



City of
Melville

MINUTES

ORDINARY COUNCIL MEETING

6:30 PM Tuesday, 20 June 2023

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

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

Minutes to be confirmed at the next Ordinary Council Meeting

These minutes are hereby confirmed as true and accurate

Mayor G Gear

A handwritten signature in blue ink, appearing to read 'George Gear', written over a horizontal line.

Date 18 / 7 / 23



Our Vision

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

Our Mission

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

Our Values

Excellence

Striving for the best possible outcomes

Participation

Involving, collaborating and partnering

Integrity

Acting with honesty, openness and with good intent

Caring

Demonstrating empathy, kindness and genuine concern



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

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

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CONFIRMED

1 OFFICIAL OPENING

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

2 ATTENDANCE AND APOLOGIES

In Attendance

Honourable G Gear JP

Mayor

Councillors

Cr T Fitzgerald (Deputy Mayor)

Cr G Barber

Cr J Edinger

Cr D Macphail

Cr K Mair

Cr N Robins

Cr C Ross

Cr M Sandford

Cr J Spanbroek

Cr M Woodall

Cr N Pazolli

Ward

Palmyra - Melville - Willagee Ward

Bicton - Attadale - Alfred Cove Ward

Bicton - Attadale - Alfred Cove Ward

Bateman - Kardinya - Murdoch Ward

Central Ward

Bateman - Kardinya - Murdoch Ward

Applecross - Mount Pleasant Ward

Central Ward

Bull Creek - Leeming Ward

Bull Creek - Leeming Ward (*electronic attendance*)

Applecross - Mount Pleasant Ward

Officers

Mr M Tieleman

Chief Executive Officer

Ms G Bowman

Director Community Development

Mr M McCarthy

Director Environment & Infrastructure

Mr P Varelis

Director Urban Planning

Mr P Molony

Manager Resource Recovery & Waste

Mr K Khalil (6:43pm to 7:42pm)

Traffic & Road Safety Coordinator (*electronic attendance*)

Ms C Newman

Head of Governance

Ms T Hardmeier

Senior Governance Officer

Ms M Smith Poulton

Governance Officer

At the commencement of the meeting:

Public Gallery	24
Electronic	12
Press	0

Ms Lisa O'Malley	MLA member for Bicton
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Apologies

Nil

On Approved Leave of Absence

Cr K Wheatland	Palmyra - Melville - Willagee Ward
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CONFIRMED

3 DECLARATIONS BY MEMBERS

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

- Cr G Barber – business papers distributed for June Council.

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

Nil

4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Approved Deputations

Nil

Approved Written Submissions

Nil

5 DISCLOSURE OF INTEREST

5.1 Financial or Proximity Interests

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

UP23/15 Proposed Six Storey (Plus Basement) Apartment No.s 82A & 82B (Lots 1 & 2 Macleod Road, Applecross)

Name	Cr K Mair
Nature of interest	Financial Interest
Item description	Leave

5.2 Disclosure of Interest that may cause a Conflict

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

CD23/3 Melville Bowling Club Proposal

Name	Cr K Mair
Nature of interest	Code of Conduct
Item description	It is noted that a Disclosure of Interest was received from Cr K Mair regarding item CD23/3 Melville Bowling Club Proposal, however this item has been withdrawn from the agenda.

6 PUBLIC QUESTION TIME

At 6:33pm the Presiding Member opened Public Question Time.

6.1 Questions Received with Notice

6.1.1 Mr R Aubrey, Leeming

Question:

The Melville Community is becoming increasingly alarmed at the continuing decline of the City of Melville's Financial Health Indicator (FHI) and the apparent erosion of its assets.

The MyCouncil site indicates a decline from a healthy 98 in 2019 to a below average 72 in the most recent year after only 3 years of governance by the current council under the leadership of Mayor Gear.

In this regard, could the CEO please:

- 1) indicate the cost of the City's Covid response during this period?*
- 2) calculate the impact the Covid response had on the decline of the FHI during this period?*

Response:

1. In April 2020 the Council adopted a 'Melville Community Stimulus Package'. The approximate cost of the package was \$12.37m, which included rating concessions of \$10.37m.
2. The Melville Community Stimulus Package has had a negative impact on the City's operating revenue and cash balance. It is estimated that the City's FHI score would have been 95 in 2020-2021 rather than the reported 71. The Financial Ratios used to calculate the FHI score no longer form part of the audited financial statements however the City will continue to calculate these ratios to monitor the City's health and sustainability.

6.1.2 Mr G Keally on behalf West Australian's Against Corruption in Local Government

Question:

Please advise at the next meeting when Council will publish the results of complaints management and governance investigations from, the 2019 Authorised Inquiry, the Gary Hunt and Glen Flood group investigation reports in light of the Department's governance concerns letter that directed Council to publish the report from Weir's investigation into your planning and building problems.

Response:

The Authorised Inquiry Report was published on the City's website, with progress on the implementation of the seven recommendations reported to the Council, the Department of Local Government as required, and also published to the City's website.

Reports on the Inquiry were presented to the Council at the July 2019 and an update on the status of each of the Authorised Inquiry Recommendations was presented to the Ordinary Meeting of Council held 17 November 2020.

The Garry Hunt Consulting review was focussed on a strategic service area review in preparation to assisting a more detailed review of the organisation. Following the receipt of the Garry Hunt Consulting review the Glenn Flood Group was appointed to undertake a more detailed internal service area review of the Planning and Building Directorate, with the focus of the review being on the capacity and capability of the Directorate. These internal service area reports will not be published to the website however Mr Keally may apply under the Freedom of Information (FOI) for a copy of the reports. The release under FOI will allow for the documents to be reviewed and for any exempt material to be redacted.

6.1.3 Mr M Burns, Applecross

Question:

As part of the CBACP review the City of Melville will be making submissions to the WAPC. Will any formal or informal submissions be published on the City's website for ratepayers to examine? My concern is that without knowing what the City is saying to the WAPC that the administration may be attempting to undermine the Council's resolutions with regard to the proposed reforms.

Response:

Should the City make a presentation to the WAPC, the City has no objection to publishing a copy of the presentation on its website. Any submissions made by the City will be informed by Council resolutions and decisions.

6.1.4 Mr A O'Neill on behalf Citizens for Building Reform WA

Question:

Advice and recent correspondence by CEO Marten Tieleman says the City has NO role to play in boundary non-compliance issues, is that TRUE? If not why not?

Response:

Local government in Western Australia, under various pieces of legislation, has a role in addressing non-compliant building work or development. The City of Melville is guided by its [Compliance & Enforcement Policy](#) in exercising its requirements under those various pieces of legislation.

However, the building compliance enforcement powers within the Act do not allow a local government to resolve civil matters such as:

- Disputes related to private agreements between property owners;
- Disputes related to consent for buildings to be placed beyond a property boundary and/or works that may cause adverse effect to adjacent property (e.g., BA20 form of consent);
- Disputes related to consent for a neighbour or their builder to access and adjacent property to conduct building work (e.g., BA20A form of consent; and

- Disputes related to the materials, location of, construction timeframes and costs associated with erecting, repairing or replacing a dividing fence (e.g., matters addressed within the *Dividing Fences Act 1961*).

6.1.5 Mr G Keally on behalf West Australians Against Corruption in Local Government

Preamble to Questions 1 to 4

Please advise which of the following statements Council disagrees with (yes or no) with and if no why.

Question 1:

The Magistrates Court does not have the power to deal with boundary retaining wall disputes with a Form 53 application.

Response:

The group is aware of a court order that required the parties to appoint a structural engineer, for the purposes of providing a report on whether a retaining wall is necessary, and if so what kind of wall would be appropriate. The court order then describes what is to happen in relation to undertaking works based on the structural engineer's report and the apportionment of costs.

This civil matter, and the like, are matters of consent between property owners, not breaches of the *Building Act 2011*.

Question 2:

The City can make directions or orders to remedy non-complaint, unapproved or substandard boundary retaining walls.

Response:

The City may issue directions or building orders, pursuant to the *Building Act 2011*, in response to non-compliant building works and unauthorised structures, including boundary retaining walls. Whether the City exercises its powers is assessed on a case-by-case basis having regard for the particulars of the circumstance and the City's [Compliance & Enforcement Policy](#).

Question 3:

The City can make directions or orders to remedy dividing fences that don't comply with its local laws.

Response:

The City may pursue enforcement actions in response to breaches of the City's local law regarding fences, including breaches related to dividing fences. Whether the City exercises their powers is assessed on a case-by-case basis having regard for the particulars of the circumstance and the City's [Compliance & Enforcement Policy](#).

Question 4:

The Magistrates Court does not have the power to deal with other general boundary building act non-compliance disputes between neighbours.

Response:

Breaches of the *Building Act 2011* and boundary disputes between property owners are separate matters.

The City does pursue building compliance enforcement in response to breaches of the *Building Act 2011*. The City of Melville is guided by its [Compliance & Enforcement Policy](#) in exercising its requirements the relevant Act.

However, the City does not have the jurisdiction within the Act to impose consent on a property owner. Disputes related to consent may be resolved through the Magistrates Court process.

Question 5:

Please explain what the “other legal processes” are that Mr Patrick Hughes referred to in his recommended M23/5964 motion for the noncompliant and substandard boundary retaining wall, “to avail themselves to other legal processes under the Dividing Fences Act or Other Legal Processes”.

Response:

As advised in the officer recommendation (Item M23/5964) that was presented to and supported by the Council, the proposed action was in support of Recommendation 10 of the Weir Report and legal advice received.

In this situation it is now for the parties to avail themselves of the process under the *Dividing Fences Act 1961*, or to any legal processes, one of which may be the Magistrates Court.

6.1.6 City of Melville Residents and Ratepayers Association**Question 1:**

Does Mayor Gear care about ratepayers’ privacy and CEO accountability, and if so, why did Mr Gear not exercise his delegated authority under the Local Government Act to direct the CEO to answer all the questions on notice at the Agenda Briefing Forum of 13/06/2023?

Question 2:

When will ratepayers receive a genuine apology, that is, an apology from the officer(s) responsible for releasing their financial information?

Question 3:

Why can’t or won’t Marten Tieleman provide answers to the questions to the extent of the information that can be released under the FOI Act in line with the State Government’s open by design principles to improve the openness and transparency of governments? For example, the City would be obligated to provide a copy of the investigation report and any internal emails about this concerning incident.

Question 4:

What is the status of Council's February 21, 2023 C22/5943 – FOI process review and improvement report motions and other commitments made by the CEO. For example, what has the FMARC decided to vastly improve the City's poor FOI performance and has Council had an educational session with the Information Commissioner or her office.

Question 5:

What procedures has the City put in place to ensure that these important City assets are not damaged or destroyed during construction of new developments?

Question 6:

Did the developers of the Grandton development on Kintail Road and of the Forbes development on Forbes Road seek approval from the City prior to the pruning of mature heritage trees in front of their developments?

Question 7:

If so, was approval given and what procedures were put in place to ensure that any pruning was only to the boundary line?

Question 8:

If approval was not sought, what penalty action is the City intending to take?

Question 9:

What action has the City taken with respect to the two mature verge trees on Forbes Road whereas as a result of the development taking place one tree has had a major branch removed and one tree has been destroyed?

Question 10:

What are the possible fines that could be imposed on anyone who prunes or destroys verge trees without the City's permission?

Question 11:

It has been suggested that no action has been taken by the City administration with respect to the damaged trees on Forbes Road as it would be hard to identify the culprit. Is this true? Does the Mayor and Councillors think this is good enough?

Question 12:

As the developments are likely to continue for many years in Canning Bridge, what additional processes and controls will the City introduce to ensure these magnificent, heritage listed trees are protected and what has happened on Forbes Road will not be repeated?

Question 13:

Deputy mayor Fitzgerald committed on local media to follow-up on the City's tree related enforcement, so please confirm, for every year since 2017;

a. How many incidences of street trees being unprotected or damaged in contravention of the laws have been reported.

- b. How many fines and prosecutions has the City pursued.*
- c. What is the total value of the fines and prosecutions issued.*
- d. How much compensation has the City received for the damage to trees (in cash or kind).*

Question 14:

This question made allegations about the behaviour and conduct of City staff and asked what policies the Council was implementing in response these allegations.

Question 15:

At exactly what point did the Presiding Member during last Tuesday June 13's ABF di the Presiding Member make a ruling that the City would not answer our questions on legal costs and parking because it would be too hard for the City to answer, pursuant to s 6.10 (h) of the meeting procedures laws.

Response:

These questions will be taken on notice and the questions and responses published in the agenda for the Ordinary Meeting of Council to be held 18 July 2023.

6.2 Questions Received at the Meeting

Ni

6.3 Questions Taken on Notice at Previous Meeting**6.3.1 Mr M Burns, Applecross****Question:**

The following Question Taken on Notice at the 16 May 2023 Ordinary Meeting of Council was received from Mr M Burns of Applecross:

What assistance will Council consider for the ratepayers properties damaged by oversized developments on their boundaries constructed under building permits granted by the City of Melville

Response:

Part 3 of Council's resolution relating to UP23/4025 – Review of Canning Bridge Activity Centre Plan – Recommendation to Western Australian Planning Commission, notes a need to explore additional studies identified in the Report on Consideration of Submissions. These potential additional studies include an examination of legal and governance questions regarding isolated land holdings. The Council resolution on these further studies is that they be revisited for Council direction following the WAPC determination on the CBACP review. In accordance with the resolution, the isolated landholdings matter and other identified further studies will be presented to Council for direction following the WAPC decision.

At 6:42pm the Presiding Member closed Public Question Time.

7 AWARDS AND PRESENTATIONS

At 6:42pm the Mayor on behalf of the Council extended his congratulations to the teams involved in the four City of Melville projects that were recognised at the Parks & Leisure (WA)'s Regional Awards of Excellence, and invited Mr M McCarthy, Director Environment & Infrastructure and Ms G Bowman, Director Community Development to receive the awards.

The City received three awards:

- Best use of technology – aerial tree management highlighting the City's work with Arborcarbon to compare changes in tree canopy health;
- Community facility of the year for Shirley Strickland reserve redevelopment;
- A high commendation for the community-led Davis Lawlor park extension

The Mayor also acknowledged that Bob Gordon Playspace was a finalist in its category.

At 6:43pm Mr K Khalil joined the meeting electronically.

8 APPLICATIONS FOR NEW LEAVE OF ABSENCE

8.1 Leave of Absence

COUNCIL RESOLUTION

At 6:44pm Cr G Barber moved, seconded Cr D Macphail

That the new leaves of absence applications submitted by Cr T Fitzgerald and Cr J Edinger on 20 June 2023 be received.

At 6:44pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

9 CONFIRMATION OF MINUTES

9.1 Ordinary Meeting of the Council – 16 May 2023

COUNCIL RESOLUTION

At 6:45pm Cr J Edinger moved, seconded Cr T Fitzgerald

That the minutes of Ordinary Council Meeting held on 16 May 2023 be confirmed as a true and accurate record.

At 6:45pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

9.2 Special Meeting of the Council – 31 May 2023

COUNCIL RESOLUTION

At 6:45pm Cr M Sandford moved, seconded Cr T Fitzgerald

That the minutes of Special Council Meeting held on 31 May 2023 be confirmed as a true and accurate record.

At 6:45pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

9.3 Agenda Briefing Forum – 13 June 2023

COUNCIL RESOLUTION

At 6:45pm Cr D Macphail moved, seconded Cr K Mair

That the notes of the Agenda Briefing Forum held on 13 June 2023 be confirmed as a true and accurate record.

At 6:45pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

10 NEW BUSINESS OF AN URGENT NATURE

At 6:45pm Cr M Sandford on behalf of the Council paid respects to Constable Anthony Woods and to the 62 year old crane operator, who was fatally injured at a construction site in the Applecross.

11 IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

12 PETITIONS**12.1 Petition - Speed Concerns Mitchell Street, Mount Pleasant**

A petition signed by 37 residents of the City of Melville was submitted by Ms Hilary Salmon on 19 June 2023 and reads as follows:

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

- 1. Address the speed of traffic along Mitchell Street by putting in traffic calming devices, that may include a physical median strip/island at the T-Junction of Glenelg and Mitchell, as well as traffic calming devices at the start of Mitchell Street East to slow rat run traffic. Also implementing traffic calming devices on Mitchell Street West to protect people using the park or travelling to school. Pedestrians of all ages.*
- 2. Address the safety of pedestrians on Mitchell Street by installing a footpath. Children need a safe place to walk or ride to school as they often must contend with drivers who are more focused on getting to work on time, rather than looking out for children.*
- 3. We would like to council not to close Bombard St permanently or temporarily. The residents of Mitchell St have already experienced the impact of road closures on Bombard when road works were undertaken at the end of 2022 and early 2023. The speed and volume of traffic was frightening, dangerous and stressful. We do not need another trial of gambling with our children's safety.*
- 4. We would like traffic calming devices applied consistently on Bombard and Mitchell and other problem streets. Traffic problems should not be indirectly diverted to other streets by applying them to one street."*

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION

At 6:47pm Cr K Mair moved, seconded Cr N Pazolli

That the Petition bearing 37 signatures of residents be acknowledged and a report be prepared and brought back to the 18 July 2023 Ordinary Meeting of Council.

