages of 11 and 15 by attending Leeming Senior High School and conducting a survey using PollEverywhere - 73 Students took part in the survey.
- A community discussion option provided on the Melville Talks page, when publicly launched in June 2019 - 44 comments were received from 23 different contributors.
- The project page on MelvilleTalks included a 'hot spot' map to provide visitors with information about each reserve listed (in the scope of the project).
- The Access Advisory Panel gave advice on access requirements for consideration at an ordinary panel meeting on 21 March 2019.

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)

In the first phase of engagement, information about the Active Reserve Infrastructure Strategy and how to get involved was distributed to/via:

- Media Release – 26 June, 2019.
- City of Melville Website News Article – 27 June 2019.
- Melville Gazette article – 4 July 2019
- Melville Talks page launched – 26 June 2019, 517 unique page views to August, 2019.
 - Media Release
 - FAQ's
 - Online discussion forum - 44 comments from 23 contributors.
 - Reserve Infographics and 'Hotspot' map.
 - Project Timeline
 - Document Library
- LeisureFit e-news – 10 July 2019, <17,000 subscribers.
- Corporate e-news - July 2019, < 14,000 subscribers.
- Facebook post – 2 July 2019, 5,559 people reached - 549 engagements.
- Elected Members Information Session - 23 July 2019.
- Elected Members Bulletin - November 2018 & June 2019
- 72 sporting clubs using Melville facilities.
- 3792 residents living within 400m of an 'Active Reserve'
- The Access Advisory Panel – 21 March 2019.

The engagement processes for the **second phase of engagement** (public issue of the draft Active Reserve Infrastructure Strategy) were as follows:

- The draft was issued to the public on 24 February 2020 (in the two weeks prior an update was posted to the page to alert subscribers, as those most interested in the project that is was due to be released in draft format and for comment).
- The draft strategy was made available for public comment for a four week period until March 20 2020.
- Submissions were made via an online submission form on the Melville Talks page (though were also taken via email if more appropriate to respondents)
- 51 people made submissions - some representing clubs, community groups or organisations.

In the second phase of engagement, the draft Active Reserve Infrastructure Strategy and information about how to get involved was distributed to/via:

- Media Release – 26 February 2020.
- Melville Gazette Article – 5 March 2020.
- City of Melville Website News Article – 26 February 2020.
- Melville Talks page updates – 7 February and 24 February 2020.
- About Melville Advertorial – 27 February 2020.
- Mosaic Article – 19 March 2020.
- Corporate e-news – 26 February 2020, ~15,000 subscribers

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)

- LeisureFit e-news – 10 March 2020, ~ 21,000 subscribers.
- Elected Members Information Session – 10 February 2020.
- Organisation wide email signature promoting draft ARIS – 9 to 20 March 2020.
- Clubs by Ward list provided to elected members to distribute draft ARIS - 10 February 2020.
- Social Media to Facebook, Instagram & Twitter - 183,105 reach, 1039 engagements.
- Geo-targeted ads.
- State Sporting Associations.
- State & Federal Politicians with constituents in the City of Melville.
- Residents originally invited to participate in the Active Reserve Infrastructure Strategy survey – 3792 emails sent.
- Melville Talks – Active Reserve Infrastructure Strategy page subscribers – 77 subscribers.
- Leeming Senior High School – lower school coordinator to distribute to survey participants.
- Relevant officers at neighbouring LGA's.
- The Department of Local Government, Sport & Cultural Industries, Sport & Recreation.

The engagement reports can be located on page 243-303 of the Active Reserve Infrastructure Strategy (attached).

II. OTHER AGENCIES / CONSULTANTS

The City procured Dave Lanfear Consulting to be the lead consultant for the Active Reserve Infrastructure Strategy given his wealth of experience in the field. Dave consulted industry wide contacts to assist in developing the ARIS, including:

- Swimming WA
- Netball WA
- Bowls WA
- Hockey WA
- Football West
- West Australian Football Commission
- Softball WA
- Baseball WA
- Little Athletics WA
- Rugby WA
- Tennis West
- West Australian Cricket Association
- Rugby League WA
- Parks & Leisure Australia – WA
- The Department of Local Government, Sport and Cultural Industries, Sport and Recreation
- University of Western Australia – Catchment Mapping
- Donald Cant Watts Corke

Neighbouring local government authorities and state/federal politicians with constituents in the City of Melville were sent the draft ARIS for notation and comment, where applicable.

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)

STATUTORY AND LEGAL IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

The total program in the Active Reserve Infrastructure Strategy is estimated to cost approximately \$60.5million over 20 years. A number of projects have been funded in 2019-20 or prior years as part of the Capital Works Programs. The 2020-21 draft Annual Budget has also been informed by the draft ARIS and this will be presented to Council in June 2020.

Required funding will be assessed for affordability during the review of the Long Term Financial Model later this year. The Long Term Financial Model is informed by many strategies, with the ARIS being one of these, should the strategy be endorsed by Council. Council will have the opportunity to provide input into the review of the Long Term Financial Model and allocate funding according to priorities. Therefore the affordability of the entire ARIS can only be assessed following the review of the Long Term Financial Model and subsequent Annual Budget processes.

Current budgeting (operational and capital) and council resolutions are represented in the below table:

Flood Lighting - \$150,000 annual allocation over 20 years. <i>Note: this assumes that the annual allocation will continue into the future</i>	\$3,000,000
Infrastructure Strategy – change room upgrades. (as per Infrastructure Asset Management Plan 2016-2036). <i>Note: \$6.35M was transferred from the Rates Equalisation Reserve to the Future Works Reserve in 2019-20 for this purpose</i>	\$12,700,000
Tompkins Park Concept Plan (CD17/8098) 20 June 2017 <i>Note: Formed part of the 2018-19 and 2019-20 Annual Budgets, allocation of \$3,360,000 was resolved (CD20/8125) 17 March 2020 with the remainder returned to reserve</i>	\$9,400,000
Shirley Strickland Reserve Concept Plan (CD16/8093) 13 December 2016 <i>Note: Formed part of the 2018-19 and 2019-20 Annual Budgets</i>	\$6,640,000
Concept Plans - \$35,000 annual allocation over 20 years. <i>Note: this assumes that the annual allocation will continue into the future</i>	\$650,000
Total	\$32,390,000

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)

An additional consideration for \$28,108,938 (\$1.405 million p.a. avg) will therefore need to be allocated to implement this strategy. The entire order of probable costs (\$60.5million) could be reduced further through grant funding subsidy on a project by project basis. The Active Reserve Infrastructure Strategy paid due consideration to eligibility for a number major grant funding sources, including the Community Sport and Recreation Facility Fund (CSRFF), that could be accessed to offset the cost of developments to individual projects. The Active Reserve Infrastructure Strategy was written to ensure that the broad scope of each project either aligned to grant funding principles and requirements or at least didn't exclude a project from the opportunity to apply.

Appropriate resourcing was applied across the program of works to ensure that projects are able to be delivered. Principles applied to achieve this are as follows:

- Appropriate design and construct contingency to allow for design development – 25%
- Incorporated consultancy fees – 8%
- Project Management – 2.5%
- Leisure Planning & Engagement – 1.5%
- Escalation not included, this will be incorporated by our Finance Team in the Long Term Financial Plan

A breakdown of costs on a year by year basis is provided in the following document: [8130 ARIS Cost Plan Final](#)

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Insufficient funds in the Long Term Financial Plan to deliver projects recommended in ARIS	Major consequences which are almost certain, resulting in an Extreme level of risk.	Active Reserve Infrastructure Strategy to be adopted by Council with transparent cost outcomes and timeframes for delivery. To be included in annual review of Long Term Financial Plan
Facilities are ageing and not fit for purpose resulting in key community outcomes not being met.	Major consequences which are almost certain, resulting in an Extreme level of risk.	Active Reserve Infrastructure Strategy to be adopted by Council.
Developments continue to be delivered on an ad hoc basis resulting in inefficient spend and allocation of resources.	Moderate consequences which are possible, resulting in a Medium level of risk.	Active Reserve Infrastructure Strategy to be adopted by Council, promoting a strategic and clearly articulated approach.

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)

Risk Statement	Level of Risk	Risk Mitigation Strategy
Inability to deliver projects in a timely manner based on a lack of available resources.	Major consequences which are almost certain, resulting in an Extreme level of risk.	Active Reserve Infrastructure Strategy to be adopted by Council, includes allocation of project management, leisure planning and engagement resource.
Reduced likelihood of grant funding due to not having a strategic approach to key community projects	Major consequences which are possible, resulting in a High level of risk.	Active Reserve Infrastructure Strategy to be adopted by Council, promoting a strategic and clearly articulated approach.

POLICY IMPLICATIONS

An extensive documentation review was conducted in the development of the Active Reserve Infrastructure Strategy for City of Melville related documents, policies and strategies.

The entire strategic document review, for the City of Melville can be located on page 101-117 of the Active Reserve Infrastructure Strategy (attached).

A review of State and National guidelines, Plans and Strategies is contained on pages 118-126 of the Active Reserve Infrastructure Strategy.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

An alternate option would be to not endorse the strategy and not commit to additional funding over the next 20 years however this will significantly impact on; the City's ability to meet community aspirations identified in People Places Participation A Strategic Community Plan for the City of Melville 2016-2026 and the City's asset management planning.

To not endorse the ARIS would also ignore evidence, research and engagement that have informed this strategic planning document, and risks adhoc decisions and approaches to the planning and delivery of active reserve infrastructure.