At 6:47pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

13 ADOPTION OF RECOMMENDATIONS EN BLOC

COUNCIL RESOLUTION

At 6:47pm Cr T Fitzgerald moved, seconded Cr D Macphail

That the recommendations for:

- **C23/40 - Investment Statements for April 2023**
- **C23/41 - Schedule of Accounts Paid for April 2023**

be carried En bloc

At 6:47pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (12/0)

14 REPORTS

14.1 Reports from Committees

Nil

14.2 Reports of the Chief Executive Officer

Management Services

Nil

Items Brought Forward

At 6:48pm the Mayor brought forward item E23/9 Melville Bird Sanctuary Boundaries for the convenience of those in the public gallery.

E23/9 Melville Bird Sanctuary Boundaries

File Number:	
Responsible Officer:	Director Environment & Infrastructure
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	<ol style="list-style-type: none">1. Action Plan for the Melville Bird Sanctuary2. Proposed Amendment to Officer Recommendation - Cr J Edinger

COUNCIL'S ROLE

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

SUMMARY

- The Friends of the Melville Bird Sanctuary (FoMBS) first put forward the proposal for a Melville Bird Sanctuary and Discovery Centre to the City of Melville at the Annual General Meeting (AGM) of Electors in December 2018.
- At the March 2022 Ordinary Meeting of Council, Council acknowledged the Attadale-Alfred Cove Master Plan (AACFMP), which included the recommendation to establish the Melville Bird Sanctuary (MBS) as an intended outcome.
- The MBS Stage 1 boundary encompasses most of the area that was included as a part of the Attadale Alfred Cove Foreshore Master Plan.
- The MBS Stage 2 boundary incorporates the Point Walter Spit, Blackwell Reach and the Bicton foreshore area including Quarantine Park.
- The Department of Biodiversity Conservation and Attraction (DBCA) have advised the MBS does not offer any further formal protections to the marine park or the adjoining nature reserve, however the DBCA support the proposal as a symbolic initiative.
- DBCA have advised the MBS will be a valuable way to assist in conveying to the community how the area is managed collectively as regionally significant bird habitat.
- The officer recommendation is for the Council to support the establishment of the Melville Bird Sanctuary (MBS) based on the proposed boundaries for Stage 1 with the primary purpose of managing the land for biodiversity protection, enhancement, and conservation.
- Officers also recommend that the Council approve progressing with community consultation for Stage 2 of the MBS.

PURPOSE

To seek Council support:

- for the establishment of the Melville Bird Sanctuary Stage 1 boundaries as it relates to Council managed land; and
- to undertake community consultation related to the Melville Bird Sanctuary Stage 2 boundaries as these were not considered as part of the Attadale Alfred Cove Foreshore Master Plan (AACFMP).

CONSEQUENCE

The Council could decide not to support the establishment of the MBS and continue to manage the area as currently undertaken in accordance with existing foreshore plans and strategies. This position would be contrary to a recommendation in the AACFMP and may create disappointment for the Friends of Melville Bird Sanctuary (FoMBS) and the many supporters of the proposal, including demotivation of Friends Group's activities working along the City's foreshore.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.
Outcome Indicator	There are no applicable outcome indicators in relation to this report.

BACKGROUND

The FoMBS first put forward a proposal for a Melville Bird Sanctuary and Discovery Centre at the Annual General Meeting of Electors in December 2018. The basis behind the MBS proposal related to greater recognition of the area as bird habitat and the importance of protecting the environmental, biodiversity and heritage values of this unique foreshore area.

At its 19 February 2019 Ordinary Meeting of Council, the following was resolved in relation to the establishment of a wildlife sanctuary at Waylen Point in Attadale.

“That the Council directs the Chief Executive Officer to investigate a proposal to, in partnership with the State and Federal Government, jointly fund the rehabilitation to natural habitat and the establishment of a wildlife sanctuary and appropriate viewing facilities on Troy Park Peninsula.”

The bird sanctuary proposal had support from other key stakeholders including Swan Estuary Reserves Action Group (SERAG) and Birdlife WA along with a significant number of community members. Originally the proposed area to be established was mainly along the foreshore area between the Crown land northwest of Tompkins Park to the north-eastern end of Troy Park. The proposed sanctuary area has since been extended to include other areas of the Attadale/Alfred Cove foreshore (Stage 1) and the Point Walter Spit, Blackwall Reach and Bicton foreshore (Stage 2).

At the Ordinary Meeting of Council held on 20 and 21 October 2020, the Council resolved the following in relation to the Alfred Cove Foreshore Master Plan and Melville Bird Sanctuary proposal.

"That the Council

1. *Adopt the Attadale-Alfred Cove Master Plan Brief as the basis for the preparation of a tender specification seeking suitably qualified and experienced consultants to prepare the Master Plan.*
2. *Approve the budget amendment to transfer \$250,000 from the 2020-2021 PIM04086 project account to a new account to fund the preparation of the Attadale Alfred Cove Master Plan, Archaeological Survey of the Study Area and Aboriginal Consultation.*
3. *Approves the inclusion of a proposal for the establishment of a Melville Bird Sanctuary (MBS) within the study area of the Alfred Cove/Attadale Master Plan.*
4. *Directs the CEO to, under the Alfred/Cove Attadale Master Plan, develop a proposal in partnership with the State Government, (DBCA), to designate the boundaries of the MBS at an early stage of the Master Plan."*

At the March 2022 Ordinary Meeting of Council, Council acknowledged the Attadale Alfred Cove Foreshore Master Plan as a vision and comprehensive framework for the area to guide future investments and support decision making processes over the next 20 years.

The Attadale Alfred Cove Foreshore Master Plan was developed as a partnership project between the City and the State Government, with extensive stakeholder engagement through a structured, consensus driven, outcomes-based consultation process.

The Attadale-Alfred Cove Foreshore Master Plan recommended discussions around the management and establishment of the bird sanctuary to take place in the short term (0-5 years) with an intended outcome of incorporating education about the Melville Bird Sanctuary (MBS) and the environmental values of the area.

Council resolved the following in relation to the Melville Bird Sanctuary proposal in March 2022.

- "4. Appoint a consultant to progress the establishment of the Melville Bird Sanctuary as a Short-Term Recommendation."*

The City appointed a consultant to prepare an Action Plan aimed at implementing the establishment of the Melville Bird Sanctuary. The Action Plan was completed in December 2022 and includes actions specific to the City, DBCA, FoMBS and other key stakeholders across multiple time horizons and forms an attachment to this Agenda Item.

CONSIDERATION

The Melville Bird Sanctuary (MBS) area has been identified as regionally significant and provides habitat for 145 species of birds including local and migratory birds, some of which are protected by international migratory bird agreements. It is envisioned that the MBS would assist in providing an opportunity to enhance the status and recognition of the area for its food and relatively undisturbed roosts and resting areas for bird populations. The sanctuary will also provide a focus, and greater opportunity, for community appreciation of birds.

The original 2018 MBS boundary request was slightly smaller in size to what is now being proposed, with Stage 1 now incorporating most of the area that was identified in the Attadale-Alfred Cove Foreshore Master Plan. This included the expanded foreshore reserve to be rehabilitated and also incorporating the entire Swan Estuary Marine Park boundaries. The MBS Stage 1 and Stage 2 boundaries are highlighted below.



Consideration was initially given by City officers to include Stage 2 of the MBS as part of this report, however the decision to only include Stage 1 is the preferred approach given there has been limited community consultation for Stage 2 with the Bicton or wider community to date.

There was considerable community consultation and engagement for the Stage 1 area during the development of the AACFMP. The officers are recommending to Council that a community consultation process be undertaken in relation to the MBS Stage 2 boundary. It is noted that similar to the Stage 1 area, the MBS designation for the Stage 2 area will not result in changes to the way that the City and DBCA manage these areas but will provide a symbolic recognition of the importance of the area as bird habitat.

From DBCA's perspective, the MBS will not offer any further formal protections to the marine park or the adjoining nature reserve beyond its gazetted 'A Class' classification. The DBCA does however recognise the importance of jointly managing the area as flora and fauna habitat in partnership with the City of Melville and the MBS provides a focus for this to be progressed especially in relation to bird protection and habitat. The AACFMP recommended a formalised partnership arrangement (e.g. Management Agreement, Memorandum of Understanding) between the City and DBCA, which is currently being progressed.

A recently constructed bird viewing platform at Point Waylen, which was co-funded by the State Government and the City, was championed by the FoMBS and opened in December 2022. This platform was built on land the City manages and showcases the marine park, nesting birds and samphire flats. The FoMBS envisage that the MBS may also include other bird viewing platforms, Indigenous interpretive signage and potentially a discovery centre and café.

DBCA recognises that while the MBS will not change the way the Swan Estuary Marine Park or Alfred Cove Nature Reserve are currently managed, the bird sanctuary designation is a positive initiative that can be implemented within its current resources and complement the values, management goals and strategies of these areas as outlined in the Swan Estuary Marine Park and Adjacent Nature Reserves Management Plan.

The Action Plan developed for the MBS provides a collaborative approach to the implementation of the MBS. One of the key actions identified in the short term is the establishment of an appropriate governance structure (i.e. Steering Committee/Group) to oversee the planning and implementation of MBS actions.

The Steering Committee/Group would work together on developing a suitable governance framework with key actions to be considered and implemented such as:

- Baseline study of the birds;
- Strategic/interpretive signage;
- Prioritising threats to the birds;
- Enhancing the area to support bird life;
- Understanding bird species and usage;
- Social media campaign, website, webcam; and
- Profile raising events/festivals e.g., bird walks

The area being proposed for the MBS hosts approximately 145 species of birds, including local and migratory birds some of which are protected by international migratory bird agreements. It is envisioned that the MBS would assist in providing an opportunity to enhance opportunities for food, undisturbed roosts and resting areas for the bird population.

The establishment of the MBS is likely to increase community awareness of the importance of the site as a regionally significant bird habitat. Proposed mapping, interpretive signage, viewing platforms, onsite amenities and community led activities such as bird watching tours will support awareness raising and promotional activities.

The formalisation of the MBS implements a number of Council resolutions including:

- The establishment of a wildlife sanctuary and appropriate viewing facilities on Troy Park Peninsula
- Inclusion of the Melville Bird Sanctuary in the Attadale Alfred Cove Foreshore Master Plan
- Develop a proposal in partnership with the State Government (DBCA), to designate the boundaries of the MBS at an early stage of the Master Plan
- Implement the Action Plan developed following the appointment of a consultant to progress the establishment of the Melville Bird Sanctuary as a short-term recommendation of the AACFMP

The City will work closely with the Friends of Melville Bird Sanctuary who have an active Facebook group, and regularly lead guided walks in the area. The group has been advocating strongly for the MBS and have garnered support for some initial projects (e.g. bird viewing platform at Pt Waylen). The Friends of Melville Bird Sanctuary are proposing to establish itself as an Incorporated Association in order to have the appropriate structure to apply for, and manage, grant funds in its own right.

The Action Plan advocates the establishment of a Steering Committee to oversee the implementation of the MBS with representatives from the City, DBCA, FMBS, SERAG and other groups wishing to participate. The Officers recommendation is that Stage 1 of the Melville Bird Sanctuary be supported by Council and for Stage 2 to be progressed to community consultation. The Action Plan will be implemented using existing resources with additional funding for signage and website development to be included in the 2023-2024 annual budget.

ENGAGEMENT

The City has consulted multiple times with senior DBCA staff regarding the MBS proposal and has also kept the State Member for Bicton informed on progress. A MBS Visioning Workshop took place on 25 November 2022 facilitated by an external consultant involving key stakeholders from the Friends of MBS, SERAG, Bicton Environmental Action Group (BEAG), Friends of Attadale Foreshore (FOAF), DBCA, the City and the State Member.

In addition, the development of the Attadale Alfred Cove Foreshore Master Plan process incorporated a comprehensive community consultation process which involved several meetings with a wide range of stakeholders from Friends of Groups, Sporting Clubs, State Government agencies and the community.

The MBS proposal has been considered and is supported by the Swan River Trust and WA Conservation and Parks Commission.

SUSTAINABILITY IMPLICATIONS

	Environmental	Social	Economic
Pros/Opportunities	1. Bird habitat protection and enhancement	1. Increased awareness and education on the importance of the area	2. Minor financial implications for the City
Cons/Drawbacks	1. N/A	1. N/A	1. N/A

LEGISLATIVE AND POLICY ALIGNMENT

The MBS would complement City plans and strategies such as the Foreshore Restoration Strategy, Natural Areas Asset Management Plan and Active Reserves Infrastructure Strategy.

FINANCIAL IMPLICATIONS

In the 2023-2024 financial year, pending Council approval of the budget, the City will be focusing its resources on the three key projects identified for short-term implementation in the AACFMP:

- New courts for the Attadale Netball Club at Dyoondalup/Point Walter Reserve.
- Closing the section of dual use path along the Attadale Foreshore bush reserve, due to the ongoing erosion issues, and rehabilitating the area with native foreshore plant species.
- Continuation of the Layout Plan for the Atwell Arts/Melville Bowling Club precinct.

The City's role in supporting the establishment of the MBS and in the implementation of relevant actions in the Action Plan will mainly be undertaken within existing resources, however a minor allocation of funding (\$25,000) is proposed to assist the FoMBS with immediate actions such as signage and website development.

OFFICER RECOMMENDATION

At 6:48pm Cr J Edinger moved, seconded Cr G Barber

1. That Council supports the establishment of the Melville Bird Sanctuary based on the Stage 1 boundaries, with the primary purpose of managing the land for biodiversity protection, enhancement and conservation; and
2. Supports progressing with community consultation for Stage 2 of the Melville Bird Sanctuary.

COUNCIL RESOLUTION**Amendment**

At 6:48pm Cr M Sandford moved, seconded Cr K Mair

That the officer recommendation be amended by:

3. Removing point 2

At 7:01pm the Presiding Member declared the motion.

CARRIED (7/5)

Yes (7): Mayor George Gear JP, Crs Jane Edinger, Duncan Macphail, Nicole Robins, Clive Ross, Margaret Sandford and Nicholas Pazolli

No (5): Crs Tomas Fitzgerald, Glynis Barber, Katy Mair, Jennifer Spanbroek and Matthew Woodall

COUNCIL RESOLUTION**Substantive Motion As Amended**

At 6:48pm Cr J Edinger moved, seconded Cr G Barber

1. That Council supports the establishment of the Melville Bird Sanctuary based on the Stage 1 boundaries, with the primary purpose of managing the land for biodiversity protection, enhancement and conservation.

COUNCIL RESOLUTION**Amendment**

At 7:02pm Cr M Sandford moved, seconded Cr K Mair

That the officer recommendation be amended by:

4. Updating point 1 to read:

That Council supports the establishment of the Melville Bird Sanctuary based on both Stage 1 and Stage 2 boundaries, excluding Quarantine Park, with the primary purpose of managing the land for biodiversity protection, enhancement and conservation.

At 7:03pm the Presiding Member declared the motion.

CARRIED (10/2)

Yes (10): Mayor George Gear JP, Crs Tomas Fitzgerald, Glynis Barber, Jane Edinger, Duncan Macphail, Katy Mair, Nicole Robins, Clive Ross, Margaret Sandford and Nicholas Pazolli

No (2): Crs Jennifer Spanbroek and Matthew Woodall

COUNCIL RESOLUTION (E23/9)**Substantive Motion As Amended**

At 6:48pm Cr J Edinger moved, seconded Cr G Barber

That Council supports the establishment of the Melville Bird Sanctuary based on both Stage 1 and Stage 2 boundaries, excluding Quarantine Park, with the primary purpose of managing the land for biodiversity protection, enhancement and conservation.

At 7:11pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

7:12pm *Having declared a financial interest in Item UP23/15 (detailed in Item 20/06/2023 5), Cr K Mair left the meeting.*

At 7:12pm the Mayor brought forward item UP23/15 Proposed Six Storey (Plus Basement) Apartment No.S 82A & 82B (Lots 1 & 2) Macleod Road, Applecross for the convenience of those in the gallery.

At 7:12pm the Mayor invited Mr Smith to address the meeting, which concluded at 7:14pm.

At 7:14pm the Mayor invited Mr Atkinson to address the meeting, which concluded at 7:15pm.

UP23/15 Proposed Six Storey (Plus Basement) Apartment No.S 82A & 82B (Lots 1 & 2 Macleod Street, Applecross

File Number:	0.0
Responsible Officer:	Director Urban Planning
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	Nil
Application Number:	DAP-2023-3
Applicant:	Gary Batt & Associate Architects
Owner:	Ranieri Nominees Pty Ltd
Proposal:	Proposed Six Storey (Plus Basement) Apartment No.S 82A & 82B (Lots 1 & 2 Macleod Street, Applecross
Attachments:	<ol style="list-style-type: none"> 1. Responsible Authority Report 2. Attachment 1 - Development Plans 3. Attachment 2 - Landscape 4. Attachment 3 - Waste Managment Plan 5. Attachment 4 - Traffice Impact Statement 6. Attachment 5 - Acoustic Report 7. Attachment 6 - Sustainable Design Assessment Report 8. Attachment 7 - DRP Meeting Minutes

COUNCIL'S ROLE

Information: For the Council / Committee to note.

SUMMARY

- On 22 March 2023, a Development Application was lodged for an apartment development at 82A and 82B Macleod Road, Applecross. The cost of the development is \$4.5 million, and the applicant has elected for the application to be determined by the Metro-Inner South Joint Development Assessment Panel (JDAP).
- The Responsible Authority Report (RAR) has been prepared by officers and is required to be submitted to the JDAP by 23 June 2023.
- It is recommended that the application be approved, subject to conditions as the proposal is generally consistent with the prevailing planning framework and, based on the information available, is unlikely to have an adverse amenity impact.