CONCLUSION

Active reserves and their infrastructure are highly valued and utilised community assets.

Active reserves cater for not only organised sport but many other uses.

A strategic approach is required when planning for future investment on active reserves.

Many active reserve facilities require improvements and upgrades to ensure they cater for community needs now and into the future, e.g. responding to the increase in female participation, community expectations regarding accessibility and inclusivity.

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)

Extensive research, literature reviews and stakeholder engagement has been undertaken in the preparation of the ARIS.

The Final Draft Active Reserve Infrastructure Strategy is a 20 year strategic plan for investment on Active Reserves including a detailed program prioritising projects.

The total proposed program in the Active Reserve Infrastructure Strategy is estimated to cost approximately \$60.5million of which \$32,390,000 has been budgeted (operational and capital) or is part of a council resolution.

The Active Reserve Infrastructure Strategy is an informing strategy in the Long Term Financial Model and Long Term Financial Plan. Later this year Council will have the opportunity to provide input into the review of the Long Term Financial Model and allocate funding according to priorities.

The Active Reserve Infrastructure Strategy is a key document in the City being able to deliver sustainable, fit-for-purpose, multi-use, quality and inclusive community sporting reserves.

OFFICER RECOMMENDATION (8130)**APPROVAL**

That the Council:

- 1. Adopts the Active Reserve Infrastructure Strategy 2020 as a key strategic document to guide future active reserve infrastructure development for the City.**
- 2. Endorses the 20 year cost plan, estimated at \$60.5million as a part of the Active Reserve Infrastructure Strategy, which prioritises projects and investment into current and future Active Reserves.**
- 3. Endorses the Active Reserve Infrastructure Strategy as being an informing strategy in the Long Term Financial Model and Long Term Financial Plan.**
- 4. Directs the CEO to review the Active Reserve Infrastructure Strategy at five yearly intervals and report review findings to the Council at Elected Members Information Sessions.**

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)

Reject and Replace

COUNCIL RESOLUTION

At 8:41pm Cr Mair moved, seconded Cr Sandford –

That the Council:

1. **Notes the Active Reserve Infrastructure Strategy 2020 as a key strategic document to guide future active reserve infrastructure development for the City.**
2. **Notes the 20 year cost plan, estimated at \$60.5million as a part of the Active Reserve Infrastructure Strategy, which prioritises projects and investment into current and future Active Reserves.**
3. **Notes the Active Reserve Infrastructure Strategy as being an informing strategy in the Long Term Financial Model and Long Term Financial Plan.**
4. **Directs the CEO to review the Active Reserve Infrastructure Strategy at five yearly intervals and report review findings to the Council at Elected Members Information Sessions.**

At 9:18pm the Mayor declared the motion

CARRIED (7/5)

Vote Result Summary	
Yes	7
No	5

Vote Result Detailed	
Cr Barber	Yes
Cr Barton	Yes
Cr Fitzgerald	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Sandford	Yes
Cr Macphail	No
Cr Robartson	No
Cr Wheatland	No
Cr Woodall	No
Mayor Gear	No

CD20/8130 - ACTIVE RESERVE INFRASTRUCTURE STRATEGY (REC) (ATTACHMENT)**Reasons for the Reject and Replace Motion provided by Cr Mair**

1. The Spars Report was noted by Council and not adopted. However this did not stop officers enacting the contents of the Report. In that report, a northern bowling club was identified as optimal. The Melville Bowling Club and Mt Pleasant Bowling Club were to be relocated in the Thompkins Park Facility with Rugby and Cricket. There was a several year struggle by the community to prevent this from happening and as yet it has not come to a conclusion. There were many calls from the public for Elected Members to rescind the Spars Report however that was not possible because it was never adopted by Council. Therefore, we do not need to adopt the ARIS plan and it will still be enacted upon.
2. Even though the Spars Report was not adopted by Council, the expansion of Thompkins Park to include Bowling was budgeted for and over \$9million had been set aside for that purpose. An application was made to the Government for funding for the sports hub. A grant of \$700,000 was promised to the Council for this project which lapsed recently. Even though the Spars Report was only noted, the officer's actions were guided by that document until the ARIS was commissioned. So by noting the ARIS report, we will not be interfering with the officer's ability to prioritize projects and invest according to the noted plan.
3. The ARIS strategy will be used as an informing strategy by officers whether it is noted or adopted by Council. However, if we adopt the ARIS Report, we can only vary it with a Council Recommendation which must be carried by a majority of Elected Members. However, if the ARIS report is noted, it will be a far more flexible document which can easily respond to changing community needs.
4. The ARIS report assumes that adequate playing facilities have been provided for in this document for the next 20 years ". . .the City of Melville for some time has been facing a severe overuse of a number of its sporting reserves . . ." It goes on to say, "the City has few opportunities to increase POS." And there seems to be no plan to address this issue by purchasing more suitable land. The report identifies John Connell Reserve as a potential site to develop however it is on the edge of our city and will probably primarily cater for Canning, Cockburn and a lesser number of our residents. John Creaney Park is also tagged as another opportunity. Both of these sites are in the Bull Creek Leeming Ward. If our population in the City of Melville doubles in the next 20 years, I fail to see how the ARIS plan will cater for the increase in demand since we seem to be at maximum already. The risk is, if the demand for playing fields far exceeds availability, the city will only be providing sports to those who can afford it. That means our lower socio economic groups will miss out. So we need a flexible plan which is noted so this risk can be mitigated.
5. Officers have stated in their report that the only way to mitigate the risk of insufficient funding for ARIS projects, the possibility of key community outcomes not being met and developments continuing to be delivered on an ad hoc basis is to adopt the ARIS report. The ARIS report will not necessarily mitigate these risks at all if there is no Council will to do so. The question should be asked as to why insufficient funds were never set aside? Why were sporting facilities left so long without proper maintenance budgets? Why were developments on an ad hoc basis? Is this in fact just bad planning? Adoption of the ARIS report will not solve this problem.

At 9:19pm Cr Wheatland left the meeting and returned at 9:21pm.

M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)

Ward	All
Category	Operational
Subject Index	Delegated Authority 5.15P
Customer Index	City of Melville CEO; City of Melville
Disclosure of any Interest	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	Item M19/5691 Review of City of Melville Delegated Authority Manual – Ordinary Meeting of Council 18 June 2019
Works Programme	Not Applicable
Funding	Not Applicable
Responsible Officer	Louis Hitchcock Executive Manager Governance and Legal Services

AUTHORITY / DISCRETION

DEFINITION

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

M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)**KEY ISSUES / SUMMARY**

- Delegations made under the *Local Government Act 1995, Cat Act 2011, Dog Act 1976* and deemed scheme provisions in the Planning and Development (Local Planning Schemes) Regulations 2015 must by law be reviewed by the delegator at least once every financial year and listed in a register kept by the CEO.
- The 2020 review has included all Council delegations whether or not there is a statutory requirement for recurrent reviews.
- Council is asked to approve the recommendations arising from the review.
- If all recommendations are accepted, the number of Council delegation instruments will reduce from 89 to 52.
- Following Council's decisions on the recommendations of the delegations review, the register of delegations will be updated and provided to Elected Members for information.

BACKGROUND

Delegation of local government powers, duties and functions to the CEO and appropriate officers is an effective way to reduce red tape and expedite operational decision-making processes. Efficient use of the power of delegation assists local governments to deal effectively with a wide range of procedural matters that require the exercise of some discretion but are inherently administrative rather than strategic in nature.

Delegations made under the *Local Government Act 1995, Cat Act 2011, Dog Act 1976* and the deemed provisions of Local Planning Schemes provided in the Planning and Development (Local Planning Scheme) Regulations 2015 must be reviewed by the delegator at least once every financial year and the CEO must maintain a register of current delegations made under this legislation.

Other legislation does not require annual review of delegations or the keeping of a register, but most local governments, including the City of Melville, review all delegations annually and include them all in the register of delegations.

The responsibility for review, where required by legislation, lies with the delegator. This report deals only with Council delegations. The CEO is responsible for reviewing delegation or sub-delegation of powers and duties held by the CEO either directly under statute or under delegation from Council.

Delegation is only permitted when an Act or regulations specify that the local government has this power, and the delegation powers may only be exercised in relation to the statutory powers, duties or functions conferred or imposed on the local government by that legislation unless otherwise specified. A delegator may specify limitations or conditions, such as a financial limit, on the exercise of a delegation. Sub-delegation is generally only permitted where specifically provided for in the relevant legislation.

The delegation of a power or duty does not prevent the delegator from exercising that power or discharging that duty directly or by "acting through" the CEO or an officer.

It is important to note that major decisions or actions made under delegation are as a matter of procedure referred on to Elected Members for their information.

M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)

Delegates are not obliged to exercise a delegation granted to them, even if it is primarily procedural. Where circumstances may make a decision contentious, it may be referred, at the discretion of the CEO or the request of Council, to the Council to make the decision by resolution despite the presence of a relevant delegation.

Under the *Local Government Act 1995*, local governments may delegate powers and duties to certain committees (section 5.16) or to the CEO (section 5.42). There are currently no delegations to committees made by the City of Melville Council. Under some other legislation, local governments may delegate directly to certain other officers, and such delegation to officers other than the CEO may be appropriate where no sub-delegation power exists.

Under the *Local Government Act 1995*, any employee other than the CEO, to whom any power or duty has been delegated (or sub-delegated) under Part 5 Division 4 of that Act, is classified as a designated employee and is obliged to lodge primary and annual returns under sections 5.75 and 5.76 of that Act. These obligations do not apply to delegations made under other legislation.

DETAIL

The 2020 delegations review has examined all current Council delegations for continued relevance, consistency with current legislation, efficiency and effectiveness. The review has been guided by the Local Government Operational Guideline Number 17 – Delegations, published by the Department of Local Government, Sport and Cultural Industries.

As part of the review, the existing instruments of delegation have been re-formatted to ensure consistency and relevance. This format is based on the template delegation instrument for local government developed by WALGA, which has been adopted by a number of local governments in Western Australia.

The conversion from the historical format of the City's instruments of delegation to the new format does not affect the delegation of the statutory power or duty as approved or subsequently amended by Council. In most cases, it adds supporting information to the instrument of delegation to clarify legislative sources and relevant policy or compliance references. Provision is also made in the new format for recording requirements and for documenting substantive amendments.

The specific recommendations relating to each existing delegation are set out in the attached [5749 Att 1 Summary of Delegation Review Recommendations](#). If the recommendations are approved, the number of Council delegation instruments listed in the Delegation Register will reduce from 89 to 52.

M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)

In summary, the review has recommended:

1. No substantive change to 19 delegations (simply conversion to the new format);
2. Minor amendments to five delegations, primarily clarification of titles or descriptions to better align with the relevant legislation and separate recording of the conditions on the delegation;
3. Substantive amendments to 23 delegations for reasons described in attachment 1 Summary of Delegation Review Recommendations [5749 Att 1 Summary of Delegation Review Recommendations](#);
4. One new delegation to replace nine current delegations relating to registration and management of cats;
5. One new delegation of the power under s.18 of the *Building Act 2011* to require further information from applicants for building and demolition permits.
6. Consolidating the delegations of powers under sections 3.25 and 3.26 of the *Local Government Act 1995*, currently recorded in three instruments into a single instrument of delegation.
7. Transferring 14 current delegations relating to interdependent powers used in the discharge of three functions under the *Building Act 2011* to three new functionally-based consolidated instruments of delegation. The transferred delegations are unchanged.
8. Transferring the record of the delegation of the appointment of authorised persons under the *Public Health Act 2016*, currently in the same instrument (DA-055) as the delegation of authorised persons under the *Local Government Act 1995*, to a separate instrument to avoid potential confusion between the heads of power;
9. Revocation of 16 delegations as a result of rationalisation of overlapping or duplicate delegations or because they are redundant; and
10. Replacement of six delegations with statutory appointments or authorisations because the relevant legislation does not provide for delegation of those powers.

With respect to point 7 above, the recommended consolidation of the Building Act delegations consists of creating three new functionally-based instruments of delegation to record the existing delegations of the powers integral to each function:

- a. DA-126 Building and Demolition Permits – consolidate the records of all existing delegations of powers required to regulate and administer building and demolition permits under Part 2 Division 2 of the *Building Act 2011*: s.20 (DA-089), s.21 (DA-090), s.22 (DA-091), s.27 (DA-092), s.88 (DA-097 (part)) and r.24 of the Building Regulations (DA-104). If the recommendation to delegate the power under s.18 to seek further information from permit applicants is approved, it will also be recorded in this instrument.
- b. DA-127 Occupancy Permits and Building Approval Certificates – consolidate the records of all existing delegations of powers required to regulate and administer occupancy permits and building approval certificates under Part 2 Division 3 of the Building Act: s.55 (DA-093), s.58 (DA-094), s.62 (DA-095) and s.65 (DA-096).
- c. DA-128 Building Orders – consolidate the records of all existing delegations of powers required to administer building orders under Part 8 Division 5 of the *Building Act 2011*: s.88 (DA-097 (part)), s.110 (DA-099), s.111 (DA-100), s.117 (DA-101) and s.118 (DA-102).

M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)

With respect to point 10 above, some current delegations deal with powers that the relevant legislation has specified must be exercised through appointment or authorisation:

- a. The *Health (Miscellaneous Provisions) Act 1911* does not provide for the local government to delegate its powers and functions under that Act. Instead, section 26 provides that “a local government may appoint and authorise any person to be its deputy and in that capacity to exercise and discharge all or any of the powers and functions of the local government”. This affects delegations DA-065, DA-067, DA-068, DA-069, DA-070 and DA-071, which need to be replaced with the statutory appointment of deputies by Council.

In practical terms, this will have no effect on the City’s operations, since a delegate and a deputy effectively have the same role. However, it will ensure that the City complies with the statutory requirements of the Act. Since sub-delegation (or sub-deputisation) is not possible, multiple deputies need to be appointed to ensure effective discharge of the City’s functions under the Act.

- b. Section 9.49A of the *Local Government Act 1995* deals with the execution of documents, and subsection 9.49A(1)(b) specifically provides that documents without the common seal are executed by a local government if they are signed by a person authorised under subsection 9.49A(4) to do so. Subsection 9.49A(4) requires such authorisation to be by resolution, and section 5.43(ha) prohibits the delegation of this authorisation power to the CEO.

It is unclear whether delegations DA-012 and DA-117 can be regarded as equivalent to an authorisation, and it is recommended that DA-012 and DA-117 be replaced with a formal statutory authorisation under s.9.49A(4).

Note that authorisation under DA-9.49A(4) does not affect any documents executed during the exercise of a power or performance of a function under delegation. Under the *Interpretation Act 1984*, section 50 provides that where a law confers on a person the power to do something, all such powers necessary to enable them to do that thing are deemed to be conferred on the person. By implication, this also applies to the delegation of such a power.

Sub-delegations are the responsibility of the CEO and recommendations relating to sub-delegations have been submitted directly to the CEO for action, subject to any necessary prerequisite changes to the primary delegation being approved by Council.

Following Council’s decisions on the recommendations of the delegations review, the register of delegations kept by the CEO pursuant to section 5.46(1) of the *Local Government Act 1995* will be updated and provided to Elected Members for their information.

STAKEHOLDER ENGAGEMENT

All directorates have been consulted regarding the delegations relevant to their operations.

Public consultation was not undertaken as delegations are an internal matter related to the operational management and administration of the local government’s statutory powers, duties and functions.

M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)**STATUTORY AND LEGAL IMPLICATIONS**

The majority of Council delegations (46) have been made under the *Local Government Act 1995*. The following are the key issues under Local Government Act the relating to the delegation of local government powers and duties by the Council under that Act.

- Delegations (to Committees and the Chief Executive Officer) must be made by an absolute majority decision [s.5.16(1) and s.5.42(1)].
- Delegations (whether to Committees or the Chief Executive Officer) must be in writing, and may be general or as otherwise provided in the instrument of delegation [s.5.16(2), s.5.42(2)].
- All Delegations will have effect for the period of time specified in the delegation, or if not specified, indefinitely [s.5.16(3)(a), s.5.45(1)(a)].
- Any decision to amend or revoke a delegation must be by absolute majority [s.5.16(3)(b), s.5.45(1)(b)].
- Section 5.17 limits the delegation of powers and duties to certain committees.
- Section 5.45(2)(a) permits a local government to perform any of its functions by acting through a person other than the CEO (but it may not delegate its functions other than to the CEO).
- An employee to whom a power or duty has been delegated under Part 5 Division 4 is a designated employee (s.5.74) who must lodge primary and annual returns (s. 5.75, s.5.76).

Section 5.43 prohibits the local government from delegating to the CEO any of the following powers or duties:

- (a) *any power or duty that requires a decision of an absolute majority of the council;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

Regulation 18G of the Local Government (Administration) Regulations 1996 prescribe that the following powers and duties of a local government cannot be delegated to the CEO:

- (a) Section 7.12A(2), (3)(a) or (4) (duties related to audit reports);
- (b) Regulations 18C (approve process for selection and appointment of CEO) and 18D (consider a review on the performance of the CEO carried out under s.5.38).

**M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)**

In addition to the above references, the following legislative provisions are also relevant to this review of Council delegations:

- Regulation 18G of the [Local Government \(Administration\) Regulations 1996](#)
- Section 127 of the [Building Act 2011](#)
- [Regulation 70 of the Building Regulations 2012](#)
- Sections 48 and 59 of the [Bush Fires Act 1954](#)
- Sections 44, 45, 46 and 47 of the [Cat Act 2011](#)
- Sections 10AA and 10AB of the [Dog Act 1976](#)
- Section 118 of the [Food Act 2008](#)
- Section 16 and 17 of the [Graffiti Vandalism Act 2016](#)
- Section 26 and 344 of the [Health \(Miscellaneous Provisions\) Act 1911](#)
- Regulation 15D of the [Health \(Asbestos\) Regulations 1992](#)
- Sections 50, 53, 58 and 59 of the [Interpretation Act 1984](#)
- Section 21 of the [Public Health Act 2016](#)
- Schedule 2 clauses 82, 83 and 84 of the [Planning and Development \(Local Planning Schemes\) Regulations 2015](#)

New delegations, amendment and revocation of delegations under the Local Government Act, Cat Act, Dog Act, Graffiti Vandalism Act and the Planning and Development (Local Planning Schemes) Regulations must be made by absolute majority decision of Council.

Delegations under other legislation, and appointments and authorisations, do not require an absolute majority.

FINANCIAL IMPLICATIONS

Implementation of the recommendations of this review will not incur additional financial costs. Ineffective use of delegation powers may result in additional financial cost to the City as a consequence of the additional administrative resources required to refer minor operational decisions to Council, and to the City's customers as a consequence of slower decision-making.