OFFICER RECOMMENDATION

That the Council endorse the officer recommendation of the RAR to be submitted to the Metro Inner South Joint Development Assessment Panel and accompanying conditions.

PURPOSE

In accordance with Local Planning Policy 1.1 for the Council to review and consider the RAR relating to the subject application and determine whether to endorse the officer's recommendation that the JDAP approve the development.

The report has been presented to Council for consideration at the request of Cr Pazolli and Cr Sanford. Council has the following options available to it in relation to considering the report:

1. Endorse the RAR as recommended.
2. Substitute the recommendation for an alternative with reasons.
3. Decide not to consider the RAR.

Option 1 is recommended as the proposal is generally consistent with the prevailing planning framework and, based on the information available, is unlikely to have an adverse amenity impact.

CONSEQUENCE

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

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

The minutes of the Ordinary Meeting of Council will be attached to the RAR and forwarded to the JDAP for its consideration.

The JDAP may determine to approve, approve with conditions, refuse, or defer consideration of the subject application.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.	
Outcome Indicator	6	Sustainable and Connected Transport
	Goal 5	Prioritizing Urban Development Near Transport Nodes and In Activity Centres

BACKGROUND**Scheme Provisions**

MRS Zoning	: Urban
LPS Zoning	: Centre C2 (RAC0)
Structure Plan Zoning	: Riseley Centre Structure Plan - Precinct 2
R-Code	: R-AC0
Use Type	: Multiple Dwelling (Apartment)
Use Class	: Permitted Use 'P'

Site Details

Lot Area	: 773m ²
Street Tree(s)	: Yes
Street Furniture (drainage pits etc)	: Footpath
Site Details	: Refer to Figure 1 above

**Figure 1: Aerial Image of the subject site**

CONSIDERATION

Refer to the attached RAR for details.

ENGAGEMENT

Refer to the attached RAR for details on community consultation conducted by the City.

SUSTAINABILITY IMPLICATIONS

The proposed development is an example of urban infill development consistent with the City's planning framework. The proposal provides for a range of apartments which can cater for the diverse needs of people in the locality.

LEGISLATIVE AND POLICY ALIGNMENT

Policy implications are outlined within the RAR attached to this report.

FINANCIAL IMPLICATIONS

There are no applicable financial implications.

OFFICER RECOMMENDATION

At 7:23pm Cr D Macphail moved, seconded Cr T Fitzgerald

That the Council endorse the officer recommendation of the RAR to be submitted to the Metro Inner South Joint Development Assessment Panel and accompanying conditions.

At 7:35pm the Presiding Member declared the motion.

LOST (3/8)

Yes (3): Crs Tomas Fitzgerald, Duncan Macphail and Nicole Robins

No (8): Crs George Gear JP, Glynis Barber, Jane Edinger, Clive Ross, Margaret Sandford, Jennifer Spanbroek, Matthew Woodall and Nicholas Pazolli

COUNCIL RESOLUTION (UP23/15)**Alternative Motion**

At 7:36pm Cr M Sandford moved, seconded Cr J Edinger

1. **Not endorse the officer recommendation of the Responsible Authority Report to be submitted to the Metro Inner South Joint Development Assessment Panel and accompanying conditions.**
2. **Recommend to the Metro Inner South Joint Development Assessment Panel that the application reference DAP/23/02469 and accompanying plans be refused for the following reasons:**
 - a) **The proposed development will have an unacceptable impact on the character and amenity of surrounding residents as a result of the proposed setback variations and resultant bulk and scale.**
 - b) **The proposed development is not considered compatible with its setting as the design does not assimilate with the character of development in the locality.**
 - c) **The proposed development does not provide adequate landscaping.**
 - d) **The proposed development does not provide adequate access to and egress from the development.**

At 7:45pm the Presiding Member declared the motion.

CARRIED (8/3)

Yes (8): Mayor George Gear JP, Crs Glynis Barber, Jane Edinger, Clive Ross, Margaret Sandford, Jennifer Spanbroek, Matthew Woodall and Nicholas Pazolli

No (3): Crs Tomas Fitzgerald, Duncan Macphail and Nicole Robins

Reasons as provided by Cr M Sandford

1. The setback variations proposed are not supported as they reduce the amenity for surrounding residents and provide for a higher degree of building bulk and scale.
2. The proposed development does not fit into the prevailing character of the area. The subdivision across the road is of a lower density and is unlikely to result in an apartment development.
3. The proposed development does not provide adequate landscaping and the climate in Perth, Western Australia does not lend itself to roof gardens as proposed. The likelihood of those garden surviving is, in my view, small.
4. The proposed development does not provide adequate access to and egress from the development as it hasn't had suitable regard for the requirements of AS/NZS 2890.1:2004 and requires a complicated lights system that has the potential to fail.

At 7:36pm, Cr J Spanbroek left the meeting.

At 7:38pm, Cr J Spanbroek returned to the meeting.

At 7:45pm the Mayor brought forward item UP23/14 Additions to the City's Local Heritage Survey for the convenience of those in the gallery.

At 7:46pm Cr K Mair returned to the meeting.

UP23/14 Additions to the City's Local Heritage Survey

File Number:	
Responsible Officer:	Director Urban Planning
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in the matter.
Application Number:	N/A
Applicant:	City of Melville
Owner:	City of Melville
Proposal:	Proposed additions of three sites to the City's Local Heritage Survey
Attachments:	<ol style="list-style-type: none"> 1. Melville Heritage Assessment Baden Powell Reserve 2. Melville Heritage Assessment Marguerite Smith Reserve 3. Melville Heritage Assessment Reg Beaton Park

COUNCIL'S ROLE

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

SUMMARY

- The Friends of Baden Powell (community group) have explored a number of options to achieve recognition of the heritage value of Baden Powell Reserve.
- The community group initially sought heritage listing of the scout buildings on Baden Powell Reserve in 2014. Assessment of the buildings on site and the cultural history of scouting use, was found to not meet the threshold for heritage listing. A second request was made in 2022 to have the site recognised by the State Heritage Council for its value due to its subdivision/park layout. The Heritage Council did not support the request to have Baden Powell included on the State Heritage Register, however suggested that the sites may be more suitable for recognition under the City's Local Heritage Survey.
- In view of multiple requests for heritage assessment, the City initiated a heritage investigation to consider the significance of the subdivision layout which resulted in the creation of the reserve.
- The City extended the scope of the heritage assessments to include Marguerite Smith Reserve and Reg Beaton Park, as it was identified that they share similar subdivision characteristics as Baden Powell Reserve.
- The City had Place Assessments undertaken for all three sites. The Place Assessments identified that Baden Powell has a moderate level of local significance (category 3) and that Marguerite Smith and Reg Beaton have little local significance (category 4).
- The proposed additions to the heritage survey were advertised for 21 days, and 93 submissions were received, all supporting the proposed inclusions.
- The subdivision and design of the three reserves have some significance and accordingly, it is recommended that Council adopt the proposed inclusions of the reserves as additions to the City's Local Heritage Survey.

PURPOSE

The purpose of this report is for Council to consider the inclusion of three sites in the City's Heritage Survey.

Place Assessments identified that all 3 reserves have some local heritage significance and are suitable for inclusion on the City's Heritage Survey. Baden Powell was found to have a moderate level of local significance (category 3) and that Marguerite Smith and Reg Beaton have little local significance (category 4).

Advertising of the proposal to include the sites on the Heritage Survey has resulted in overwhelming support.

It's recommended that the Heritage Survey be updated to include Baden Powell Reserve (41a McCallum Crescent, Ardross), Marguerite Smith Reserve (31 Lawlor Road Attadale) and Reg Beaton Park (13 Roberts Road, Attadale)

CONSEQUENCE

Council may choose to refuse to add one, two or all of the reserves to the City's Heritage Survey. In this instance, the reserves will remain as public open space with no heritage status. The future of the reserves would remain protected given their reservation under LPS6 for public open space.

STRATEGIC ALIGNMENT

Priority	1	Ensure the improvement of sustainability of our environment
	P1/1	Protect and improve our natural assets to enhance our environment
	2	Improve the approach for diverse and sustainable urban development and infrastructure
	P2/3	Optimise the capability and liveability of activity centers with consideration to the expectations of our community.
	4	Support healthy lifestyles and wellbeing
	P4/3	Empower inclusive participation and support for sports and community groups.
Outcome Indicator	1	Clean and Green
	Goal 1	Greening the City
	3	Healthy Lifestyles
	Goal 1	A Safe and Healthy Urban Environment
	5	Sense of Community
	Goal 2	Participation and Inclusion
	Goal 3	Place Activation and Liveability

BACKGROUND

The Friends of Baden Powell Reserve and the Waylen Bay Sea Scouts have explored the potential to achieve a heritage listing of the Baden Powell Reserve. The community group initially sought recognition of the heritage value of the scout hall building on Baden Powell Reserve. Assessment found the buildings to be of low significance and as a result they were not included in the City's Heritage Survey.

In 2022, the community group sought heritage recognition of the site from the Heritage Council of Western Australia. This later request included focus on the potential heritage value of the reserve due to its unique layout and subdivision characteristics. The Heritage Council determined that the site did not meet requirements for State recognition but noted the opportunity for potential inclusion in the City's Local Heritage Survey.

In response to considerable community interest, new information regarding the subdivision history of the site and the direction from the Heritage Council, a further investigation of the site's heritage value was commenced. The investigation into Baden Powell Reserve was extended to two additional reserves which were noted to share a similar subdivisional character and history.

The three reserves, Baden Powell Reserve (41a McCallum Crescent, Ardross), Marguerite Smith Reserve (31 Lawlor Road Attadale) and Reg Beaton Park (13 Roberts Road, Attadale) are all reserved under Local Planning Scheme 6 as Public Open Space.

The reserves are used for a variety of purposes. Marguerite Smith Reserve and Baden Powell Reserve have been used by the Scouts since the late 1960s. Reg Beaton Park is used by members of community as a recreational space.

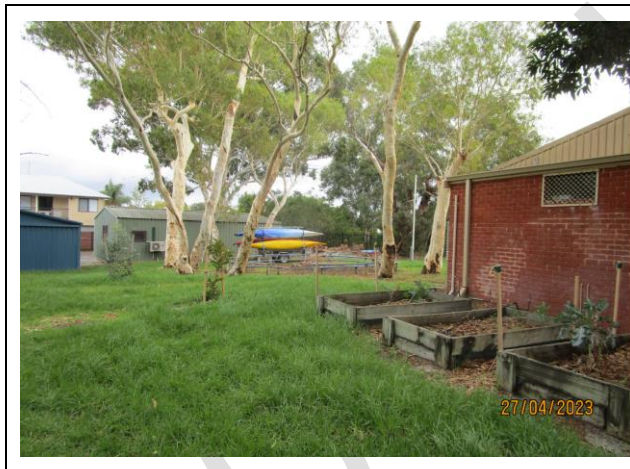
Independent heritage consultants were engaged to assess the heritage value of the three reserves. The place record forms for the reserves are attached. The Local Planning Scheme maps and some recent photos of the reserves are below.

CONSIDERATION

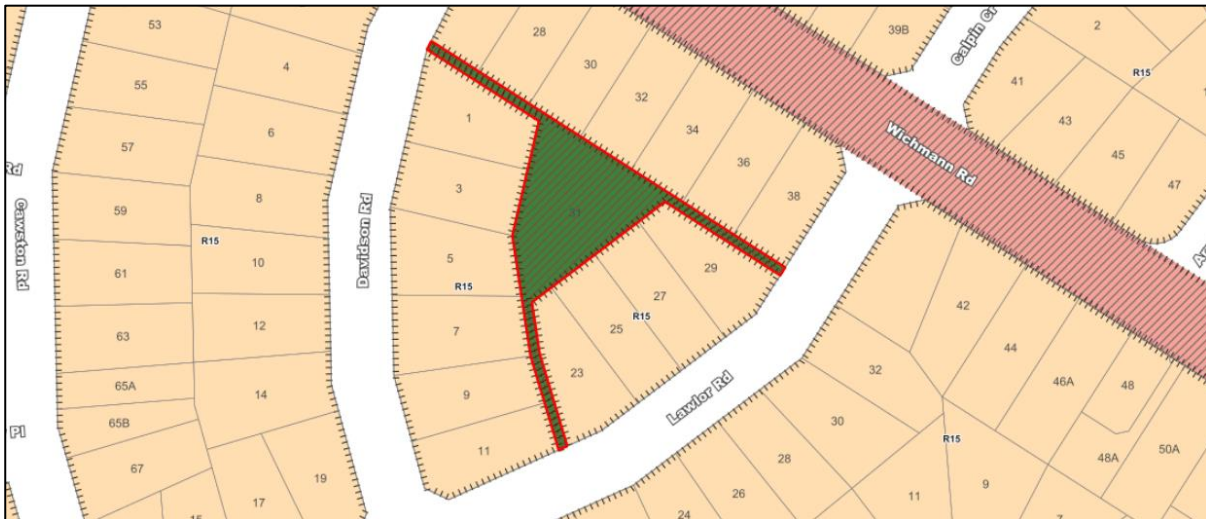
Baden Powell Reserve



Baden Powell – Reserved as Public Open Space



Marguerite Smith Reserve



Marguerite Smith Reserve - – Reserved as Public Open Space



Reg Beaton Park



Reg Beaton Park– Reserved as Public Open Space



ENGAGEMENT

The proposed additions to the heritage survey were advertised for 3 weeks. The City engaged with the community via Melville Talks and social media on the City of Melville website and via letters to all properties immediately adjoining the reserves. A total of 93 submissions were received, all of which support the inclusion of the reserves to the City's Heritage Survey.

Submissions received are documented in the attached table of submissions.

SUSTAINABILITY IMPLICATIONS

Adoption of the additions is in keeping with the Local Planning Strategy.

	Environmental	Social	Economic
Pros/Opportunities	1. Heritage recognition supports environmental value of the sites.	1. Heritage recognition supports understanding of the social and cultural associations with the sites.	1. NA
Cons/Drawbacks	1. Nil	1. Nil	1. NA

LEGISLATIVE AND POLICY ALIGNMENT

The City's Local Heritage Survey is due for review in 2024. Assessments of sites outside of the review process are generally not supported for efficiency and resourcing reasons. Assessments of the three reserves is proposed on this occasion given considerable community interest and feedback from the Heritage Council of Western Australia. Council's determination regarding additions to the Heritage Survey will be provided to the Heritage Council of Western Australia.

FINANCIAL IMPLICATIONS

The heritage assessment outside of the standard review process has resulted in additional staff time and costs. Specialist heritage advice has cost approximately \$4200. Staff time in procuring/managing the consultants, reviewing the assessments, and reporting to Council has involved approximately 47 hours.

At 7:4pm, Mr K Khalil electronically disconnected from the meeting and did not return.

OFFICER RECOMMENDATION

At 7:47pm Cr J Edinger moved, seconded Cr T Fitzgerald

That the Council pursuant to the Heritage Act 2018, approve the following 3 reserves to be included in the City's Local Heritage Survey:

- **Baden Powell Reserve (41a McCallum Crescent, Ardross);**
- **Marguerite Smith Reserve (31 Lawlor Road Attadale); and**
- **Reg Beaton Park (13 Roberts Road, Attadale).**

COUNCIL RESOLUTION

Amendment

At 7:47pm Cr G Barber moved, seconded Cr K Mair

That the officer recommendation be amended with an additional point 2 and point 3 to read:

- "2. Request the Chief Executive Officer to revise the proposed heritage category for the reserves as follows:***
 - Baden Powell Reserve (41a McCallum Crescent, Ardross) – Category 2.***
 - Marguerite Smith Reserve (31 Lawlor Road Attadale) – Category 3.***
 - Reg Beaton Park (13 Roberts Road, Attadale) – Category 3.***
- 3. Request the Chief Executive Officer to validate the additional historical information provided by the Scouts and review the Place Record Form for Baden Powell Reserve accordingly."***

At 7:49pm the mover and the seconder of the amendment consented to the categories all being changed to "2".

COUNCIL RESOLUTION

Amendment

At 7:47pm Cr G Barber moved, seconded Cr K Mair

That the officer recommendation be amended with an additional point 2 and point 3 to read:

- "2. Request the Chief Executive Officer to revise the proposed heritage category for the reserves as follows:**
- Baden Powell Reserve (41a McCallum Crescent, Ardross) – Category 2.**
 - Marguerite Smith Reserve (31 Lawlor Road Attadale) – Category 3.**
 - Reg Beaton Park (13 Roberts Road, Attadale) – Category 3.**
- 4. Request the Chief Executive Officer to validate the additional historical information provided by the Scouts and review the Place Record Form for Baden Powell Reserve accordingly."**

At 8:04pm the Presiding Member declared the motion.

CARRIED (10/2)

Yes (10): Crs George Gear JP, Tomas Fitzgerald, Glynis Barber, Jane Edinger, Duncan Macphail, Katy Mair, Nicole Robins, Clive Ross, Margaret Sandford and Jennifer Spanbroek

No (2): Crs Matthew Woodall and Nicholas Pazolli

COUNCIL RESOLUTION (UP23/14)

Substantive Motion As Amended

At 7:47pm Cr J Edinger moved, seconded Cr T Fitzgerald

- 1. That the Council pursuant to the Heritage Act 2018, approve the following 3 reserves to be included in the City's Local Heritage Survey:**
 - Baden Powell Reserve (41a McCallum Crescent, Ardross);**
 - Marguerite Smith Reserve (31 Lawlor Road Attadale); and**
 - Reg Beaton Park (13 Roberts Road, Attadale).**
- 2. Request the Chief Executive Officer to revise the proposed heritage category for the reserves as follows:**
 - Baden Powell Reserve (41a McCallum Crescent, Ardross) – Category 2.**
 - Marguerite Smith Reserve (31 Lawlor Road Attadale) – Category 2.**
 - Reg Beaton Park (13 Roberts Road, Attadale) – Category 2.**
- 3. Request the Chief Executive Officer to validate the additional historical information provided by the Scouts and review the Place Record Form for Baden Powell Reserve accordingly**

At 8:09pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

At 8:09pm the Mayor brought forward item 15.1 Motion with Notice – Public Open Space Investigation for the convenience of those in the gallery.