M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategies
A situation arises that requires an urgent decision to ensure public health and safety	Moderate to serious consequences which are likely – high risk	Prudent and appropriate delegation of power and functions to allow prompt response
The CEO or sub-delegates exercise a delegated power or perform a delegated duty or function that results in a decision contrary to the outcomes required by Council	Moderate consequences which are unlikely – medium risk	Conditions may be imposed to limit the exercise of delegated powers. Clear policies are established to guide officers in the exercise of the delegated powers. The Council may exercise a delegated power or perform a delegated function itself at its own discretion, and may revoke a delegation. All exercises of delegated authority are recorded to ensure accountability.
A delegation is inconsistent with the relevant legislative provisions	Minor consequences which are unlikely – low risk	Annual review of delegations

POLICY IMPLICATIONS

A number of Council delegations are supported by policies adopted by the Council to guide the use of discretionary powers. The recommendations of this review do not specifically require additional policies.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Council may choose to reject the recommended rationalisation of overlapping and interdependent delegations. This would not materially affect the performance of the function but would forfeit an opportunity for improvement of administrative efficiency and effectiveness.

Rejection of the recommendations to replace delegations without a statutory head of power with appointments or authorisation consistent with the legislation may carry a low risk of decisions being challenged as being inconsistent with the legislation.

Rejection of the recommendations to amend delegations that do not clearly reflect the statutory power or duty being delegated carries a risk of misinterpretation and ineffective exercise of the delegation.

**M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)****CONCLUSION**

The review of Council delegations conducted in 2020 has been rigorous and extensive. A number of opportunities for improvement have been identified and recommended which will provide a sound base for the City's delegations in future.

In addition, the recommended new format for all delegations will avoid some of the issues that were found during the review, in particular misalignment with relevant legislation, duplication and overlap, and delegations that do not relate to the statutory powers, duties and functions held by Council.

A simple majority is required for the approval of recommendations 1 – 9 of this report regarding the appointment of a deputy under the Health (Miscellaneous Provisions) Act, authorisation under the Local Government Act, delegations under the Building Act, Bush Fires Act and Food Act, and amending delegation records without varying the delegated authorities contained within them.

An absolute majority is required for the approval of recommendations 10 – 12 of this report regarding the approval, amendment, and revocation of delegations under the Cat Act, Graffiti Vandalism Act, Local Government Act and the Planning and Development (Local Planning Schemes) Regulations.

OFFICER RECOMMENDATIONS AND COUNCIL RESOLUTION (5749) APPROVAL

At 9:22pm Cr Macphail moved, seconded Cr Fitzgerald –

That the Council resolves to:

- 1. Note the review of the Council delegations of authority and endorse the recommendations as shown in [Attachment 1 – Summary of Delegation Review Recommendations](#).**
- 2. Approve the appointment of deputies under section 26 of the *Health (Miscellaneous Provisions) Act 2011* to exercise the powers and discharge the functions of the City under that Act and the regulations, local laws and orders made thereunder, as shown in [Attachment 2 – Appointment of Deputies under s.26 of the Health \(Miscellaneous Provisions\) Act 1911](#).**
- 3. Authorise, under section 9.49A(4) of the *Local Government Act 1995*, the CEO and other specified employees of the City of Melville to sign certain classes of documents on behalf of the City according to the conditions set out in [Attachment 3 – Authorisation of persons to sign documents on behalf of the City of Melville](#).**
- 4. Approve the transfer of the written record of the Council delegation under section 21(1)(b)(i) of the *Public Health Act 2016* of the power under section 24 of that Act to designate authorised persons, from existing instrument DA-055 to a new instrument appearing as [Attachment 4 - DA-124 Designation of Authorised Officers \(Public Health Act\)](#).**

**M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)**

5. Approve the transfer of the records of delegation of 14 powers under the *Building Act 2011* into three new functionally based instruments as shown in [Attachment 5 – Consolidated Building Act Delegations](#):
 - a. DA-126 Building and Demolition Permits – consolidate records of the existing delegations of powers under sections 20 (DA-089), 21 (DA-090), 22 (DA-091), 27 (DA-092) and 88 (DA-097 (part)) of the Building Act and regulation 24 of the Building Regulations (DA-104).
 - b. DA-127 Occupancy Permits and Building Approval Certificates – consolidate records of the existing delegations of powers under sections 55 (DA-093), 58 (DA-094), 62 (DA-095) and 65 (DA-096) of the Building Act.
 - c. DA-128 Building Orders – consolidate records of the existing delegations of powers and duties under sections 88 (DA-097(part)), 110 (DA-099), 111 (DA-100), 117 (DA-101) and 118 (DA-102) of the Building Act.
6. Delegate to the CEO, under section 127(1) of the *Building Act 2011*, the power under section 18 of the Building Act to seek further information as required to determine an application for a building or demolition permit, noting that if approved this delegation will be recorded in new consolidated instrument DA-126.
7. Approve the transfer of the records of delegation under sections 3.26(2) and 3.26(3) of the *Local Government Act 1995* (DA-047 and DA-048) into instrument DA-046 dealing with the related powers under s.3.25 of that Act.
8. Approve the transfer of the record of the delegation of the power to appoint authorised and approved persons under the Building Regulations for the purposes of the Criminal Procedure Act Part 2 from DA-123 to DA-098.
9. Approve the following amended instruments of delegation contained in [Attachment 6 – Amended delegations \(Bush Fires Act, Food Act, Building Act\)](#):
 - a. DA-022 Notices Bush Fires
 - b. DA-073 Delegations Under the Food Act 2008
 - c. DA-098 Authorised Persons
 - d. DA-103 Inspection and Copies of Building Records
 - e. DA-105 Prosecutions, Orders and Legal Proceedings – Building Matters

in accordance with the recommendations described in the table contained in [5749 Attachment 1 Summary of Delegation Review Recommendations](#).

At 9:22pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

**M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)**

The following recommendations relate to delegations under the Cat Act, Graffiti Vandalism Act, Local Government Act and the Planning and Development (Local Planning Schemes) Regulations and require an absolute majority decision.

**OFFICER RECOMMENDATIONS AND COUNCIL RESOLUTION (5749)
ABSOLUTE MAJORITY APPROVAL**

At 9:23pm Cr Macphail moved, seconded Cr Fitzgerald –

That the Council by absolute majority resolves to:

10. In order to rationalise the delegations relating to the administration of the Cat Act –
 - a. Delegate to the CEO, under s.44 of the *Cat Act 2011*, the powers and duties of the local government required to register and manage cats under the *Cat Act 2011*, the Cat Regulations 2012 and the Cat (Uniform Local Provisions) Regulations 2013, as shown in new instrument of delegation appearing as [Attachment 7 - DA-125 Delegation of Powers and Duties under the Cat Act 2011](#), and
 - b. Revoke the current delegations of individual powers and duties under s.48 (DA-106); s.40 (DA-107); s.49 (DA-108); 9(5) (DA-109); s.10 (DA-110); s.37 (DA-111, DA-112 and DA-114), and s.26 (DA-113) of the *Cat Act 2011*.

11. Approve the following amended instruments of delegation contained in [Attachment 8 – Amended delegations \(absolute majority required\)](#):
 - a. DA-007 Leasing/Licensing of Property
 - b. DA-015 Bonds for Uncompleted Works
 - c. DA-016 Approvals under Local Laws
 - d. DA-020 Planning and Related Matters
 - e. DA 027 Rejecting and Accepting Tenders, Expressions of Interest and/or Applications for Pre-qualified Supplier Panels
 - f. DA-028 Contract Variations and Selection of Next Successful Tender
 - g. DA-032 Granting of a Concessions or Writing Off Debts Owed to the Council
 - h. DA-036 Release of Confidential Information
 - i. DA-044 Disputes Between Multiple Local Governments
 - j. DA-046 Notice to Occupier Requiring Certain Actions to be Undertaken
 - k. DA-050 Notice of Entry to Private Land
 - l. DA-051 Making an Opening in a Fence
 - m. DA-053 Authorisation to Remove and Impound Goods
 - n. DA-054 Sale and Disposal of Impounded and Confiscated Goods
 - o. DA-055 Appointment of Authorised Persons
 - p. DA-061 Prosecutions, Notices and Legal Proceedings – Planning Matters
 - q. DA-062 Notices – Objections and Appeals
 - r. DA-077 Actions in Respect to Land Where Rates or Service Charges are Unpaid after Three Years
 - s. DA-081 Thoroughfares
 - t. DA-085 Parking Control Schemes
 - u. DA-115 Approval of Non-monetary Grants – Community Partnership Fund
 - v. DA-121 Graffiti Vandalism

in accordance with the recommendations described in the table contained in [5749 Attachment 1 Summary of Delegation Review Recommendations](#).

**M20/5749 REVIEW OF CITY OF MELVILLE COUNCIL DELEGATIONS (AMREC)
(ATTACHMENT)**

12. Revoke, for the reasons set out in the table in Attachment 1 – City of Melville Review of Council Delegations 2020 – Summary of Recommendations, the following delegations under the *Local Government Act 1995* and regulations and local laws made under that Act:
- a. DA-009 Negotiation of community and sporting rentals/leases and management licences;
 - b. DA-011 Assignment of commercial leases;
 - c. DA-039 Boundary review consideration of submissions and conduct of review;
 - d. DA-052 Removal and impoundment of goods;
 - e. DA-082 Revoke an order to close a thoroughfare;
 - f. DA-084 Local laws relating to parking permits;
 - g. DA-08 Commercial parking leases.