15.1 Motion with Notice - Public Open Space Investigation

File Number:	
Related to Item:	Not applicable.
Elected Member:	Cr Katy Mair
Attachments	Nil

MOTION

That the Council requests the Chief Executive Officer to prepare a report for Council's consideration, by September 2023, regarding the scope and resourcing requirements for investigations to ensure the City's localities are provided with Public Open Space in accordance with community expectation and contemporary State Government planning policy and guidelines.

The scope of investigations should include but not be limited to:

- (a) Stakeholder and community engagement.
- (b) Policy context:
 - (i) State Government
 - (ii) Local Government
- (c) Demographic and future trends analysis.
- (d) Public Open Space Evaluation:
 - (i) Identification, audit, and assessment
 - (ii) Proximity of Public Open Space within 400m catchments of dwellings.
 - (iii) Percentage allocation analysis on a locality-by-locality basis.
- (e) Community sports space current needs and future requirements.
- (f) Community open space needs and future requirements (particular focus on areas with proposed density increases).
- (g) Strategies, opportunities, recommendations, and actions (with a focus on short-medium term deliverables).

OBJECTIVE, BENEFIT AND POTENTIAL RISKS TO BE CONSIDERED

Not applicable.

REASONS FOR THE MOTION

1. In the May Council Meeting, the Council adopted a Recommendation to "investigate further provision of public open space where there is an identified deficiency".
2. For more than a decade, various parts of our city lacked public open space within 400 metres from homes. Rather than Council continuing to reiterating this need, an action plan should be created.

3. The Local Planning Scheme is being prepared and we need to have this information available for that very important document. If we are not able to purchase or acquire property for POS by the time the scheme is ready to be adopted, we can have a statement in the document with our position in regards to increasing access to POS.
4. In order to be well informed, an investigation needs to be carried out by officers who have access to relevant information and maps and put a comprehensive report together regarding deficiencies. This should include provision of parks, reserves and future sports ovals.
5. Since sports ovals require larger amounts of land, locations should be investigated now as well as potential future opportunities. As our City grows, these opportunities will decrease.

MOTION

At 8:09pm Cr K Mair moved, seconded Cr C Ross

That the Council requests the Chief Executive Officer to prepare a report for Council's consideration, by November 2023, regarding the scope and resourcing requirements for investigations to ensure the City's localities are provided with Public Open Space in accordance with community expectation and contemporary State Government planning policy and guidelines.

The scope of investigations should include but not be limited to:

- (a) Stakeholder and community engagement.**
- (b) Policy context:**
 - (i) State Government**
 - (ii) Local Government**
- (c) Demographic and future trends analysis.**
- (d) Public Open Space Evaluation:**
 - (i) Identification, audit, and assessment**
 - (ii) Proximity of Public Open Space within 400m catchments of dwellings.**
 - (iii) Percentage allocation analysis on a locality-by-locality basis.**
- (e) Community sports space current needs and future requirements.**
- (f) Community open space needs and future requirements (particular focus on areas with proposed density increases).**
- (g) Strategies, opportunities, recommendations, and actions (with a focus on short-medium term deliverables).**

At 8:22pm the mover and seconder consented to the inclusion of an additional point h to read:

(h) Investigate the potential for converting existing inaccessible drainage basins into useable areas of accessible public open space.

At 8:23pm the mover and seconder consented to amend the report date from *September* to *November*.

At 8:26pm, Mr P Varelis left the meeting.

At 8:27pm, Mr P Varelis returned to the meeting.

At 8:10pm, Cr G Barber left the meeting.

At 8:11pm, Cr G Barber returned to the meeting.

COUNCIL RESOLUTION (15.1)

At 8:09pm Cr K Mair moved, seconded Cr C Ross

That the Council requests the Chief Executive Officer to prepare a report for Council's consideration, by November 2023, regarding the scope and resourcing requirements for investigations to ensure the City's localities are provided with Public Open Space in accordance with community expectation and contemporary State Government planning policy and guidelines.

The scope of investigations should include but not be limited to:

- (a) Stakeholder and community engagement.**
- (b) Policy context:**
 - (i) State Government**
 - (ii) Local Government**
- (c) Demographic and future trends analysis.**
- (d) Public Open Space Evaluation:**
 - (i) Identification, audit, and assessment**
 - (ii) Proximity of Public Open Space within 400m catchments of dwellings.**
 - (iii) Percentage allocation analysis on a locality-by-locality basis.**
- (e) Community sports space current needs and future requirements.**
- (f) Community open space needs and future requirements (particular focus on areas with proposed density increases).**
- (g) Strategies, opportunities, recommendations, and actions (with a focus on short-medium term deliverables).**
- (h) Investigate the potential for converting existing inaccessible drainage basins into useable areas of accessible public open space**

At 8:29pm the Presiding Member declared the motion.

CARRIED (11/1)

Yes (11): Crs George Gear JP, Tomas Fitzgerald, Glynis Barber, Jane Edinger, Katy Mair, Nicole Robins, Clive Ross, Margaret Sandford, Jennifer Spanbroek, Matthew Woodall and Nicholas Pazolli

No (1): Cr Duncan Macphail

Corporate Services**C23/23 Council Privacy Policy**

File Number:	
Responsible Officer:	Manager Information & Communication Technology
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in the matter.
Attachments:	Nil

COUNCIL'S ROLE

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

SUMMARY

- At the Annual General Meeting of Electors (AGM) held on Monday, 6 February 2023, a motion was supported requesting that the City develop a Privacy Policy.
- The motion from the AGM was considered at the 21 February 2023 Council Meeting where it was noted and it was resolved that a report be presented to the June 2023 Council Meeting on the options for the development of a draft Privacy Policy.
- This report provides an update on the WA Governments actions in drafting new legislation that will form the basis of Privacy and Responsible Information Sharing (PRIS) Reforms.
- These reforms and legislation will apply to Local Governments.
- The City is participating in the State Governments readiness and implementation program as required.
- It is recommended that consideration of a Privacy Policy be deferred until the State Governments PRIS reforms and legislation have been introduced.

PURPOSE

The development of a privacy policy is one of the requirements of the State Government PRIS reforms which will be based on a privacy policy that is standardised with all state and local government authorities. To be consistent with all other agencies, it is recommended that the Council develop a privacy policy as and when required by the reform process.

CONSEQUENCE

An alternative option is to draft and adopt a Privacy Policy outside of the PRIS reform program.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.
Outcome Indicator	There are no applicable outcome indicators in relation to this report.

BACKGROUND

At the General Meeting of Electors held 6 February 2023 the following motion was supported:

The Electors ask Council to implement a Privacy policy, in line with the principles set out by the Australian Human Rights Commission, Australia's Privacy Act 1998 (sic) (Cth.,) and other legislation, to ensure the City takes all reasonable steps to protect the public's rights to privacy. The Policy must ensure sufficient controls are introduced to prevent the recurrence of incidents such as; the unlawful or unnecessary publication or release of residents' personal information or the Administrations' monitoring of communications between residents and Elected Members.

The Officer Recommendation below was presented to the 21 February 2023 Council Meeting was supported by the Council.

That the Council note Motion 3 as carried at the Annual Electors Meeting held 6 February 2023, relating to the City developing a Privacy Policy and that the CEO present a report to the June 2023 Ordinary Meeting of Council on the options for the development of a draft Privacy Policy for the consideration of the Council.

In the Officer Report the following additional information was provided:

The drafting of a Council Policy, in conjunction with other proposed legislative changes and the City's other information management activities associated with the City's digital transformation strategy is being designed to modernise practice and information accessibility. Relevant recent considerations include:

- *Open by Design – The FOI Act and Information Release in WA. This guidance was released by the Office of the Information Commissioner in September 2022;*
- *Privacy and Responsible Information Sharing proposed Western Australian State Legislation.*

Once further clarity on the proposed legislation is available a report to Council encompassing any recommendation for a Privacy Policy along with other necessary frameworks and strategies will be provided.

CONSIDERATION

As advised above the WA Government is drafting new legislation that will form the basis of Privacy and Responsible Information Sharing (PRIS) reforms. These reforms build on an extensive consultation process that commenced in 2019 to develop a model that is right for Western Australia. The State Government is drafting the new legislation to reform personal privacy protections and the accountability of information sharing within government. It introduces new requirements for managing the personal information held by all government agencies (public sector, public universities, local governments, and government trading enterprises) and contractors where necessary and is anticipated to come into effect in December 2024.

The introduction of Information Privacy Principles (IPPs) – rules that guide the collection, use, disclosure and handling of personal information will apply to the WA public sector and, where required, contracted service providers. The appointment of a Privacy Commissioner, who will be an independent statutory officer will report directly to Parliament and will be primarily responsible for privacy matters in Western Australia. The role of this officer will be to monitor agency compliance with the IPPs and to receive complaints about alleged breaches of privacy.

The Australian Government's Privacy Act 1988 (Cth.) will continue to apply to Australian Government agencies and a wide range of private sector organisations. The introduction of Western Australia's privacy and information sharing legislation will extend Information Privacy Principles to WA public sector entities, which includes local governments.

The State Government has provided an extensive program for agencies to follow in preparing for the introduction of the legislation and to drive change management activities. A PRIS Champion has been appointed as required, to lead and drive the implementation within the City of Melville. The City has been provided with a checklist that requires 4 self-assessments and 18 actions to be undertaken to meet the minimum compliance requirements for when the legislation comes into effect.

The City is required to create an Action Plan to ensure all required activities and tasks are completed by the timeframes stipulated. This includes but not limited to:

- Creation of a privacy policy
- Creation of a privacy management plan
- Publish a data breach policy
- Establishing procedures for data breach notification and reporting
- Publish Collection Notices

The PRIS Champion will consider establishing a project board, to provide senior oversight for PRIS readiness and resourcing, and coordinate PRIS activities with aligned projects or processes.

To give an idea of the breath of coverage of the legislation it has been suggested that members of a project board could include representatives from areas such as:

- Cyber security
- Data management
- Freedom of information
- HR and organisational development
- Information classification
- Information technology
- Legal and compliance
- Open data
- Privacy management
- Records management
- Risk management
- Service delivery areas

Further information of the introduction of the PRIS and a Fact Sheets published by the State Government is below:

<https://www.wa.gov.au/government/privacy-and-responsible-information-sharing>

<https://www.wa.gov.au/government/publications/privacy-and-responsible-information-sharing-fact-sheet>

ENGAGEMENT

No community engagement has been undertaken in relation to this item.

The City's PRIS Champion is participating in the PRIS Awareness Sessions conducted by Department of Premier & Cabinet and will be a member of the Local Government PRIS Working Group.

SUSTAINABILITY IMPLICATIONS

No Sustainability implication have been identified.

LEGISLATIVE AND POLICY ALIGNMENT

A privacy policy is required under the State Government Privacy and Responsible Information Sharing legislation. The legislation will provide Western Australians with greater control over their personal information and improve the delivery of government services. This legislation will enable data to be shared within government for the right reasons and provide greater accountability and transparency about how government uses the public's information.

The Australian Government's Privacy Act 1988 (Cth.,) will continue to apply and the introduction of Western Australia's privacy and information sharing legislation will extend Information Privacy Principles to WA public sector entities, which includes local governments.

FINANCIAL IMPLICATIONS

Under the reforms the City has appointed the City's Information Coordinator as the officer a PRIS Champion who will lead and drive the implementation within the City. All agencies have been provided with a Readiness Plan and Checklist to help prepare for and implement the legislation. Apart from Officer time no significant additional costs are envisaged.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C23/23)

At 8:30pm Cr T Fitzgerald moved, seconded Cr K Mair

- 1. That Council notes the WA Government Privacy and Responsible Information Sharing Reforms and the requirement to have a Privacy Policy.**
- 2. That Council notes that the State Government will be providing State Government Departments and Local Government with a template Privacy Policy.**
- 3. That Council defers the decision to adopt a City of Melville Privacy Policy until the State Government Privacy and Responsible Information Sharing Reforms and legislation have been introduced.**

At 8:48pm the Presiding Member declared the motion.

CARRIED (7/5)

Yes (7): Crs George Gear JP, Tomas Fitzgerald, Duncan Macphail, Katy Mair, Nicole Robins, Matthew Woodall and Nicholas Pazolli

No (5): Crs Glynis Barber, Jane Edinger, Clive Ross, Margaret Sandford and Jennifer Spanbroek

At 8:30 pm, Cr N Robins left the meeting.

At 8:32 pm, Cr N Robins returned to the meeting.

C23/25 Yearly Delegation Review

File Number:	
Responsible Officer:	Head of Governance
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No officer involved in the preparation of this report has a declarable interest in this matter
Attachments:	1. City of Melville Statutory Delegation and Authorisation Manual 2023-2024 MARKED UP

COUNCIL'S ROLE

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

SUMMARY

- Delegations made under the *Local Government Act 1995* and various other legislation must by law be reviewed by the delegator at least once every financial year and listed in a register kept by the CEO.
- The statutory review of Council delegations for 2023 has been undertaken and it is recommended that the outcome of this review be adopted by the Council.
- Following the Council's resolution on this matter the Register of Delegations will be updated and provided to Elected Members for information.

PURPOSE

To present the annual review of the Council's statutory delegations, authorisations and appointments for Council approval.

CONSEQUENCE

Council is required to review its delegations on a yearly basis as per:

- section 5.46 of the Local Government Act 1995;
- section 46(2) of the Cat Act 2011; and
- section 10AB(2) of the Dog Act 1976.

All Council delegations, authorisations and appointments are presented to Council as part of this report, although they may not be subject to annual review requirements, as it is good practice to do so.

STRATEGIC ALIGNMENT

Priority	3	Empower the voices of our diverse community by strengthening engagement
	P3/2	Improve the mechanisms to make information flow easier to access and share, including optimising digital communications.
Outcome Indicator	There are no applicable outcome indicators in relation to this report.	

BACKGROUND

The functions and powers allocated to local governments by legislation are so many and so diverse that it would be unrealistic to expect the Council to make every discretionary decision itself. The business of local government could not be carried out in a timely manner if that were the case.

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.

Delegation is only permitted when an Act or regulations specify that the local government has this power, and the delegated 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.

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

Delegations made under the *Local Government Act 1995*, *Cat Act 2011*, *Dog Act 1976* and the deemed provisions of Local Planning Schemes identified 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 an 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.

This report deals only with the 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 the Council.

CONSIDERATION

The statutory review of Council delegations has been completed and a number of minor administrative amendments are required to some instruments of delegation (not to the delegation itself) to:

- change sub delegates to reflect internal changes in functional responsibilities;
- reflect changes in titles; and
- provide additional instruction to delegates on the purpose or constraints of a delegation.

Minor changes to formatting have also been made as part of the statutory review, and the 'Index of Council Delegations' that was previously found at the end of the document has been removed, as it is an unnecessary duplication of the Table of Contents at the beginning of the document.

As part of the CEO's review of his own delegations to other employees, some instruments of delegation by the Council have been amended at the sub-delegation level to reflect changes to organisational structure and functional responsibilities, as well as changes to titles. Sub-delegations by the CEO of delegated powers are provided for under section 5.44(3) of the *Local Government Act 1995* and are not the subject of this report.

These administrative amendments are marked-up in Attachment 1 - City of Melville Statutory Delegation and Authorisation Manual 2023-2024 MARKED UP.

ENGAGEMENT

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.

SUSTAINABILITY IMPLICATIONS

Not applicable.

LEGISLATIVE AND POLICY ALIGNMENT

The City of Melville must comply with section 5.46 of the *Local Government Act 1995* which requires the Council to review, at least once every financial year, its delegations made under that Act and deemed provisions in the *Planning and Development (Local Planning Schemes) Regulations*. The City must also comply with section 47(2) of the *Cat Act 2011* and section 10AB(2) of the *Dog Act 1976*, which impose similar annual review requirements for delegations made under those Acts.

Of the 51 current delegations made by the Council, 35 have been made under the [Local Government Act 1995](#). The following key provisions in the *Local Government Act 1995* relate 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; and*
- (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); and*
- (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).*

In addition to the above references, the following legislative provisions are also relevant to 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 1995*, *Cat Act 2011*, *Dog Act 1976*, *Graffiti Vandalism Act 2016* and the *Planning and Development (Local Planning Schemes) Regulations 2015* 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

There are no financial implications arising from the recommendations of this report.

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 the Council, and to the City's customers as a consequence of slower decision-making.

OFFICER RECOMMENDATION

At 8:49pm Cr T Fitzgerald moved, seconded Cr N Robins

That the Council resolves by absolute majority decision to:

1. **endorse the 2023 review of Council's statutory delegations, authorisations and appointments.**
2. **confirm the minor changes and edits to the instruments of delegation, authorisation and appointment, as contained in Attachment 1 - City of Melville Statutory Delegation and Authorisation Manual 2023-2024 MARKED UP.**

COUNCIL RESOLUTION

Amendment

At 8:49pm Cr C Ross moved, seconded Cr M Sandford

That the officer recommendation point 2 be amended to read as follows:

2. **confirm the minor changes and edits to the instruments of delegation, authorisation and appointment, as contained in Attachment 1 - City of Melville Statutory Delegation and Authorisation Manual 2023-2024 MARKED UP subject to the condition that DA-088 be amended to include a financial limit of \$10,000 for any payments made by the Chief Executive Officer or any sub delegate under that delegation.**

At 9:00pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (9/3)

- Yes (9): Mayor George Gear JP, Crs Glynis Barber, Jane Edinger, Katy Mair, Clive Ross, Margaret Sandford, Jennifer Spanbroek, Matthew Woodall and Nicholas Pazolli
- No (3): Crs Tomas Fitzgerald, Duncan Macphail and Nicole Robins

COUNCIL RESOLUTION (C23/25)**Substantive Motion As Amended**

At 8:49pm Cr T Fitzgerald moved, seconded Cr N Robins

That the Council resolves by absolute majority decision to:

- 1. endorse the 2023 review of Council's statutory delegations, authorisations and appointments.**
- 2. confirm the minor changes and edits to the instruments of delegation, authorisation and appointment, as contained in Attachment 1 - City of Melville Statutory Delegation and Authorisation Manual 2023-2024 MARKED UP subject to the condition that DA-088 be amended to include a financial limit of \$10,000 for any payments made by the Chief Executive Officer or any sub delegate under that delegation.**

At 9:06pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (11/1)

Yes (11): Mayor George Gear JP, Crs Glynis Barber, Jane Edinger, Duncan Macphail, Katy Mair, Nicole Robins, Clive Ross, Margaret Sandford, Jennifer Spanbroek, Matthew Woodall and Nicholas Pazolli

No (1): Cr Tomas Fitzgerald

At 9:01 pm, Cr J Spanbroek left the meeting.

At 9:03 pm, Cr J Spanbroek returned to the meeting.

C23/39 Proposed City of Melville Parking Local Law 2023

File Number:	
Responsible Officer:	Head of Governance
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	<ol style="list-style-type: none"> 1. Proposed Parking Local Law 2023 2. Table Comparing Proposed Local Law with Current Local Law

COUNCIL'S ROLE

Legislative: Includes adopting local laws, town planning schemes & policies.

SUMMARY

- The current Parking Local Law was made by Council on 20 September 2016.
- Since this time, several changes to the Parking Local Law have been suggested by staff and Elected Members to help ensure it responds to the modern parking context.
- In response to this feedback, the City instigated a full review of the Parking Local Law which has resulted in a new proposed Parking Local Law 2023.
- This report seeks Council approval to invite public comment on the proposed Parking Local Law 2023, for a six-week period, in accordance with section 3.12 of the *Local Government Act 1995* (the Act).
- Following consultation, a report on the submissions, as well as the final proposed Parking Local Law 2023, will be presented back to Council.

PURPOSE

To present the proposed Parking Local Law 2023 to the Council, in order to commence the 6-week consultation process under section 3.12 of the *Local Government Act 1995*.

CONSEQUENCE

If the Council decides not to make any changes to the existing Parking Local Law, it will continue to be in effect however will also not fully meet the contemporary needs of the City.

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.	
Outcome Indicator	6	Sustainable and Connected Transport
	Goal 2	Balancing Transport Priorities

BACKGROUND

The current Parking Local Law was made by Council on 20 September 2016.

Since this time, several changes to the Parking Local Law have been suggested by staff and Elected Members to help ensure it responds to the modern parking context. In response to this feedback, the City instigated a full review of the Parking Local Law which has resulted in a new proposed Parking Local Law 2023.

The process for making a local law is prescribed in section 3.12 of the *Local Government Act 1995* (The Act), as detailed under 'Legislative and Policy Alignment'.

CONSIDERATION

Attachment 2 (Table Comparing Proposed Local Law with Current Local Law) highlights the significant variations between the Parking Local Law 2016 and the proposed Parking Local Law 2023, with rationale for each change.

In summary, key changes include:

- allowing caravans to slightly protrude onto verges where certain conditions are met;
- allowing community and sporting organisations to apply for temporary event parking on reserves;
- broader powers for the City to temporarily restrict parking in car parks and car bays for urgent, essential or official functions;
- new powers for the City to create and manage electric vehicle charging stations;
- greater clarity on the process to apply for a parking permit and construction site work zone;
- greater clarity on the appeals process where an application for a parking permit, construction site work zone, or event parking approval is refused, or where an existing parking permit or construction site work zone approval is revoked; and
- Increasing the number of hours a vehicle can be parked on the street before the City can deem it an obstruction, from 24 to 72 hours.

Due to the substantial nature of changes proposed, an amendment local law is not recommended, and instead it is recommended that the Parking Local Law 2016 is repealed and replaced with the proposed Parking Local Law 2023.

To do this, as per section 3.12 of the Act, Council needs to give notice of the purpose and effect of the proposed local law at a Council meeting, which will initiate a 6-week public comment process.

Following consultation, the City will consider any submissions received and, where appropriate, make changes to the local law in response to the submissions. If any changes are made, and they are not significant, the as-amended Parking Local Law 2023 will be presented to Council for adoption. If any changes are made, and they are significant, the as-amended Parking Local Law 2023 will still be presented to Council, but for the purposes of restarting the process in section 3.12, in accordance with section 3.13 of the Act.

ENGAGEMENT

No community consultation took place to draft the proposed Parking Local Law 2023.

In accordance with section 3.12(3)(a) of the Act, the City will invite submissions from the community on the proposed Parking Local Law 2023, as drafted, for a period of minimum period of six weeks.

SUSTAINABILITY IMPLICATIONS

Not applicable.

LEGISLATIVE AND POLICY ALIGNMENT

To make a local law, the local government must follow the procedure detailed in section 3.12, in the sequence in which it is described. These steps, in order, are:

- (a) At a council meeting the person presiding must give notice to the meeting of the purpose and effect of the proposed local law by ensuring that the purpose and effect of the proposed local law is included in the agenda for that meeting and that the minutes of the meeting include the purpose and effect of the proposed local law.
- (b) The local government must then give local public notice that the local government proposes to make a local law, with the notice specifying the purpose and effect of the local law, where the local law can be inspected or obtained, and that submissions are invited for a period of six weeks.
- (c) As soon as the local public notice is given, a copy of the proposed local law and of the notice must be given to the Minister administering the *Local Government Act 1995*, and the Minister administering the Act under which the local law is proposed to be made (if the local law is not one that is made under the *Local Government Act 1995*).
- (d) After submissions have closed, the local government must consider any submissions made, and may, by absolute majority, make the local law as proposed or a local law not significantly different from what was proposed. If the local law is significantly different to what was proposed, the local government must recommence this procedure from the beginning.
- (e) After the local law is made, the local law must be published in *Government Gazette*.
- (f) Once the local law has been published in the *Government Gazette*:
 - a. a copy of the local law must be given to the Minister administering the *Local Government Act 1995*, and the Minister administering the Act under which the local law is proposed to be made (if the local law is not one that is made under the *Local Government Act 1995*); and
 - b. local public notice must be given of the title, purpose, effect and commencement date of the local law, and that a copy is published on the website and may be inspected or obtained from the local government's office.
- (g) Once the local public notice has been given, a copy of the local law, the notice and other required explanatory material must be given to the Joint Standing Committee for Delegated Legislation.

A failure to follow this process, in the sequence in which it is described, will likely result in the Joint Standing Committee for Delegated Legislation recommending that the local law be disallowed.

FINANCIAL IMPLICATIONS

There are no significant financial implications arising from the recommendations of this report. Minor costs will be incurred in advertising the public notice and in publishing the local law in the Government Gazette, and these will be met under the existing budget.

OFFICER RECOMMENDATION

At 9:06pm Cr T Fitzgerald moved, seconded Cr N Pazolli

That the Council by absolute majority decision:

1. **proposes to repeal the existing *City of Melville Parking Local Law 2016* and make a new local law with the following purpose and effect:**
 - a) **The purpose of the proposed local law is to provide for the regulation, control and management of parking, vehicles and parking facilities within the parking region of the City of Melville.**
 - b) **The effect of the local law is that a person stopping or parking a vehicle within the parking region is required to comply with the provisions of the Parking Local Law 2023.**
2. **authorises the CEO to commence the procedure under section 3.12 of the *Local Government Act 1995* to make the above local law by:**
 - a) **Giving local public notice and inviting public submissions in accordance with section 3.12(3)(a) on the proposed:**
 - b) **Giving a copy of the public notice and proposed local law to the Minister for Local Government in accordance with section 3.12(3)(b);**
 - c) **After the last day of submissions, preparing and presenting a report for Council to consider and determine whether to make the local law in accordance with section 3.12(4).**

COUNCIL RESOLUTION

Amendment

At 9:06pm Cr J Edinger moved, seconded Cr G Barber

That the officer recommendation point 1 be amended to include the following:

subject to the condition that any reference to 72 hours in the proposed amendments be retained as 24 hours.

At 9:08pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (10/0)

At 9:07 pm, Cr N Robins left the meeting.

At 9:07 pm, Cr N Pazolli left the meeting.

At 9:09 pm, Cr N Pazolli returned to the meeting.

COUNCIL RESOLUTION (C23/39)**Substantive Motion As Amended**

At 9:06pm Cr T Fitzgerald moved, seconded Cr N Pazolli

That the Council by absolute majority decision:

1. **proposes to repeal the existing *City of Melville Parking Local Law 2016* and make a new local law with the following purpose and effect:**
 - a) **The purpose of the proposed local law is to provide for the regulation, control and management of parking, vehicles and parking facilities within the parking region of the City of Melville.**
 - b) **The effect of the local law is that a person stopping or parking a vehicle within the parking region is required to comply with the provisions of the Parking Local Law 2023.**

subject to the condition that any reference to 72 hours in the proposed amendments be retained as 24 hours.
2. **authorises the CEO to commence the procedure under section 3.12 of the *Local Government Act 1995* to make the above local law by:**
 - a) **Giving local public notice and inviting public submissions in accordance with section 3.12(3)(a) on the proposed:**
 - b) **Giving a copy of the public notice and proposed local law to the Minister for Local Government in accordance with section 3.12(3)(b);**
 - c) **After the last day of submissions, preparing and presenting a report for Council to consider and determine whether to make the local law in accordance with section 3.12(4).**

At 9:10pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (11/0)

C23/40 Investment Statements for April 2023

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

COUNCIL'S ROLE

Information: For the Council / Committee to note.

SUMMARY

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

PURPOSE

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 4.00% to 4.42% which exceeds the benchmark three month bank bill swap (BBSW) reference rate of 3.66%.

41% 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 percentage of 41% was the same in March 2023.

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

CONSEQUENCE

Not applicable as this report only presents information for noting.

STRATEGIC ALIGNMENT

Priority	5	Ensure long term financial sustainability
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	P5/2	Advocate at National and State levels to maximise funding.
	P5/3	Identify opportunities for appropriate alternative revenue streams.
Outcome Indicator	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience

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.

CONSIDERATION

The following statement details the investments held by the City as at 30 April 2023.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 APRIL 2023		
SUMMARY BY FUND		
Municipal		\$45,299,509
Reserve		\$143,238,104
Trust		\$-
Citizen Relief		\$224,848
TOTAL		\$188,762,461
SUMMARY BY INVESTMENT TYPE		
11AM		\$12,239,159
31Days at Call		\$-
60Days at Call		\$2,000,000
90Days at Call		\$16,600,000
Term Deposit		\$157,923,302
TOTAL		\$188,762,461
SUMMARY BY CREDIT RATING		
AAA Category	AAA	
AA Category (AA+ to AA-)	AA-	\$104,008,570
	A+	\$41,753,890
A Category (A+ to A-)	A	
	A-	
BBB+ Category	BBB+	\$43,000,000
TOTAL		\$188,762,461

Exposure to an individual institution is limited according to Council policy and in April 2023 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	\$ 3,200,000	1.70%	30.00%	✓
AMP	BBB+	BBB+ Category	\$ -	0.00%	15.00%	✓
Bankwest	AA-	AA Category	\$ -	0.00%	30.00%	✓
Bank of Queensland	BBB+	BBB+ Category	\$ 25,000,000	13.24%	15.00%	✓
ING Bank	A-	A Category	\$ -	0.00%	25.00%	✓
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 18,000,000	9.54%	15.00%	✓
CBA	AA-	AA Category	\$ 19,000,000	10.07%	30.00%	✓
Macquarie	A+	A Category	\$ 2,053,890	1.09%	25.00%	✓
NAB	AA-	AA Category	\$ 54,567,010	28.91%	30.00%	✓
St George	AA-	AA Category	\$ -	0.00%	30.00%	✓
Suncorp	A+	A Category	\$ 39,700,000	21.03%	25.00%	✓
Westpac	AA-	AA Category	\$ 27,241,560	14.43%	30.00%	✓
TOTAL			\$ 188,762,461	100%		

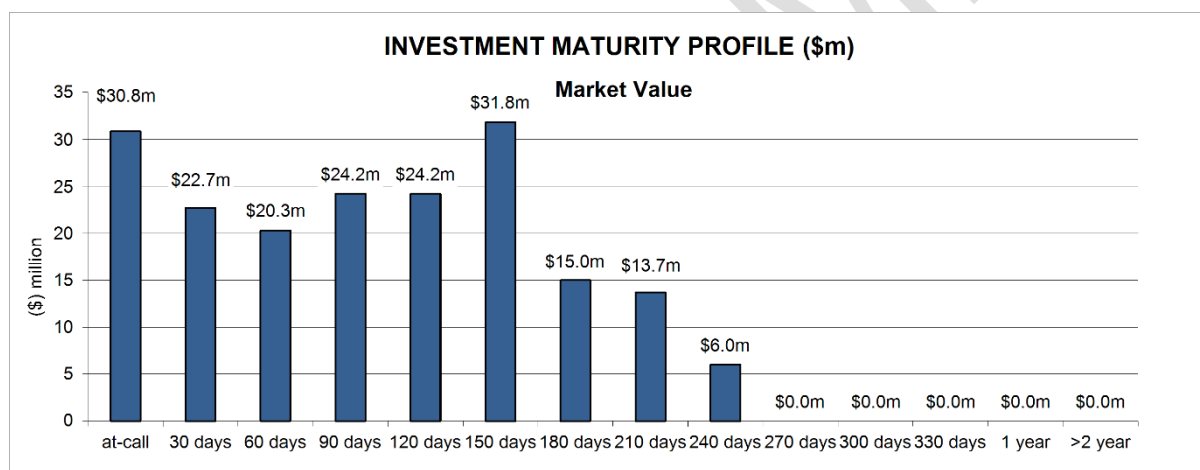
*Standard & Poor's ratings. Source: Policy No. CP-009: Investment of Funds

The City's investments were invested within the limits allowed within each category rating for April 2023.

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-)	\$ 104,008,570	55%	80%	✓
A Category (A+ to A-)	\$ 41,753,890	22%	50%	✓
BBB+ Category	\$ 43,000,000	23%	25%	✓
TOTAL	\$ 188,762,461	100%		

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

The below graph summarises the maturity profile of the City's investments at market value as at 30 April 2023. 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.

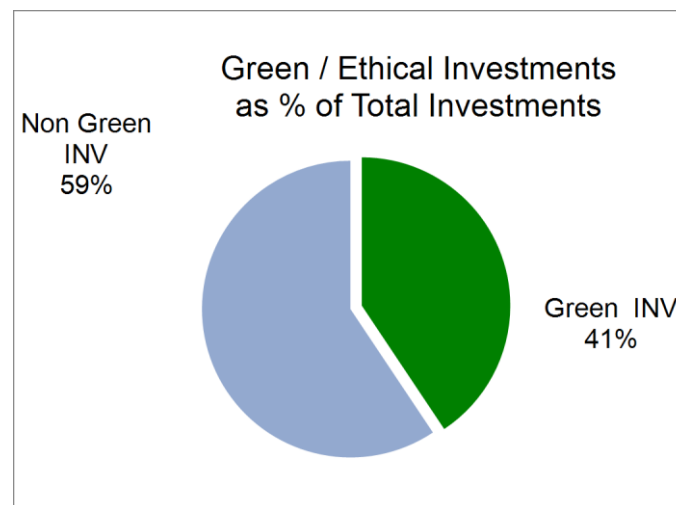


The City exercises a deliberative preference in favour of green/ethical investments. This preference will however only be exercised after the foremost investment considerations of credit rating, comparable rate and risk diversification are fully satisfied.

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

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

The total investment in authorised institutions as at 30 April 2023 was \$76,700,000 or 41% of total investment holdings being in non-fossil fuels institutions, compared to \$79,700,000 (41%) in March 2023. The total investments holding for April and March were \$188,762,461 and \$195,551,331 respectively.



Green / Ethical Investment with financial institutions			
Institution	Credit Rating	Credit Rating Category	Funds held at period end
Bendigo & Adelaide	BBB+	BBB+ Category	\$ 18,000,000
CBA	AA-	AA Category	19,000,000
Suncorp	A+	A Category	\$ 39,700,000
TOTAL			\$ 76,700,000

Green investments are invested in the three banks listed above, in accordance with the council credit rating policy. CBA and Suncorp are unable to accept new money or process rollovers of Green /Ethical Investments which will be withdrawn in future.

ENGAGEMENT

I. COMMUNITY

This report is available to the public on the City's website.

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.