At 9:24pm the Mayor declared the motion

CARRIED BY ABSOLUTE MAJORITY (12/0)

M20/5750 - REVISED COUNCIL POLICY CP-092 ELECTED MEMBER PROFESSIONAL DEVELOPMENT (REC) (ATTACHMENT)

Ward	:	All
Category	:	Policy
Subject Index	:	Council Administration Conferences
Customer Index	:	City of Melville
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	M17/5567 – Policy Review – Elected Members Professional Development (18 July 2017) Motion with Notice 16.2 Minimising Elected Member Travel and Conference Expenses (20 & 27 August 2019)
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Corrine Newman Governance Coordinator

AUTHORITY / DISCRETION

DEFINITION

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

M20/5750 - REVISED COUNCIL POLICY CP-092 ELECTED MEMBER PROFESSIONAL DEVELOPMENT (REC) (ATTACHMENT)**KEY ISSUES / SUMMARY**

- The Local Government Legislation Amendment Bill 2019 introduced new reforms including the requirement for local governments to develop a Continual Professional Development Policy for Elected Members.
- Under these legislative requirements new or re-elected Elected Members are to complete compulsory training within their first 12 months.
- The Chief Executive Officer is required to publish, on the City's website, the professional development undertaken by Elected Members in the preceding financial year.
- The City has an existing Council Policy – CP-092 Elected Member Professional Development. This Policy has been reviewed and amended to meet the requirements of the new legislation.

BACKGROUND

In June 2019 the *Local Government Legislation Amendment Act 2019* was passed by Parliament, which introduced a range of new legislative requirements for local government, included compulsory universal training for new or re-elected Elected Members and the requirement for local governments to develop a Policy for the Continual Professional Development of Elected Members.

DETAIL

The universal training requirements for Elected Members were introduced because:

- Elected Members have a unique and challenging role.
- They oversee multi-million dollar budgets and make difficult decisions that impact the well-being of communities.
- Unlike board members they are not selected for the role based on their knowledge and experience, but on their leadership and willingness to contribute to the community.
- Once elected, they are required to make decision on matters as diverse as planning applications, budgeting, rates, support for community organisations, long term planning for the district and the recruitment of and employment relationship with the CEO.
- They are also expected to understand and comply with meeting procedures, conflicts of interest and codes of conduct.
- This reform is key to providing elected members with the skills and knowledge to perform their role as leaders in the district.

The universal training requires Elected Members to complete the "Council Members Essentials" training within the first twelve months of being elected at or after the 2019 Local Government Elections. The Council Members Essentials training comprises five modules:

- Understanding Local Government
- Serving on Council
- Meeting Procedures
- Conflicts of Interest
- Understanding Financial Reports and Budgets

M20/5750 - REVISED COUNCIL POLICY CP-092 ELECTED MEMBER PROFESSIONAL DEVELOPMENT (REC) (ATTACHMENT)

New section 5.127 of the *Local Government Act 1995* requires that the CEO to publish a report each financial year on the training completed by elected members in the financial year. The report is to be published on the City's website within one month of the end of the financial year to which the report relates.

New section 5.128 of the *Local Government Act 1995* requires that the City adopt a policy in relation to the continuing professional development of Elected Members.

The City has an existing Council Policy – CP-092 Elected Member Professional Development which provides guidance on Elected Member Professional Development. This policy has been reviewed to include the new legislative requirements as outlined below:

Policy Sub Section	Changes
Policy Objective	Inclusion of new paragraph addressing the requirement to undertake compulsory training, adopt a policy and report on elected member training annually.
Policy Scope	Amendment to include new legislative requirement of Elected Members to undertake training and of the CEO to report on training undertaken by Elected Members.
Policy Statement	Inclusion of new section 1 – addressing the details of Compulsory Elected Member Training.
	Revised section 3: <ul style="list-style-type: none"> to provide clarity on annual training and development allocation provided for Elected Members to undertake professional development opportunities; authorising the CEO to approve requests and make arrangements within policy guidelines
	Inclusion of new section 7 – outlining the reporting requirement of the Chief Executive Officer
General	<ul style="list-style-type: none"> Reordering of sections to a more logical sequence Change the term “Annual Conference allocation” to “Annual Training and Development allocation”.

The revised policy is included as [5750 Revised CP-092- Elected Members Professional Development](#) and shows the proposed changes in blue text.

M20/5750 - REVISED COUNCIL POLICY CP-092 ELECTED MEMBER PROFESSIONAL DEVELOPMENT (REC) (ATTACHMENT)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

No comment has been sought from the community.

II. OTHER AGENCIES / CONSULTANTS

No comment has been sought from other agencies or consultants, however the Department of Local Government, Sport and Cultural Industries information and circulars in relation to the implementation of the *Local Government Legislation Amendment Act 2019*, specifically in relation the development of a Continual Professional Development Policy for Elected Member has been taken into consideration.

STATUTORY AND LEGAL IMPLICATIONS

The *Local Government Act 1995*, sections 5.126 and 5.128 for Elected Members undertaking compulsory training and for provisions to be made, through the adoption of a policy, for the ongoing professional development of Elected Members. The contravention of s5.126 is an offence and may be subject to a fine.

5.126. Training for council members

- (1) *Each council member must complete training in accordance with regulations.*
- (2) *Regulations may —*
 - (a) *prescribe a course of training; and*
 - (b) *prescribe the period within which training must be completed; and*
 - (c) *prescribe circumstances in which a council member is exempt from the requirement in subsection (1); and*
 - (d) *provide that contravention of subsection (1) is an offence and prescribe a fine not exceeding \$5 000 for the offence.*

5.128. Policy for continuing professional development

- (1) *A local government must prepare and adopt* a policy in relation to the continuing professional development of council members.*

** Absolute majority required.*
- (2) *A local government may amend* the policy.*

** Absolute majority required.*
- (3) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*
- (4) *The CEO must publish an up-to-date version of the policy on the local government's official website.*
- (5) *A local government —*
 - (a) *must review the policy after each ordinary election; and*
 - (b) *may review the policy at any other time.*

M20/5750 - REVISED COUNCIL POLICY CP-092 ELECTED MEMBER PROFESSIONAL DEVELOPMENT (REC) (ATTACHMENT)

Section 5.127 of the Local Government Act 1995 requires that the CEO publish information on the City's website that includes the policy for the ongoing professional development of Elected Members and the professional development undertaken by Elected Members each financial year.

5.127. Report on training

- (1) *A local government must prepare a report for each financial year on the training completed by council members in the financial year.*
- (2) *The CEO must publish the report on the local government's official website within 1 month after the end of the financial year to which the report relates.*

FINANCIAL IMPLICATIONS

Training and development allocations for Elected Members are considered annually during Budget considerations. The new requirements can be accommodated in existing budget allocations.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Risk of Elected Members being inhibited to undertake their role due to a lack of knowledge and not meeting legislative requirements.	Moderate consequences which are likely, resulting in a Medium level of risk	Provide support and clear guidance to Elected Members to gain the knowledge required and meet their legislative requirements to undertake training.

POLICY IMPLICATIONS

The proposed revision to the Council Policy, CP-092 Elected Member Professional Development, supports Elected Members in meeting their legislative requirement to undertake compulsory training and to undertake ongoing professional development to fulfil their role as the elected representatives of the community of the City of Melville.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

There are no alternative options as this is a legislative requirement.

M20/5750 - REVISED COUNCIL POLICY CP-092 ELECTED MEMBER PROFESSIONAL DEVELOPMENT (REC) (ATTACHMENT)**CONCLUSION**

The City is committed to ensuring Elected Members understand their obligations as Elected Members and make well informed decisions to effectively represent the community and support Elected Members to undertake training and development relevant to their role and to meet the requirements of the *Local Government Act 1995*.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5750) APPROVAL

At 9:24pm Cr Woodall moved, seconded Cr Mair –

That the Council approves the changes to the existing Council Policy CP-092 – Elected Members Professional Representation as attached [5750 REVISED-092-Elected Members Professional Development](#) Revised and this policy be published on the City of Melville website.

At 9:27pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

At 9:24 Mr Ferris left the meeting and returned at 9:26pm.

**M20/5751 – NEW COUNCIL POLICY – CP-113 ATTENDANCE AT EVENTS POLICY
(AMREC) (ATTACHMENT)**

Ward : All
 Category : Policy
 Subject Index : Council Administration
 Customer Index : City of Melville
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Not Applicable
 Works Programme : Not Applicable
 Funding : Not Applicable
 Responsible Officer : Corrine Newman
 Governance Coordinator

AUTHORITY / DISCRETION

DEFINITION

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

**M20/5751 – NEW COUNCIL POLICY – CP-113 ATTENDANCE AT EVENTS POLICY
(AMREC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- The *Local Government Legislation Amendment Bill 2019* introduced new reforms including the requirement for local governments to develop an Attendance at Events policy.
- The policy is to provide a framework for the acceptance of invitations to events and transparency to the community for the acceptance of those invitations.
- The Chief Executive Officer is required to publish, on the City's website, a policy for attendance at events.
- A new Council Policy CP-113 has been developed for the consideration of the Council.
- It is recommended that Council adopt the new Policy CP – 113 Attendance at Events.

BACKGROUND

In June 2019 the *Local Government Legislation Amendment Act* was passed by Parliament, which introduced a range of new legislative requirements for local governments, including the requirement for local governments to introduce a policy that provides a framework and transparency to the community for the acceptance of invitations to events.

DETAIL

New Section 5.90A of the *Local Government Act 1995* requires that local governments have a policy regarding attendance at events. The purpose of the policy is for the Council to actively consider the purpose of and benefits to the community of Elected Members and the CEO attending events.

A new Council Policy has been developed to meet this legislative requirement and provides a framework for the acceptance of invitations to various events and clarifies who will pay for tickets or the equivalent value of the invitation.

The proposed new policy addresses:

- attendance at any events, including concerts, conferences, functions or sporting events, or other hospitality occasion, whether free of charge, part of a sponsorship agreement, or paid by the local government
- that attendance at events should not interfere with the business of the Council.
- any payments for, or expenses associated with, attendance at events;
- where an event is not covered by the policy, the Council should consider the matter.

**M20/5751 – NEW COUNCIL POLICY – CP-113 ATTENDANCE AT EVENTS POLICY
(AMREC) (ATTACHMENT)**

Attendance at events in accordance with the proposed policy will exclude the attendee from the requirement to disclose an interest where the donor has a matter before the Council. However, the acceptance of invitations will still be required to be declared and entered into the Gift Register. It should be noted that under the new legislation, any gifts, including tickets to events not covered by this policy, that are over \$1,000 and are associated with a matter before the Council will require the approval of the Minister for the Elected Member to participate or for the CEO to provide advice.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

No comment from the community has been sought.

II. OTHER AGENCIES / CONSULTANTS

No comment has been sought from other agencies or consultants, however the Department of Local Government, Sport and Cultural Industries information and circulars in relation to the implementation of the new *Local Government Legislation Amendment Act 2019* has been taken into consideration, specifically in relation to the development and implementation of an Attendance at Events policy.

STATUTORY AND LEGAL IMPLICATIONS

New section 5.90A of the *Local Government Act 1995* requires the City to prepare and adopt a policy that deals with matters relating to the attendance of Elected Members and the CEO at events and comply with any prescribed requirements relating to the form or content of the policy.

Division 6A — Attendance at events**5.90A. Policy for attendance at events**

- (1) *In this section —*
event includes the following —
 - (a) a concert;
 - (b) a conference;
 - (c) a function;
 - (d) a sporting event;
 - (e) an occasion of a kind prescribed for the purposes of this definition.
- (2) *A local government must prepare and adopt* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —*
 - (a) the provision of tickets to events; and
 - (b) payments in respect of attendance; and

**M20/5751 – NEW COUNCIL POLICY – CP-113 ATTENDANCE AT EVENTS POLICY
(AMREC) (ATTACHMENT)**

(c) *approval of attendance by the local government and criteria for approval; and*

(d) *any prescribed matter.*

** Absolute majority required.*

(3) *A local government may amend* the policy.*

** Absolute majority required.*

(4) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*

(5) *The CEO must publish an up-to-date version of the policy on the local government's official website.*

[Section 5.90A inserted: No. 16 of 2019 s. 44.]

An absolute majority decision of the Council is required to adopt and amend a policy and the adopted policy must be published on the City's website.

Invitations to events may be considered gifts and the implications of the Disclosure of Financial Interests and Gifts covered in Division 6 of the *Local Government Act 1995* and Part 6 of the *Local Government (Administration) Regulations 1996* should be taken into consideration.

FINANCIAL IMPLICATIONS

Attendance at events and associated expenses generally align with Elected Members training and development and are covered under existing budget considerations. The new legislative requirements associated with attendance at events can be accommodated under existing budget allocations.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Risk of the not providing sufficient transparency to the community of the events attended by Elected Members and the Chief Executive Officer when considering and providing advice on matters before the Council.	Moderate consequences which are likely, resulting in a High level of risk	Development and implementation of the relevant policies and registers and publication on the City's website for improved transparency.

**M20/5751 – NEW COUNCIL POLICY – CP-113 ATTENDANCE AT EVENTS POLICY
(AMREC) (ATTACHMENT)****POLICY IMPLICATIONS**

This is a proposed new Council Policy as required under the *Local Government Act 1995*. The intention of the new policy is to provide guidance and support to the Elected Members and the Chief Executive Officer when attending events to ensure appropriate disclosure and transparency to the community.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

There are no alternative options as this is a legislative requirement.

CONCLUSION

The City is committed to meeting its legislative requirements and to transparency and accountability to its community. The adoption of this policy will establish guidelines for appropriate disclosure and management of the acceptance of invitations to events for Elected Members and the Chief Executive Officer.

OFFICER RECOMMENDATION**ABSOLUTE MAJORITY**

At 9:27pm Cr Wheatland moved, seconded Cr Kepert –

That the Council adopts new Council Policy CP-113 – Attendance at Events as attached [5751 New Council Policy CP-113 Attendance at Events](#) and that this policy be published on the City of Melville website.

Procedural Motion**COUNCIL RESOLUTION**

At 9:31pm Cr Mair moved, seconded Cr Pazolli –

That Item M20/5751 – New Council Policy – CP-113 Attendance at Events Policy be deferred to 21 July 2020 Ordinary Meeting of Council to allow for further consideration by Elected Members.

At 9:32pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

C20/6000 - INVESTMENT STATEMENTS FOR APRIL 2020 (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 30 April 2020 for the Council's information and noting.

C20/6000 – INVESTMENT STATEMENTS FOR 30 APRIL 2020 (REC)

BACKGROUND

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

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

DETAIL

The following statement details the investments held by the City as at 30 April 2020.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 April 2020		
SUMMARY BY FUND		
Municipal		\$17,079,861
Reserve		\$174,342,960
Trust		\$-
Citizen Relief		\$219,651
TOTAL		\$191,642,471
SUMMARY BY INVESTMENT TYPE		
11AM		\$5,646,827
31Days at Call		\$6,000,000
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$161,220,473
Units (Local Govt Hse)		\$175,171
TOTAL		\$191,642,471
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$98,967,300
	A+	\$60,500,000
A Category (A+ to A-)	A	
	A-	\$2,000,000
BBB+ Category	BBB+	\$30,000,000
Units (Local Government House)		\$175,171
TOTAL		\$191,642,471

C20/6000 – INVESTMENT STATEMENTS FOR 30 APRIL 2020 (REC)

Exposure to an individual institution is limited according to Council policy and in April 2020 the investments were within the acceptable limits.

Investment with financial institutions						
Institution	Credit Rating	Credit Rating Category	Funds held at period end	Actual %	Limit Per Policy	
ANZ	AA-	AA Category	\$ 6,000,000	3.13%	30.00%	✓
AMP	BBB+	BBB+ Category	\$ -	0.00%	25.00%	✓
Bankwest	AA-	AA Category	\$ -	0.00%	30.00%	✓
Bank of Queensland	BBB+	BBB+ Category	\$ 27,000,000	14.09%	15.00%	✓
ING Bank	A-	A Category	\$ 2,000,000	1.04%	25.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 3,000,000	1.57%	15.00%	✓
CBA	AA-	AA Category	\$ 7,500,000	3.91%	30.00%	✓
Macquarie	A+	A Category	\$ 19,000,000	9.91%	25.00%	✓
NAB	AA-	AA Category	\$ 28,225,740	14.73%	30.00%	✓
St George	AA-	AA Category	\$ -	0.00%	30.00%	✓
Suncorp	A+	A Category	\$ 41,500,000	21.65%	25.00%	✓
Westpac	AA-	AA Category	\$ 57,241,560	29.87%	30.00%	✓
Units in Local Govt House	NA	NA	\$ 175,171	0.09%	100.00%	✓
TOTAL			\$ 191,642,471	100%		

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

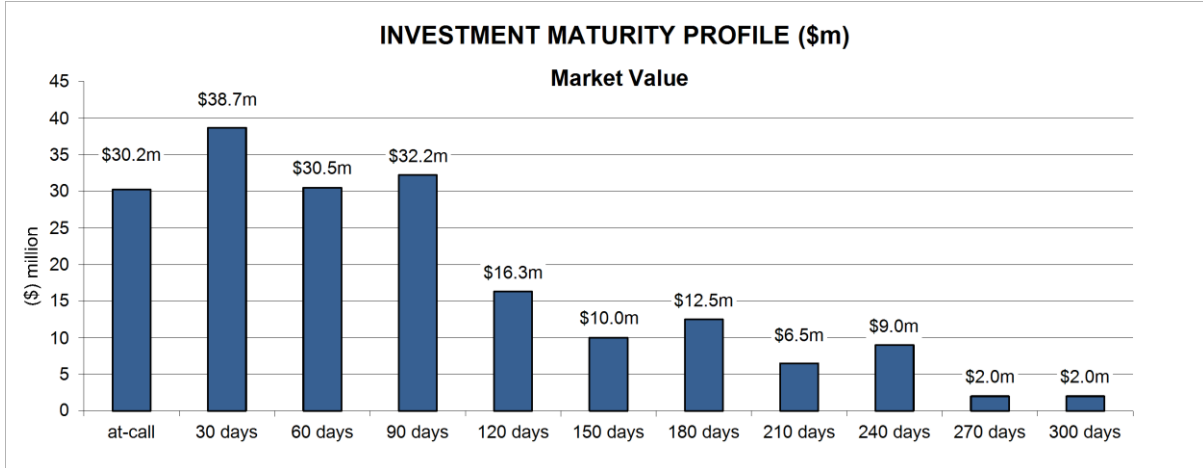
The City's investments were invested within the limits allowed within each category rating for April 2020.