SUSTAINABILITY IMPLICATIONS

Strategic

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

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

Risk

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

LEGISLATIVE AND POLICY ALIGNMENT

The following legislation is relevant to this report:

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

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

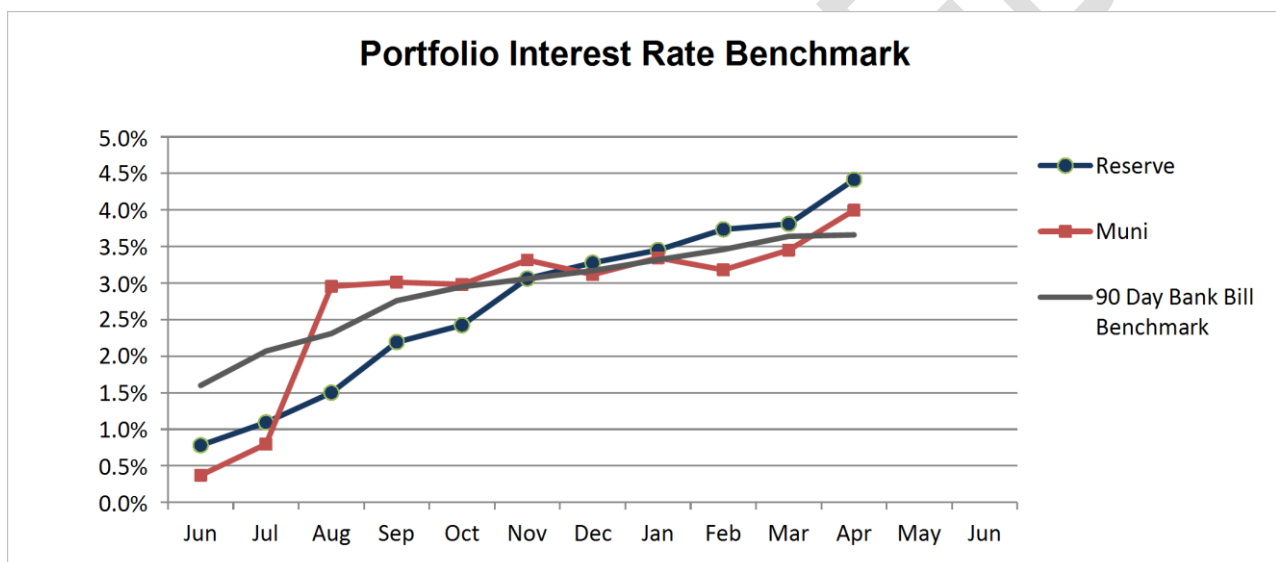
The *Local Government (Financial Management) Regulations 1996* (regulation 19C) allows local governments to deposit funds for a fixed term of three years or less. Deposits of greater than one year may, depending on the shape of the yield curve, enable the City to achieve better investment returns.

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

FINANCIAL IMPLICATIONS

For the period ending 30 April 2023:

- Investment earnings on Municipal Funds were \$1,396,236 against a year-to-date budget of \$1,315,000 representing a positive variance of \$81,236.
- The weighted average interest rate for Municipal Fund investments as of 30 April 2023 was 4.00% which compares favourably to the benchmark three-month bank bill swap (BBSW) reference rate of 3.66%.
Investment earnings on Reserve accounts were \$3,757,458 against a year-to-date budget of \$3,580,842 representing a positive variance of \$176,616.
- The weighted average interest rate for Reserve account investments as of 30 April 2023 was 4.42% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 3.66%.



OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C23/40)

At 6:47pm Cr T Fitzgerald moved, seconded Cr D Macphail

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

At 6:47pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (12/0)

C23/41 Schedule of Accounts Paid for April 2023

File Number:	
Responsible Officer:	Manager Financial Services
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	1. Payment Details April 2023

COUNCIL'S ROLE

Information: For the Council / Committee to note.

SUMMARY

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

PURPOSE

The Schedule of Payments for the month totals \$18,911,308.

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

CONSEQUENCE

Not applicable as this report presents information for noting only.

STRATEGIC ALIGNMENT

Priority	5	Ensure long term financial sustainability
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	P5/2	Advocate at National and State levels to maximise funding.
	P5/3	Identify opportunities for appropriate alternative revenue streams.
Outcome Indicator	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience

BACKGROUND

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

A total of \$6,373,256 direct creditor payments were paid during the month, of which, 22% of payments were paid to suppliers located within the City of Melville and 30% to suppliers within the South West Metropolitan Region, compared to 17% and 25% of total of \$9,969,343 direct creditor payments made over March 2023 respectively.

The biggest payment of \$706,499 made during the month was the ESL payment to the Department of Fire and Emergency Services (DFES). Approximately 95% of supplier invoices are paid within 30 days of receipt of the invoices.

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

CONSIDERATION

The Schedule of Accounts Paid for April including Payment Register numbers, Cheques: 840-841, Electronic Funds Transfers batches: 827-831, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on Friday, 2 June 2023.

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

SCHEDULE OF PAYMENTS MADE APRIL 2023		
<i>Payments made under Delegated Authority DA-035</i>		
MUNICIPAL FUNDS - DIRECT CREDITOR PAYMENTS		
<i>Cheques</i>	Chq Payment Register No. 840 and 841	\$600.00
	Chq Payment on Restricted Funds Register No.	\$0.00
	Less Cancelled Chqs	(\$413.00)
<i>Electronic Funds Transfers</i>	EFT Payment Register No. 828,829 and 831	\$6,101,209.80
	EFT Payment on Restricted Funds Register No. 827 and 830 and 131	\$122,532.00
	Less Cancelled EFTs	-
		\$6,223,928.80
<i>Direct Debits</i>	Bank Fees	\$10,955.17
	Ampol Fuel	\$98,489.93
<i>Direct Payments</i>		\$39,881.68
	Total Direct Creditor Payments	\$6,373,255.58
<i>Payroll</i>	Total Pay 21 and 22	\$4,161,550.29
	Total Payroll	\$4,161,550.29
<i>Cards</i>	Westpac Corporate Cards	\$7,012.33
	Westpac Purchase Cards	\$66,995.05
	American Express	\$2,495.05
	Total Card Payments	\$76,502.43
Total Direct Creditor Payments from Municipal Account		\$10,611,308.30

Schedule of Payments Made continued.

INTERFUND & INVESTMENT TRANSACTIONS		
Interfund Transfers		
Loan		\$0.00
Citizen Relief Trust		\$0.00
Citizen Relief Operating		\$0.00
Municipal		(\$2,000,000.00)
Reserve		\$2,000,000.00
Trust		\$0.00
Total Interfund Transfers		\$0.00
New Municipal Investments		
Westpac Bank	6/04/2023	\$4,500,000.00
Westpac Bank	3/03/2023	\$800,000.00
Bank of Queensland	12/04/2023	\$1,000,000.00
Westpac Bank	12/04/2023	\$800,000.00
Westpac Bank	14/04/2023	\$500,000.00
Westpac Bank	21/04/2023	\$700,000.00
Total New Investments		\$8,300,000.00
Grand Total		\$18,911,308.30

Details of the payments are shown in attachment 1.

Any payment over and above \$25,000.00 has been highlighted under the Payment Amount column in attachment 1.

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

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

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

FINANCIAL IMPLICATIONS

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

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C23/41)

At 6:47pm Cr T Fitzgerald moved, seconded Cr D Macphail

That Council notes the Schedule of Accounts paid for the period April 2023 as approved by the Director Corporate Services in accordance with delegated authority DA-035 and detailed in the attachment to this report.

At 6:47pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY EN BLOC (12/0)

CONFIRMED

C23/42 Statements of Financial Activity for April 2023

File Number:	
Responsible Officer:	Manager Financial Services
Voting Requirements:	Absolute Majority
Officer Disclosure of Interest:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Attachments:	<ol style="list-style-type: none"> 1. Statement Nature Type April 2023 2. Rate Setting Nature Type April 2023 3. Rate Setting Program April 2023 4. Net Working Capital April 2023 5. Reconciliation Net Working Capital April 2023 6. Notes Rate Setting Statement April 2023 7. Budget Amendments April 2023 8. Summary Rate Debtors April 2023 9. Rates Collection Graph April 2023 10. General Debtors Aged 90 Days April 2023

COUNCIL'S ROLE

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

SUMMARY

This report presents:

- The Statements of Financial Activity by Nature or Type and Rate Setting Statement by Program and Nature or Type, for the period ending 30 April 2023 and recommends that they be noted by the Council.
- The variances for the month of 30 April 2023 and recommends that they be noted by the Council.
- The Budget amendments required for the month of 30 April 2023 and recommends that they be adopted by Absolute Majority decision of the Council. This report presents the investment statements for the period ending 30 April 2023 for the Council's information and noting.

PURPOSE

The attached financial reports reflect a positive financial position of the City of Melville as at 30 April 2023.

CONSEQUENCE

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

STRATEGIC ALIGNMENT

Priority	5	Ensure long term financial sustainability
	P5/2	Advocate at National and State levels to maximise funding.
	P5/1	Undertake efficiency improvements to maximise cost effectiveness.
	P5/3	Identify opportunities for appropriate alternative revenue streams.
Outcome Indicator	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience

BACKGROUND

The Statements of Financial Activity for the period ending 30 April 2023 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

Overall Summary of the City's Financial Position

- The City's total investments holding for April were \$188.7m of which the Municipal cash balance at the end of the month was \$45.3m and \$143.2m was held in reserve accounts, which are restricted to the defined purpose for which the reserve account was established.
- The investment in green/ethical term deposits as at 30 April was \$76.7m or 41% of total investment holdings, compared to \$79.7m (41%) in March 2023. Green/Ethical investments are invested in the three banks, in accordance with the council credit rating policy. CBA and Suncorp are unable to accept new term deposit or process rollovers of existing Green /Ethical Investments which will be withdrawn in future.
- The 2022-2023 Rates generated to 30 April totalled \$96.32m, \$0.053m higher than budgeted due to interim adjustments in respect to both Commercial and Residential improved properties.
- Total debtor collections for April 2023 equalled \$1.32m. The Rates collection target was 93.2% and the actual collection is tracking slightly higher at 94.6%, compared to 94.9% for the same period in 2021-2022. The total outstanding debtors (including all rates and sundry debtors) is \$8.11m as of 30 April 2023.

CONSIDERATION

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

1. Statement of Financial Activity by Nature and Type (Attachment 1)
Provides details on the various categories of income and expenditure.
2. Rate Setting Statement by Program (Attachment 3)
Provides details on the Program classifications.
3. Rate Setting Statement by Nature or Type (Attachment 2)
Provides details on the Nature or Type classifications.

Variances

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

- Rate Setting Statement by Nature or Type
- Statement of Variances in Excess of \$100,000

Revenue

Rates raised as at April were \$96,329,901, compared to a year to date budget of \$96,276,897. The positive variance of \$53,004 is due to interim adjustments in respect to both Commercial and Residential improved properties.

Rates Collection

SUMMARY OF RATE DEBTOR MOVEMENT					
Detail	Actuals Current Month YTD	Actuals Previous Month YTD	% Diff Current Mth to Previous Mth	Actuals This Month Last Year YTD	% Diff Current Mth to Current Mth Last Yr
Opening Balance - 1 July	5,453,565	5,453,565	0%	6,491,862	-16%
Debtors Raised	120,249,749	120,222,209	0%	118,572,902	1%
Payments Received	(118,615,521)	(117,646,623)	1%	(116,825,436)	2%
Closing Balance	7,087,793	8,029,151	-12%	8,239,329	-14%

Total rate debtor collections for the month equalled \$968,898.

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	642,878	642,878	0%	882,151	-27%
Invoices Raised	6,247,464	5,845,250	7%	5,350,828	17%
Receipts	(5,856,538)	(5,493,173)	7%	(5,442,927)	8%
Prepayments	(10,147)	(2,931)	246%	(31,468)	-68%
Closing Balance	1,023,658	992,025	3%	758,583	35%

Sundry debtor balances increased by \$31,633 over the course of April from \$992,025 to \$1,023,658 of which total 90 day sundry debtors over \$1,000 for the month is \$220,931, representing 22% of total sundry debtors.

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for April 2023.

Budget Amendments

Details of Budget Amendments requested for the month of April 2023 that reflect effective changes to budgets are shown in the attachment (Attachment 7). Budget amendments that are purely administrative and detail movements between budget responsible officers are not included in the attachment. This reporting is aligned with legislative requirements.

Variances greater than \$100,000 processed in April 2023 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.

Sundry Debtors

There were no sundry debts written off for the month of April.

Rate Debtors

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

ENGAGEMENT

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

SUSTAINABILITY IMPLICATIONS

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

LEGISLATIVE AND POLICY ALIGNMENT

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 sub-regulation (2), are to be —*
- (a) *presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

The variance adopted by the Council is 10% or \$100,000 whichever is greater.

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

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

FINANCIAL IMPLICATIONS

Variances

Variances are detailed and explained in the attachment to this report – Notes Rate Setting Statement April 2023 (Attachment 6). Notes on Statement of Variances in excess of \$100,000 by Nature or Type.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C23/42)

At 9:10pm Cr K Mair moved, seconded Cr N Pazolli

That the Council

1. **Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 30 April 2023 as detailed in the following attachments:**
 - **Statement Nature Type April 2023**
 - **Rate Setting Program April 2023**
 - **Rate Setting Nature Type April 2023**
 - **Net Working Capital April 2023**
 - **Reconciliation Net Working Capital April 2023**
 - **Notes Rate Setting Statement April 2023**
 - **Budget Amendments April 2023**
 - **Summary Rate Debtors April 2023**
 - **Rates Collection Graph April 2023**
 - **General Debtors Aged 90 Days April 2023**
2. **By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for April 2023.**

At 9:10pm the Presiding Member declared the motion.

CARRIED BY ABSOLUTE MAJORITY (11/0)

C23/43 City of Melville Complaints Management

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

COUNCIL'S ROLE

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

SUMMARY

- At the Annual General Meeting of Electors held on Monday, 6 February 2023, a motion presented by the community and supported by the meeting, requesting that the Council develop and implement Complaints and Investigations Policies and Procedures.
- The motion was considered at the 21 February 2023 Council Meeting where the motion was noted and that a future report to be presented to the Council by June 2023, considering the options for the development of a policies and procedures for the management and investigation of complaints by the Council.
- This report provides information on the City's current policy and process for managing complaints and the Council's role in setting direction and for complaint management and undertaking investigations within legislative requirements.

PURPOSE

The management of complaints within legislation is a broad and complex matter. Complaints are an important way for the City to review and improve its performance and the City has good practices and processes in place to manage complaints in accordance with policy endorsed by the Council.

This report provides information and an overview of the current policies and procedures in place for the management of complaints by the City.

CONSEQUENCE

The effective management of complaints is fundamental to the City providing quality services to its community and the City is committed to the following complaints management principles:

- complaints can be lodged without fear of retribution;
- the confidentiality and privacy of complainants will be protected;
- complaints will be assessed in a fair, objective and professional manner;
- complaints are resolved in a timely manner;
- ensure the application of natural justice; and
- integrate complaints information into business improvement processes.

In order to ensure complaints are managed in the most effective way possible, it is critical that defined processes are followed to ensure all principles are met.

STRATEGIC ALIGNMENT

Priority	3	Empower the voices of our diverse community by strengthening engagement
	P3/2	Improve the mechanisms to make information flow easier to access and share, including optimising digital communications.
Outcome Indicator	There are no applicable outcome indicators in relation to this report.	

BACKGROUND

At the Annual General Meeting of Electors held 6 February 2023, the following motion was presented and endorsed by the Community:

“GME MOTION 4

The Electors ask Council to develop and implement Complaints and Investigations policies, procedures, and other capabilities, in consultation with the community, to empower Council to accept, and/or investigate independent of the Administration, resolve and monitor and publicly report on all complaints against the Administration and the CEO in an efficient and timely manner.”

At the Ordinary Meeting of Council held 21 February 2023, the Council considered the motions presented at the Annual General Meeting of Electors and resolved the following with respect to the GME Motion 4:

“That the Council note Motion 4 as carried at the Annual Electors Meeting held 6 February 2023, relating to the Council developing and implementing Complaints and Investigations Policies, and that the CEO present a report to the Council by June 2023 considering the options for the development of a policies and procedures for the management and investigation of complaints by the Council.”

CONSIDERATION

At the August 2016 Ordinary Meeting of Council, the Council Policy CP-101 Complaints Management Policy was endorsed by the Council for implementation, with changes being made at the November 2016 Council meeting. This policy provides an efficient, effective, systematic approach to complaint management. It should be noted that CP-101 Complaints Management Policy is currently under review and will be presented to the Council for consideration in the near future.

In March 2021 new legislation, the Local Government (Model Code of Conduct) Regulations 2021, was introduced that provided mechanisms for Elected Members to consider complaints made under the Code of Conduct for Elected Members, Committee Members and Candidates. The processes and policies for managing these complaints, including the use of external assessors, have recently been endorsed by the Council and have now been implemented.

The Code of Conduct (Employees), implemented in September 2021 provides guidance for reporting breaches and misconduct associated with employees, contractors and volunteers and outlines how these matters will be managed.

The matter of the Council or a Committee of the Council has been previously researched and reported on to the Council in February 2020. On that occasion the City sought legal advice in relation to the Council being informed of and undertaking investigations in relation to complaints received. While that particular resolution was, that the Council consider establishing a sub-committee of the Governance Committee, the general advice received applies.

The Council is not the employer and cannot investigate complaints against staff. The Council can decide that a matter, (not related to a staff member or staff complaint) should be investigated and may direct the CEO accordingly. However, from the legal advice received at that time it is advised that it is not lawful and appropriate for the Council to be an investigative body, in its own right. For example, the Council has no powers to require evidence to be given or to test the veracity of evidence that is given (such as by way of requiring evidence to be on oath or affirmation, or by way of cross-examination).

The major legal obstacle to this motion is that there is no express power under the *Local Government Act* for the Council itself to undertake an investigation, or to undertake administrative functions ancillary to the undertaking of an investigation. The generally expressed powers that the Council has under the *Local Government Act* would be construed in the context of the Council's governance role and governance functions under section 2.7 of the Act – and in the context of the CEO's management role and management functions under section 5.41 of the Act.

The Council's governance role is not consistent with the Council itself undertaking an investigation into complaints made by a member of the public – particularly in circumstances where those complaints are within the jurisdiction of specialist external investigative bodies.

Should a complaint involve allegations of 'serious misconduct' against one or more City employees, the allegations are within the jurisdiction of the Public Sector Commissioner and can and should be reported to the Public Sector Commissioner under section 45E of the *Corruption Crime and Misconduct Act 2003*.

Complaints involving allegations of maladministration by the City (not necessarily involving serious or minor misconduct, but simply that the City's actions did not meet reasonable standards expected of a local government), are within the jurisdiction of the State Ombudsman and may be the subject of a complaint to the Ombudsman under section 17 of the *Parliamentary Commissioner Act 1971*.

Other external agencies with specialist investigative powers, procedures and expertise to deal with complaints, depending on their nature, include the:

- Office of the Information Commissioner;
- Building Commission;
- Office of the Auditor General;
- State Administrative Tribunal; and
- Department of Local Government, Sport and Cultural Industries.

The City could be exposed to the risk of legal challenge based, for example, on the Council (or a committee) unlawfully undertaking an investigation and/or any failure to conduct an investigation in accordance with the rules of natural justice or procedural fairness.

With respect to complaints against the CEO, this is dealt with in the current Code of Conduct (employees). It should be noted that the Code of Conduct (Employees) is currently under review and consideration will be given to the future management of complaints against the CEO.

At the Ordinary meeting of Council held 21 February 2023, a motion with Notice was presented, which sought to appoint a Committee with delegated authority to resolve a complaint from a member of the community independently. The matter was deferred from the February Council Meeting to the May 2023 meeting to enable the matter to be discussed at an Elected Members Engagement Session. This motion was again considered at the 16 May 2023 Ordinary Meeting of Council and was unsuccessful in achieving Council support.

Whilst there are very limited opportunities for the Council to become involved in complaint investigation and management, the Council's role is to set the framework, policies and reporting structures, within legislation, to ensure complaints management at the City resolves issues and strengthens the community's confidence in its administrative processes.

ENGAGEMENT

No engagement with the Community has been undertaken in regard to Motion 4 of the Annual General Meeting of Electors Meeting held 6 February 2023, or Item M23/5953 from the Ordinary Meeting of Council held 21 February 2023.

LEGISLATIVE AND POLICY ALIGNMENT

Complaints are covered by a wide range of legislation, and the current policies and processes adopted by the Council and the City operate within the legislation. Including, but not limited to:

- *Local Government Act 1995*
- *Local Government Regulations (Administration) 1996*
- *Local Government (Model Code of Conduct) Regulations 2021*
- *Fair Work Act 2009 (Cth)*
- *Public Interest Disclosure Act 2003*
- *Occupational Health and Safety Act 1984*
- *Corruption, Crime and Misconduct Act 2003*

Specific policies of the Council include:

- Code of Conduct Elected Members, Committee Members and Candidates
- Code of Conduct (Employees)
- CP-101 Complaints Management Policy
- OP-039 Complaints Management Policy

FINANCIAL IMPLICATIONS

There are no additional financial implications associated with this report. Complaint management is within operational budgets.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (C23/43)

At 9:10pm Cr T Fitzgerald moved, seconded Cr N Pazolli

That the Council note the information contained in this report in relation to the City's approach to complaint management and investigations.

At 9:10pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (11/0)

CONFIRMED

Community Development

CD23/3 Melville Bowling Club Proposal

This item was withdrawn from the agenda.

CONFIRMED

Environment and Infrastructure**E23/7 Amendment to Climate Emergency Declaration**

File Number:	
Responsible Officer:	Director Environment & Infrastructure
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	N/A
Attachments:	Nil

COUNCIL'S ROLE

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

SUMMARY

- At the Ordinary Meeting of Council held 21 June 2021, the Council declared a Climate emergency and, in part, committed to “the reduction of carbon emissions caused by the operations of the City of Melville to net zero by December 2030”.
- The City has been undertaking comprehensive Carbon accounting investigations for all of its emissions and has concluded that it will be unable to meet the organisation’s true “net zero” definition within the December 2030 timeframe.
- This report seeks Council endorsement to amend its Climate Emergency Declaration to replace the words “net zero by December 2030” with “carbon neutral by December 2030”.

OFFICER RECOMMENDATION

That the Council endorse an amendment to its Climate Emergency Declaration to commit to
“the reduction of the carbon emissions caused by the Operations of the City of
Melville to carbon neutral by December 2030.”
rather than net zero by December 2030

PURPOSE

Proposed amendment to alter the carbon emissions target for the City of Melville as an organisation from “net zero by December 2030” to “carbon neutral by December 2030”.

CONSEQUENCE

Investigations into the City’s carbon accounting arrangements has identified that the City would not be able to meet net zero by 2030 due to the specific requirements associated with a net zero status. To continue the application of this definition is not considered appropriate or achievable.

The carbon neutral definition for 2030 is achievable and considered the appropriate target for the City for 2030.

STRATEGIC ALIGNMENT

Priority	1	Ensure the improvement of sustainability of our environment
	P1/3	Advocate and utilize the Nation and State level policies to protect and enhance the biodiversity of our environment and natural assets.
Outcome Indicator	1	Clean and Green
	Goal 3	Reducing Carbon Emissions

BACKGROUND

At the Ordinary Meeting of Council held 15 June 2021, the Council declared a climate emergency and committed to achieving net zero for emissions caused by the operations of the City of Melville by 2030 and for the geographical area by 2050 as point 1 of the resolution:

“That the Council:

1. Commits to:

- declaration of a climate emergency*
- the reduction of the carbon emissions caused by the operations of the City of Melville to **net zero** by December 2030; and*
- working with the State and Federal Governments, the community and local businesses to ensure that the carbon emissions within the geographical area of the City of Melville reach net zero by 2050”*

CONSIDERATION

Since the 15 June 2021 Council resolution, officers have been implementing the declaration of a climate emergency and progressing to achieve net zero for emissions associated with the operations of the City by 2030 and for the geographical area by 2050.

Through these investigations, it has become apparent that it would be extremely difficult for the City to achieve net zero targets as an organisation by 2030 and that an alternative and widely accepted carbon neutral target would be more appropriate. The explanation below outlines the key differences between net zero and carbon neutral.

Net Zero

Under international standards (the Science Based Targets initiative <https://sciencebasedtargets.org/>), the definition of “net zero” means not offsetting more than 10% of all baseline emissions – this includes all of Scope 1, 2 and 3 emissions.

Definitions

Scope 1 emissions from burning of gas or fuel (petrol/diesel)

Scope 2 emissions from use of electricity

Scope 3 emissions resulting from assets not controlled by the City. Examples are emissions from our supply chain (supply of paper, infrastructure materials etc), outsourcing of services (asphalting, concreting etc), and electricity or gas used by community sporting groups who occupy our buildings.

There have been recent instances of company have been shown to be greenwashing the meaning of net zero, mainly through two ways:

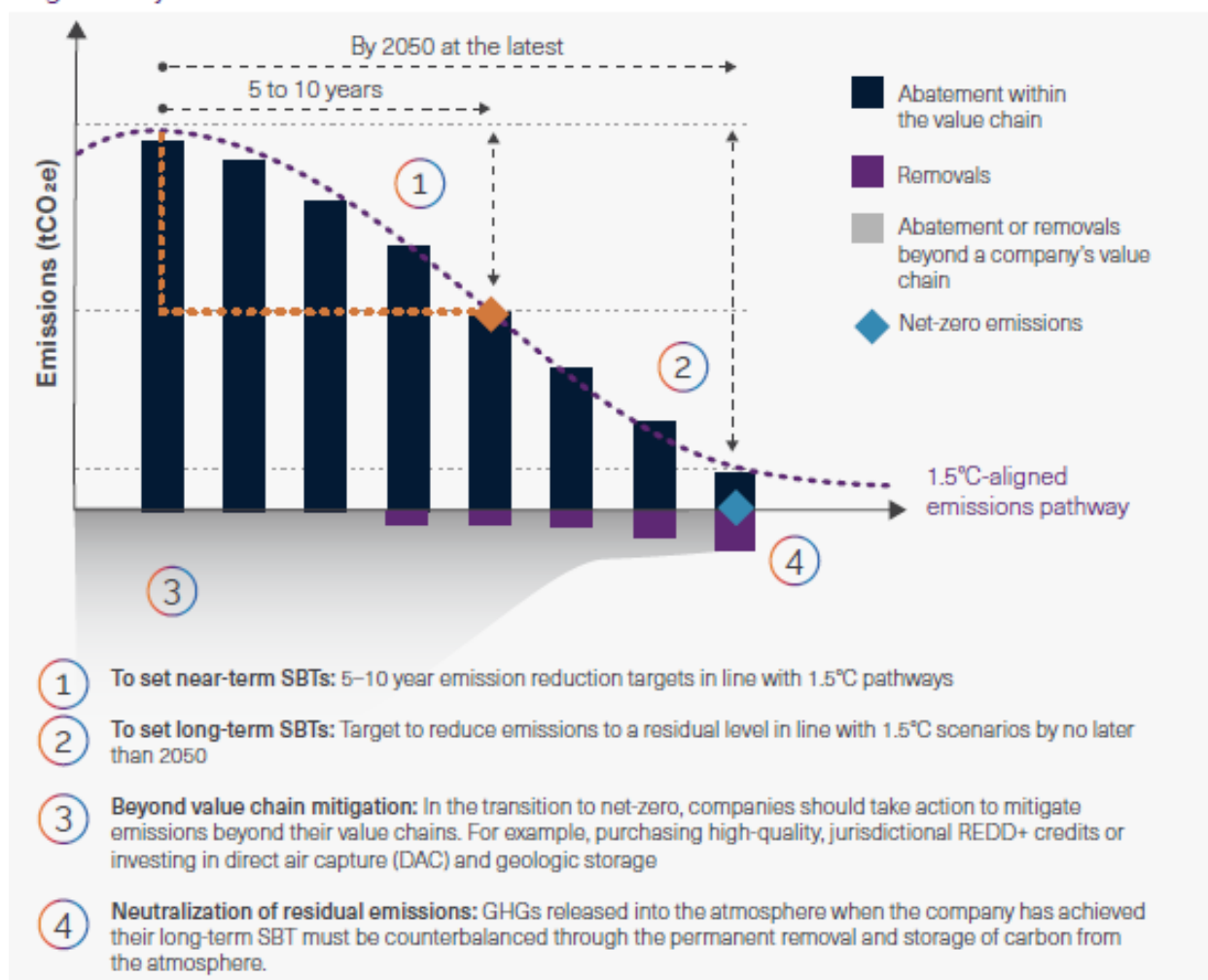
- firstly, by not including their Scope 3 or value chain emissions in their overall emissions, or

- secondly, by offsetting more than the 10% of their total baseline emissions (and these offsets may have credibility issues).

The City has been undertaking a comprehensive carbon account for all our emissions, including our Scope 3 emissions. Whilst the City has not completed the Scope 3 analysis, current indications are that Scope 3 emissions will comprise much greater than 50% of our total emissions.

The determination of Scope 3 emissions under the Science Based Targets Initiative requires a detailed breakdown and quantification of emissions over 1% of the total of Scope 1 and 2 emissions. In addition, carbon offsets must not exceed 10% of total Scope 1 and 2 emissions and must be neutralised (see example below based on 2050 target).

Figure 2 Key elements of the Net-Zero Standard



The City is confident it will be able to transition emissions associated with Scopes 1 and 2 to net zero by 2030, however it is extremely unlikely that the City will be able to meet the net zero by 2030 target for Scope 3 due to the extensive emissions in our supply chain over which the City has some influence, but not direct control.

On this basis, it is concluded that net zero is not considered achievable for the City of Melville as an organisation by 2030 and further work is required to determine if it would be achievable for the geographic region by 2050.

Carbon Neutral

The Climate Active (<https://www.climateactive.org.au/>) standard used for carbon neutral emissions targets is the most commonly applied method as it provides greater flexibility and is far less restrictive. For example, not all scope 3 emissions are required to be determined in detail as for net zero but rather by key emissions sectors. In addition, there are no limits on the amount of offsets which may be purchased for Scope 1, 2 and 3 emissions.

The Climate Active and carbon neutral methodology and target approach is considered far more practical and achievable for the City and will enable the City to focus on direct actions rather than onerous emissions quantification and analysis.

In the interests of transparency, the City proposes to use the term “carbon neutral” in place of “net zero” for the City 2030 target but maintain the term “net zero” for the community target for 2050 at this time. This approach and use of terminology used to deliver longer term (2050) emission reduction targets is in alignment with the State Government target and international targets through the Paris Agreement.

This use of the terminology will also align the 2021 Council resolution to declare a climate emergency with the Council adopted 2022 Climate Action Policy (CP-120) which already uses the carbon neutral target.

The Corporate Climate Action Plan to be submitted in mid-2023 will outline how the City will reach the carbon neutral target. The Community Climate Action Plan to be submitted in the latter part of 2023-2024 will outline the Community carbon emissions reduction actions and is currently in development with the Climate Action Reference Group (CARG). Plans for wider community consultation will be developed in the preparation of the Community Climate Action Plan.

The City will continue to be accountable for all Scope 1, 2, and 3 emissions (including all greenhouse gases) but use of the term carbon neutral would permit us to offset a greater percentage of our emissions if required. The approach is also in accordance with our Climate Action Policy (2022) and the City will be striving to use local and credible offsets.

The City is committed to reducing its total emissions as much as possible and will apply for Carbon Neutral certification under the Climate Active standard for all of our Scope 1, 2, and 3 emissions. This will be done with the understanding that the City will certify to be net zero under the Science Based Targets Initiative standards as soon as we can accurately quantify our Scope 3 emissions and are able to reduce our emissions down to 10% of the total baseline emissions.

ENGAGEMENT

This amendment has been discussed with current members of the Melville City Climate Action Network (MCCAN), who proposed the Climate Emergency Declaration that was resolved by Council in 2021, and has their support.

LEGISLATIVE AND POLICY ALIGNMENT

- Climate Action Policy (CP-120)

FINANCIAL IMPLICATIONS

The carbon neutral target approach is the least financial cost option compared to net zero target for the City as an organisation by 2030. The City will continue to review progress and determine the marginal abatement cost in its decision making process for climate action investment going forward. The City's Corporate Climate Action Plan will guide actions over the short and medium term as we approach the 2030 target. Over the longer term, the City will work in partnership with the community to achieve the 2050 net zero target as a geographic area.

OFFICER RECOMMENDATION

At 9:11pm Cr T Fitzgerald moved, seconded Cr K Mair

**That the Council endorse an amendment to its Climate Emergency Declaration to commit to
“the reduction of the carbon emissions caused by the Operations of the City of
Melville to carbon neutral by December 2030.”
rather than net zero by December 2030**

Amendment

At 9:15pm Cr J Spanbroek moved, seconded Cr D Macphail

Amend the name from “*Climate Emergency Declaration*” to “*Climate Change Declaration*”.

At 9:32pm due to a previous resolution of the Council and the requirement for a rescission motion, the Presiding Member ruled the amendment out of order.

OFFICER RECOMMENDATION

At 9:11pm Cr T Fitzgerald moved, seconded Cr K Mair

**That the Council endorse an amendment to its Climate Emergency Declaration to commit to
“the reduction of the carbon emissions caused by the Operations of the City of
Melville to carbon neutral by December 2030.”
rather than net zero by December 2030**

COUNCIL RESOLUTION**Procedural Motion**

At 9:35pm Cr M Sandford moved, seconded Cr C Ross

That the motion be put.

At 9:35pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

OFFICER RECOMMENDATION

At 9:11pm Cr T Fitzgerald moved, seconded Cr K Mair

**That the Council endorse an amendment to its Climate Emergency Declaration to commit to
“the reduction of the carbon emissions caused by the Operations of the City of
Melville to carbon neutral by December 2030.”**

rather than net zero by December 2030

At 9:36pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (11/0)

Yes (11): Crs George Gear JP, Tomas Fitzgerald, Glynis Barber, Jane Edinger, Duncan Macphail, Katy Mair, Clive Ross, Margaret Sandford, Jennifer Spanbroek, Matthew Woodall and Nicholas Pazolli

No (0): Nil

At 9:12 pm, Cr J Edinger left the meeting.

At 9:14 pm, Cr J Edinger returned to the meeting.

At 9:36pm, Cr N Robins returned to the meeting.