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-)	\$ 98,967,300	52%	80%	✓
A Category (A+ to A-)	\$ 62,500,000	33%	50%	✓
BBB+ Category	\$ 30,000,000	16%	25%	✓
Units in Local Govt House	\$ 175,171	0%	100%	✓
TOTAL	\$ 191,642,471	100%		

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

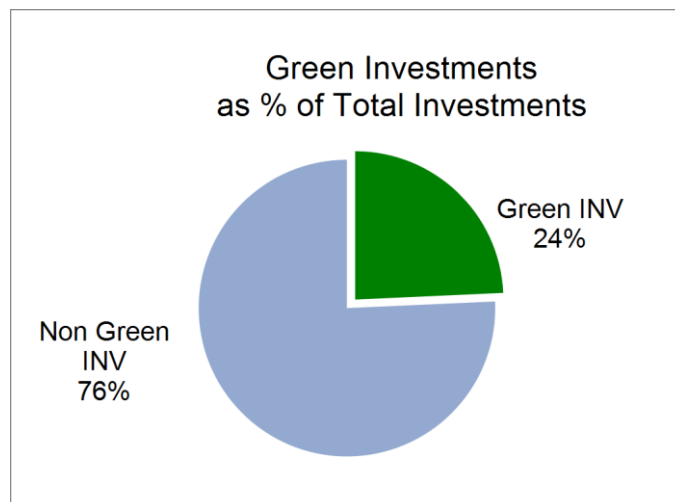
C20/6000 – INVESTMENT STATEMENTS FOR 30 APRIL 2020 (REC)

The below graph summarises the maturity profile of the City’s investments at market value as at 30 April 2020. The immediacy of the demand for funds depends on the particular Fund or Reserve Account(s) of the City. The maturity profile provided in the table above meets the liquidity requirements of the Council policy.



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

The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 30 April 2020 was \$46,500,000 or 24% of total investment holdings being in non-fossil fuels institutions, compared to \$45,500,000 (23%) in March 2020. The total investments holding for April and March were \$191,642,471 and \$199,142,471 respectively.



C20/6000 – INVESTMENT STATEMENTS FOR 30 APRIL 2020 (REC)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

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

II. OTHER AGENCIES / CONSULTANTS

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

STATUTORY AND LEGAL IMPLICATIONS

The following legislation is relevant to this report:

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

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

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

C20/6000 – INVESTMENT STATEMENTS FOR 30 APRIL 2020 (REC)

FINANCIAL IMPLICATIONS

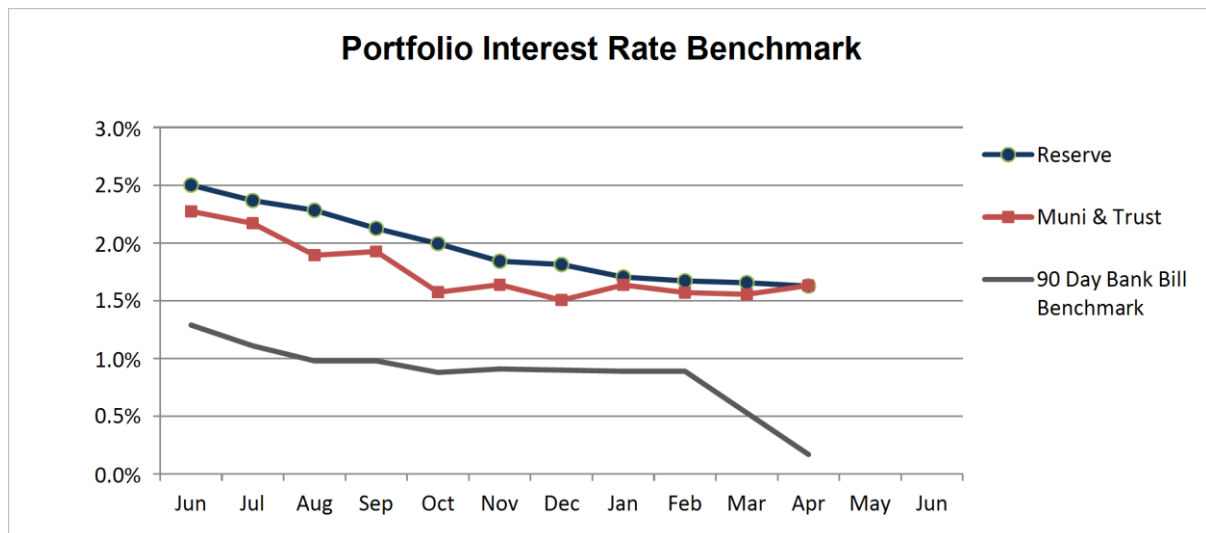
For the period ending 30 April 2020:

- Investment earnings on Municipal and Trust Funds were \$323,617 against a year to date budget of \$229,309 representing a positive variance of \$94,308.
- Investment earnings on Reserve accounts were \$2,908,540 against a year to date budget of \$3,178,427 representing a negative variance of \$269,886.

The weighted average interest rate for all investments as at 30 April 2020 was 1.63% which compares favorably to the benchmark three month bank bill swap (BBSW) reference rate of 0.17%.

Expected position at 30 June 2020:

- The Reserve Bank reduced the cash rate twice in March 2020. The first decrease was factored into review of interest revenue in the mid-year review process. The expected investment earnings on Municipal and Trust Funds at 30 June is \$338,783 against the annual budget of \$255,000, representing a favourable variance of \$83,783.
- The City is estimating investment income of \$3,367,516 on its reserve accounts which will represent a negative variance of \$669,484 against the revised budget of \$4,037,000. This variance will have no impact on the City's operating result at year end.



C20/6000 – INVESTMENT STATEMENTS FOR 30 APRIL 2020 (REC)**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS****Strategic**

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

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

Risk

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

Environmental

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report only presents information for noting.

CONCLUSION

The City’s investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 1.63% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 0.17%.

24% 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 23% in March 2020.

C20/6000 – INVESTMENT STATEMENTS FOR 30 APRIL 2020 (REC)

The Reserve Bank reduced the cash rate twice in March 2020. The expected investment earnings on Municipal and Trust Funds at 30 June is \$338,783 against the annual budget of \$255,000, representing a favourable variance of \$83,783.

The City is estimating investment income of \$3,367,516 on its reserve accounts which will represent a negative variance of \$669,484 against the revised budget of \$4,037,000. This variance will however have no impact on the City's operating result at year end as the interest earned on reserve accounts is transferred to those accounts.

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

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

At 9:32pm Cr Macphail moved, seconded Cr Fitzgerald –

That the Council notes the Investment Report for the period ending 30 April 2020.

At 9:32pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

C20/6001 – SCHEDULE OF ACCOUNTS PAID FOR APRIL 2020 (REC) (ATTACHMENT)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the details of payments made under delegated authority to suppliers for the period of April 2020 and recommends that the Schedule of Accounts Paid be noted.

C20/6001 – SCHEDULE OF ACCOUNTS PAID for April 2020 (REC) (ATTACHMENT)**BACKGROUND**

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

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

DETAIL

The Schedule of Accounts Paid for April including Payment Register numbers, Cheques: 749-752, Electronic Funds Transfers batches: 636-641, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 29 May 2020.

In line with the COVID-19 Response, Relief and Recovery Plan, the City has introduced the weekly creditor payment run with effect from 1st April to minimise the financial hardship on City local businesses and suppliers. A total of \$5,870,924 direct creditor payments were made over the month, of which, 24% of payments were paid to suppliers located within the City of Melville and 42% to suppliers within the South West Group local government areas.

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

C20/6001 – SCHEDULE OF ACCOUNTS PAID for April 2020 (REC) (ATTACHMENT)

SCHEDULE OF PAYMENTS MADE APRIL 2020		
<i>Payments made under Delegated Authority DA-035</i>		
MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS		
Cheques	Chq Payment Register No. 749 to 752	\$50,407.86
	Chq Payment on Restricted Funds Register No.	\$0.00
	Less Cancelled Cheques	(\$3,928.50)
Electronic Funds Transfers	EFT Payment Register No. 637,638, 640 and 641	\$5,535,388.32
	EFT Payment on Restricted Funds Register No.94, 636 and 639	\$289,612.02
	Less Cancelled EFTs	(\$555.25)
		\$5,870,924.45
Direct Debits	Bank Fees	\$6,712.34
	Caltex Fuel	\$65,090.22
Direct Payments		\$476.32
	Total Direct Creditor Payments	\$5,943,203.33
Payroll	Total Pay 20, 21 and 22	\$5,062,004.79
		Total Payroll
Cards	Corporate Cards	\$2,409.36
	Purchase Cards	\$22,015.34
	American Express	\$3,025.66
		Total Card Payments
Total Direct Creditor Payments from Municipal Account		\$11,032,658.48

C20/6001 – SCHEDULE OF ACCOUNTS PAID for April 2020 (REC) (ATTACHMENT)

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		\$8,139,359.00
Reserve		(\$8,139,359.00)
Trust		\$0.00
<i>Total Interfund Transfers</i>		\$0.00
<i>New Municipal Investments</i>		
Westpac Maxi-Direct	15/04/2020	\$1,000,000.00
Macquarie Bank	15/04/2020	\$2,000,000.00
Macquarie Bank	15/04/2020	\$2,000,000.00
Macquarie Bank	15/04/2020	\$2,000,000.00
Macquarie Bank	15/04/2020	\$1,000,000.00
Westpac Maxi-Direct	17/04/2020	\$500,000.00
Suncorp Bank	17/04/2020	\$1,000,000.00
Commonwealth Bank Green	30/04/2020	\$2,000,000.00
Westpac Maxi-Direct	30/04/2020	\$500,000.00
<i>Total New Investments</i>		\$12,000,000.00
Grand Total		\$23,032,658.48

Details of the payments are shown in attachment [6001 April 2020](#).

Any payment over and above \$25,000.00 has been highlighted under the Payment Amount column in the attachment to this statement named 'Listing of Payments made under Delegated Authority'.

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

STATUTORY AND LEGAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

C20/6001 – SCHEDULE OF ACCOUNTS PAID for April 2020 (REC) (ATTACHMENT)**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The impact of Covid-19 on the services provided by the City, the health of the city employees and community itself as well as the financial impacts on the City, State and Federal economy is a significant Strategic risk. The City has well developed business continuity plans in place and has enacted the Incident Response Team (IRT) to coordinate and plan the City's response to the Covid-19 crisis.

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

The Schedule of Payments for the month totals \$23,032,658.48.

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

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

At 9:33pm Cr Macphail moved, seconded Cr Fitzgerald –

That the Council notes the Schedule of Accounts paid for the period April 2020 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 April 2020](#).

At 9:35pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

C20/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2020 (AMREC)
(ATTACHMENTS)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES

<p>This report presents:</p> <ul style="list-style-type: none"> • The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 30 April 2020 and recommends that they be noted by the Council. • The variances for the month of 30 April 2020 and recommends that they be noted by the Council. • The Budget amendments required for the month of 30 April 2020 and recommends that they be adopted by Absolute Majority decision of the Council.

C20/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2020 (AMREC)
(ATTACHMENTS)**BACKGROUND**

The Statements of Financial Activity for the period ending 30 April have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

OVERALL SUMMARY OF THE CITY FINANCIAL POSITION

- The financial reports reflect a favourable net operating result as at 30 April 2020 with the year date result being \$2.035m better than the revised budget. The net result includes losses from the write down or sale of assets totalling \$0.987m mainly relating to the demolition of three properties and losses recorded on the sale of fleet assets.
- During April, a number of budget amendments have been made to estimated income and expenditure to reflect the changes to the City's operations resulting from COVID19. As a result the estimated surplus from the mid-year review process of \$734,397 has been reduced to \$257,430.
- General Rates raised as at April were \$89,792,352 with a positive variance of \$243,623 compared to the year to date budget. Rates collection including prior year arrears as at 30 April is 91.4%, which is below the target of 94.1%.
- Total Rate Debtors raised as at April were \$116,184,500, and increase of \$2,825,994 compared to the year to date for April 2019. Of the \$116,184,500 raised plus the \$6,607,681 that was still owing from previous years, we have collected \$111,598,229 leaving \$11,193,952 still to be paid. A breakdown of these is detailed in the attachment [Summary of Debtor Movement 6002L](#).
- Total cash and cash equivalents at the end of the April month are \$192,580,016, of which \$174,342,960 is restricted (reserves).
- The Reserve Bank reduced the cash rate twice in March 2020. The first decrease was factored into review of interest revenue in the mid-year review process. The expected investment earnings on Municipal and Trust Funds at 30 June is \$338,783 against the annual budget of \$255,000, representing a favourable variance of \$83,783.
- The City is estimating investment income of \$3,367,516 on its reserve accounts which will represent a negative variance of \$669,484 against the revised budget of \$4,037,000. This variance will have no impact on the City's operating result at year end.

DETAIL

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

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

C20/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR APRIL 2020 (AMREC)
(ATTACHMENTS)

Variations

A detailed summary of variations and comments based on the Rate Setting Statement by Sub-Program is provided in attachments:

[6002C Sub Program April 2020](#): Rate Setting Statement by Sub-Program

[6002H April 2020](#): Statement of Variations in Excess of \$50,000

Revenue

Rates raised as at April were \$89,792,352, compared to a year to date budget of \$89,548,730. The positive variance of \$243,623 is due to additional interim rates income generated subsequent to the Mid Year Budget review from various properties including the Woolworths property at 39 Reynolds Road, Mount Pleasant.

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	6,607,681	6,607,681	0%	4,712,838	40%
Debtors Raised	116,184,500	116,112,246	0%	113,358,505	2%
Payments Received	(111,598,229)	(110,836,360)	1%	(109,647,594)	2%
Closing Balance	11,193,952	11,883,568	-6%	8,423,749	33%

Total rate debtor collections for the month equalled \$761,869.

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	432,873	432,873	0%	488,748	-11%
Invoices Raised	7,208,254	6,325,079	14%	7,249,568	-1%
Receipts	(6,197,217)	(5,742,545)	8%	(7,033,413)	-12%
Prepayments	35,497	29,283	21%	30,943	15%
Closing Balance	1,479,407	1,044,690	42%	735,847	101%

Sundry debtor balances increased by \$434,717 over the course of April from \$1,044,690 to \$1,479,407 of which total 90 day sundry debtors over \$1,000 for the month is \$166,819 , representing 11% of total sundry debtors.

C20/6002 – STATEMENTS OF FINANCIAL ACTIVITY for April 2020 (AMREC)
(ATTACHMENTS)

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for April 2020.

Budget Amendments

Details of Budget Amendments requested for the month of April 2020 are shown in attachment [6002J April 2020](#). Variances greater than \$50,000 processed in April 2020 are highlighted in the attachment.

Granting of concession or writing off debts owed to the City

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

There were no debts written off for the month of April 2020.

The following attachments form part of the Attachments to the Agenda for the month of April 2020.

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type	6002A Nature Type April 2020
Rate Setting Statement by Program	6002B Program April 2020
Rate Setting Statement by Sub-Program	6002C Sub Program April 2020
Representation of Net Working Capital	6002E April 2020
Reconciliation of Net Working Capital	6002F April 2020
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater	6002H April 2020
Details of Budget Amendments requested	6002J April 2020
Summary of Rates Debtors	6002L April 2020
Graph Showing Rates Collections	6002M April 2020
Summary of General Debtors aged 90 Days Old or Greater	6002N April 2020

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

C20/6002 – STATEMENTS OF FINANCIAL ACTIVITY for April 2020 (AMREC)
(ATTACHMENTS)**STATUTORY AND LEGAL IMPLICATIONS**

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

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

34. Financial activity statement report — s. 6.4

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

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

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

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

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

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

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

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

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

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

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

**C20/6002 – STATEMENTS OF FINANCIAL ACTIVITY for April 2020 (AMREC)
(ATTACHMENTS)****FINANCIAL IMPLICATIONS****Variances**

Variances are detailed and explained in attachment [6002H April 2020](#): Notes on Statement of Variances in excess of \$50,000 by Sub-Program.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The impact of Covid-19 on the services provided by the City, the health of the city employees and community itself as well as the financial impacts on the City, State and Federal economy is a significant strategic risk. The City has well developed business continuity plans in place and has enacted the Incident Response Team (IRT) to coordinate and plan the City's response to the Covid-19 crisis.

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 30 April 2020 on the accruals basis of accounting however, that position includes amounts still owed to the City so the cash flow position is in fact negative.

**C20/6002 – STATEMENTS OF FINANCIAL ACTIVITY for April 2020 (AMREC)
(ATTACHMENTS)**

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

At 9:34pm Cr Macphail moved, seconded Cr Fitzgerald –

That the Council:

- Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 30 April 2020 as detailed in the following attachments:**

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type	<u>6002A Nature Type April 2020</u>
Rate Setting Statement by Program	<u>6002B Program April 2020</u>
Rate Setting Statement by Sub-Program	<u>6002C Sub Program April 2020</u>
Representation of Net Working Capital	<u>6002E April 2020</u>
Reconciliation of Net Working Capital	<u>6002F April 2020</u>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater	<u>6002H April 2020</u>
etails of Budget Amendments requested	<u>6002J April 2020</u>
Summary of Rates Debtors	<u>6002L April 2020</u>
Graph Showing Rates Collections	<u>6002M April 2020</u>
Summary of General Debtors aged 90 Days Old or Greater	<u>6002N April 2020</u>

- By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for April 2020 [6002J April 2020](#).**

At 9:35pm the Mayor declared the motion

CARRIED BY ABSOLUTE MAJORITY (12/0)

15. EN BLOC ITEMS

Nil.

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**16.1 Review of Meeting Procedures Local Law 2017**

Item Brought Forward
See Page 18

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

At 9:35pm Cr Keperter requested permission of the Council to table a Motion Without Notice

That the Council directs the Chief Executive Office to provide a report to the Council on the installed structure without planning approval at the property of Dr S Peterson.

The Chief Executive Officer advised that a report will be provided at an Elected Member Information Session.

At 9:38pm Cr Keperter withdrew his request to table a Motion Without Notice.

18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**ITEM M20/3850 - GROUND LEASE AGREEMENT FOR MELVILLE, AGED AND COMMUNITY ACTIVITY CENTRE (REC) (CONFIDENTIAL ATTACHMENT)**

The Mayor advised that Item M20/3850 Ground Lease Agreement for Melville, Aged and Community Activity Centre which was to be discussed as a confidential item has been withdrawn from tonight's meeting with his approval to allow for further comment by Elected Members. This will be discussed at an Elected Member Information Session this month.

At 9:39pm Mr Ferris left the meeting and returned at 9:40pm.

19. CLOSURE

There being no further business to discuss, Mayor Honourable George Gear confirmed that Cr N Pazolli and Cr Barton were still in attendance electronically and declared the meeting closed at 9:41pm.