E23/8 Review of Verge Waste Collections

File Number:	
Responsible Officer:	Director Environment & Infrastructure
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	No Officer involved in the writing of this report has a conflict of interest.
Attachments:	1. Bulk Verge Master Report

COUNCIL'S ROLE

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

SUMMARY

- The City engaged MRA Consulting Group to assist with a review of the bulk and green waste verge collection services.
- The aim of the review is to improve this collection service and align it with a safer and best practice verge waste collection system.
- This will be achieved by recovering more recyclable materials while reducing waste to landfill, improving the amenity of the City and increasing customer service satisfaction by allowing residents to book a service at a date convenient to them.
- The Officers recommendation is for Council to support the proposed changes to the verge collection methodology from a scheduled collection to a pre-booked collection of one bulk verge and two garden organic collections per year to be introduced in January 2024.

PURPOSE

There is an opportunity to improve this collection service and align it with safer and best practice verge waste collections by recovering more recyclable materials while reducing waste to landfill, improving the amenity of the City and increasing customer service satisfaction by allowing residents to book a service at a date convenient to them. This can be achieved by transitioning to a pre-booked verge collection service for garden organics and bulk waste.

A pre-booked collection service is becoming more popular and a standard collection service across a growing number of local governments such as City of Stirling, City of Swan, City of Joondalup and all of the Western Metropolitan Regional Council members who all use a pre-booked verge collection service. The Cities of Fremantle and Cockburn are in the process of transitioning to a pre-booked verge collection system.

Data on customer feedback for those Councils currently operating a pre-booked verge collection system has shown a high level of resident satisfaction with the service.

The pre-booked collection service requires software to manage bookings to ensure they align with the most efficient collection arrangements. The City is proposing to undertake the pre-booked verge collections on the same day of the week as the kerbside collections. This will avoid confusion amongst residents.

Evidence from Councils that have introduced a pre-booked verge collection system has shown a reduction in total tonnages collected and therefore savings in transport and disposal costs.

The transition to the proposed verge collection service will be managed by continuing the current verge collection system to be delivered in 2023 (bulk verge collection from September to December 2023), with the new pre-booked service to be introduced from January 2024. The new pre-booked service is proposed to be delivered using existing verge collection resources (staff, fleet and equipment), with the introduction of an additional resource (Waste Technical Officer) to manage the booking system and customer service component.

The savings offered by the new pre-booked verge collection system are able to be used to fund the additional Waste Technical Officer (1 x FTE) and the costs associated with the booking and routing software.

CONSEQUENCE

If the City maintains a business-as-usual approach to verge collections based on suburb by suburb collections, additional budget expenditure is required for:

- increase use of labour hire.
- ongoing hire of trucks.
- ongoing use of contractor.
- an additional rear loader was truck and loader required by 2026, as well as 2 x FTE to operate (approximate cost \$750,000).

STRATEGIC ALIGNMENT

Priority	There are no applicable priorities in relation to this report.	
Outcome Indicator	1	Clean and Green
	Goal 5	Sustainable Waste Management

BACKGROUND

The City provides the scheduled collection of three garden organics verge collections between January - September and one bulk waste verge collection between September – December each year. The verge collections are based on a suburb scale operation.

The green waste or garden organics are recycled at the Resource Recovery Group (RRG) in Canning Vale and the bulk waste is pre-sorted to remove recyclable materials before being transported to a waste transfer station in Bibra Lake operated by Veolia (previously Suez). Mattresses, e-waste and whitegoods (requires degassing) are collected and recycled by a contractor Soft Landing Mattress Recycling prior to the bulk collections.

The current verge waste collection system presents a number of challenges including:

- Resident complaints regarding the mess created from rubbish in the streets and by other people dumping materials and accessing their bulk waste materials.
- Illegal dumping, particularly on verges adjacent to Council managed land.
- Excessive loads and associated increase in tonnages and disposal costs over time.
- Excessive tree and branch removal and loss of tree canopy as a result of multiple garden organics collections, particularly in relation to tree lopping contractors who promote their services in areas subject to pending verge collections.
- Increase costs and use of contractors to undertake the collections due to increasing tonnages.

CONSIDERATION

The City has identified that introducing changes to its current verge waste collection system has the potential to significantly improve the overall balance of social, environmental, amenity and financial outcomes by switching to a pre-booked verge collection system.

The MRA report provides a Consolidated Cost Model (CCM) options analysis of eight verge service options and a Multi Criteria Analysis (MCA) including consideration of social, streetscape amenity and governance factors, to compare the options to determine a preferred service option.

There are two types of collections:

- Scheduled - a collection that occurs within a set timeframe set by the City.
- Pre-booked – a collection that is booked by a resident from a selection of dates.

There are three types of collection methodologies:

1. Rear loader compaction truck – materials loaded into the compactor truck, which is the current collection method used by the City.
2. Flatbed truck - used in the Eastern States and for smaller local governments where the verge waste is loaded onto the tray of a flatbed truck.
3. Skip bins – skip bins are dropped and collected from the resident's property.

The eight verge collection service options investigated included:

- Option 1: Scheduled (4/year) rear loader compaction truck BAU (Business As Usual) and refers to the City's current scheduled collection of 1x bulk and 3x garden organic collections per year.
- Option 2: Scheduled (4/year) flatbed truck collection of 1x bulk and 3x garden organic collections per year.
- Option 3: Pre-booked (2/year) containerised (skip bins) collection of 1x bulk and 1x garden organic collections per year.
- Option 4: Pre-booked (2/year) rear loader compaction truck collection of 1x bulk and 1x garden organic collections per year.
- Option 5: Pre-booked (2/year) flatbed truck collection of 1x bulk and 1x garden organic collections per year.

- Option 6: Pre-booked (3/year) containerised (skip bins) collection of 1x bulk and 2x garden organic collections per year.
- Option 7: Pre-booked (3/year) rear loader compaction truck collection of 1x bulk and 2x garden organic collections per year.
- Option 8: Pre-booked (3/year) flatbed truck collection of 1x bulk and 2x garden organic collections per year.

The table below provides a summary of the CCM for the CCA results for the eight verge collection services investigated in the MRA report.

Option	Quantitative Analysis		Qualitative Analysis			MCA total score (%)	MCA Rank
	Total NPV (\$m)	Recovery Rate (%)	Governance / Policy Alignment	Streetscape Amenity	Social / Community Accessibility		
Criterion weighting	40%	20%	10%	10%	20%	100%	
Option 1: Scheduled (4/yr), compactor truck (BAU)	\$15.61	43%	2	1	4	70%	5
Option 2: Scheduled (4/yr), flatbed truck	\$19.49	54%	2	1	4	69%	8
Option 3: Pre-booked (2/yr), containerised (skip)	\$13.34	42%	3	4	1	70%	5
Option 4: Pre-booked (2/yr), compactor truck	\$10.57	42%	4	4	2	86%	1
Option 5: Pre-booked (2/yr), flatbed truck	\$12.45	54%	4	4	2	84%	3
Option 6: Pre-booked (3/yr), containerised (skip)	\$14.19	42%	3	3	2	70%	5
Option 7: Pre-booked (3/yr), compactor truck	\$11.42	42%	4	3	3	85%	2
Option 8: Pre-booked (3/yr), flatbed truck	\$13.31	54%	4	3	3	84%	3

The outcomes of this assessment suggested that transition to a new pre-booked system will improve services to residents, whilst reducing costs.

In assessing the options available, the following conclusions have been determined.

- Based on the assessment criteria, weightings, best practice waste management and customer service, recommend that the City transition to the second ranked service, the pre-booked service **Option 7: 1x bulk waste & 2x garden organics compactor truck** from January 2024.
- Proposed service to reduce current garden organics collections from three to two per year, rather than the proposed one garden organics collection for highest ranked **Option 4: Pre-booked service (1x bulk waste & 1x garden organics) – compactor truck**, but was not considered appropriate for the City of Melville due to the reduced level of service.
- Provide one final bulk verge collection in September to December 2023.
- Maintain the collection in-house during the implementation period (no collection contractors). This will be beneficial as it provides a more highly controlled but flexible collection by having City staff on the ground to respond to resident requests for call backs, missed collections, education on the new service and some degree of regulating of illegal dumping.

- Tender for a contractor to provide the booking and routing system and, as above, perform a comparison with purchasing and managing an in-house booking system through the new Waste Technical Officer position.
- Develop an implementation plan with extensive education and community engagement to fully engage the community in the change process.

Review service within three years post implementation will be undertaken to determine effectiveness and resourcing options.

ENGAGEMENT

City Officers are currently developing an implementation plan with extensive education and community engagement to fully engage the community in the change management process.

This comprehensive community engagement approach was adopted for the successful rollout of the FOGO 3-bin kerbside waste collection system in 2019 involving activities such as:

- Residential information sessions.
- Social and print media advertisements.
- Website updates.
- Mailouts.
- Attendance at community events.

A similar approach will be utilized, with improvements informed by customer feedback, for the introduction and operation of the pre-booked verge collection service:

- MRA Consulting Group (MRA) to review and investigate eight alternative servicing options.
- Local governments using or planning to use the pre-booked verge waste collection service.

SUSTAINABILITY IMPLICATIONS

- The pre-booked system is expected to produce less greenhouse gas emissions associated with collection and reduced landfill tonnages.
- The pre-booked systems maintain the best practice waste management system based on the waste hierarchy and closing the loop as far as practicable on resource recovery.

LEGISLATIVE AND POLICY ALIGNMENT

- Waste Avoidance and Resource Recovery Strategy 2030.
- Waste Avoidance and Resource Recovery Act 2007.
- City of Melville Waste Plan 2021-2025.
- Resource Recovery and Waste Minimisation Policy CP-036.

Current Council Policy CP-036 states that the City will comply with the following objectives:

- Conservation of and efficient use of resources;
- Providing safe and efficient waste management and resource recovery;
- Continually improve services to maximise resource recovery and encourage active community participation in waste management; and
- Compliance with regulatory requirements.

Within our operations, the City will:

- Recognise the needs of the community by providing best practice services for the management of all domestic waste generated;
- Provide a cost effective, diverse and sustainable waste collection service to encourage maximum participation in recycling and resource recovery; and
- Support a waste management hierarchy.

FINANCIAL IMPLICATIONS

The existing verge collection service has a budget of \$2,526,610 for the 2022-2023 financial year.

The additional operational costs associated with transitioning to the pre-booked verge service are \$129,000 compared to current system, with an additional \$160,000 in capital expenditure proposed for the 2023-2024 financial year based on the following:

- \$20,000 one off payment for the booking and routing software;
- \$50,000 annual fee for the use of the booking and routing software;
- \$5,000 payment (one-off) for supply and installation of hardware into collection trucks;
- \$160,000 for additional new flatbed truck to collect the fridges and mattresses. This will replace the current recycling contractor whose charges have escalated significantly over recent years;
- \$4,000 one off payment for gas reclaimant system, to degas fridges to mitigate contractor costs of \$8,000 per year; and
- Additional resource to manage booking and routing system – Waste Technical Officer (\$50,000 for 0.5 FTE).

Ongoing costs and savings:

- \$50,000 annual fee for the use of the software;
- Reduction in tonnages and therefore disposal fees per year – to be quantified over the transition phase and operational phase, but expected to be 10-20%; and
- Reduction in operational expenditure due to no labour hire, contractor costs or fleet hire charges per year.

The table below compares the current verge collection costs with the transition year (2023-2024) and full operational year (2024-2025), which identifies a \$142,500 annual operational saving. There is an additional capital cost for the flat bed truck (\$165,000), however this is offset by not having to purchase a new waste truck and loader and to employ 2 x FTE (total cost \$750,000) in 2026 under the current verge collection system.

Verge Collections - Operational	Budget
2022-2023 Scheduled Collection	\$2,526,610
2023-2024 Scheduled Sep-Dec 2023 + Pre-Booked Jan 2024 onwards	\$2,655,610
2024-2025 Year 1 Pre-Booked	\$2,384,110
Annual Savings (Scheduled vs Pre-booked Year 1)	\$142,500*

- ***Note the saving is considered conservative and has not factored in landfill disposal costs associated with reduced tonnages***

Changing the collection methodologies will have positive environmental implications since it supports best practice waste management with an increase resource recovery and minimising waste to landfill.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (E23/8)

At 9:37pm Cr T Fitzgerald moved, seconded Cr K Mair

That the Council supports the proposed changes to the verge collection methodology from a scheduled collection to a pre-booked collection of one bulk waste and two garden organics collection service to commence in 2024.

At 9:37pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

E23/9 Melville Bird Sanctuary Boundaries

This item has been brought forward for the convenience of those in the gallery – see page 19.

CONFIRMED

Urban Planning**UP23/13 Review of Local Planning Policy 1.2 - Design Review Panels**

File Number:	
Responsible Officer:	Director Urban Planning
Voting Requirements:	Simple Majority
Officer Disclosure of Interest:	None
Application Number:	N/A
Applicant:	N/A
Owner:	N/A
Proposal:	Review of Local Planning Policy 1.2 Design Review Panel
Attachments:	<ol style="list-style-type: none"> 1. Department of Planning, Lands and Heritage Advice ↴ 2. LPP1.2 Design Review Panel with tracked changes for endorsement ↴

COUNCIL'S ROLE

Legislative: Includes adopting local laws, town planning schemes & policies.

SUMMARY

1. At the February 2023 Ordinary Council Meeting (OMC), Elected Members resolved to endorse changes to Local Planning Policy 1.2 – Design Review Panel (LPP1.2) for public comment.
2. The LPP1.2 was advertised between 23 March and 14 April 2023. No comments were received.
3. The City of Melville (City) gave notice of the proposed changes to the Department of Planning Lands and Heritage (DPLH) as required by the Planning and Development (Local Planning Schemes) Regulations 2015.
4. The DPLH has provided advice that aspects of proposed LPP1.2 are inconsistent with State Planning Policy 7.0 and has recommended the Council does not proceed with the adoption.
5. It's recommended that Council adopt the recommended changes presented in December 2022.

PURPOSE

The purpose of this report is for Council to consider modifications to LPP1.2.

The review includes but is not limited to:

1. Clarification of the scope to confirm the policy applies across the whole of the City including the Canning Bridge Activity Centre Plan area.
2. To increase the number of panel members to 10 to enable the City to appoint a member of the State Design Review Panel for the duration of a project when required.
3. To confirm the Design Review Panel (Panel) will operate in accordance with the State Government's Design Review Guide and associated Model Terms of Reference.

The adoption of the recommended changes to LPP1.2 will allow the City to begin an Expressions of Interest (EOI) process. The EOI process and subsequent appointment of members will ensure the City's Panel continues to provide high quality design advice to applicants and the City.

CONSEQUENCE

In accordance with the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, a local planning policy must be based on sound town planning principles. The proposed changes to LPP1.2 were endorsed for advertising by Council at the February 2023 OMC.

Based on advice from the DPLH, these changes are inconsistent with State Planning Policy 7.0 Design of the Built Environment (SPP7.0) and therefore do not meet this test. If Council choose to adopt LPP1.2 in accordance with the February 2023 OMC, this may pose issues as it would be acting contrary to State Government agency advice.

State Government agency advice in relation to planning and development processes are an important consideration for Council, this is especially relevant where local and state government assessment processes interact (i.e. Panel advice to Joint Development Assessment Panels [JDAP]).

The attached advice from the DPLH outlines the risks involved in appointing a community representative to the Panel. The key risk outlined by DPLH is outlined as follows:

'..erosion in the quality and relevance of design review advice from the City's DRP.'

The advertised changes have the potential to reduce the value of the design review process which may lead to deficiencies in design outcomes.

The recommended changes proposed as part of the December 2022 OMC report are consistent with the advice provided by DPLH. These changes ensure the Panel operates in accordance with the procedures established by the State Government. The changes also add flexibility to the DRP to avoid conflicts of interest and ensure the relevant expertise is available.

STRATEGIC ALIGNMENT

Priority	2	Improve the approach for diverse and sustainable urban development and infrastructure
	P2/4	Enhance regulatory and approval frameworks to ensure sustainable building infrastructure.
Outcome Indicator	1	Clean and Green
	Goal 2	Promoting Sustainable Environment
	2	Growth and Prosperity
	Goal 1	Achieve Economic Resilience
	3	Healthy Lifestyles
	Goal 1	A Safe and Healthy Urban Environment
	4	Safe and Secure

	Goal 7 Safe and Secure Places and Environment
6	Sustainable and Connected Transport
Goal 5	Prioritizing Urban Development Near Transport Nodes and In Activity Centres

BACKGROUND

Recommended changes to LPP1.2 were first presented to Council at an Elected Members Engagement Session (EMES) in September 2022 and a report was provided to the November 2022 Ordinary Meeting of Council (OMC). The November 2022 report outlines the history of the Panel in the City and the process which was undertaken to establish the Canning Bridge Design Review Panel in 2016.

At the OMC in November 2022, the Council resolved to defer consideration of the policy to enable the City to provide further information. This additional information was provided to Elected Members through an advice note which was presented to the December 2022 OMC.

This advice was considered by the Council and it was resolved to make modification to LPP1.2.

The modified version of LPP1.2 is consistent with these changes was presented to the February 2023 OMC where Council resolved to:

1. Endorse the Draft Local Planning Policy 1.2 as modified for advertising for a minimum of 21 days, and forwarding to the Western Australian Planning Commission, in accordance with the Planning and Development (Local Planning Schemes) Regulations; and
2. Notes that a further report will be presented to Council at the conclusion of the advertising period to review any submissions received and to consider any response from the Western Australian Planning Commission.

CONSIDERATION

Based on advice from the DPLH, the advertised changes that were resolved by the Council are inconsistent with SPP7.0. If Council choose to adopt LPP1.2 in accordance with the February 2023 resolution, this may pose issues as the Council would be acting contrary to State Government agency advice. SPP7.0 guides the composition and operation of Panels. In view of that and given the LPP was drafted to require community membership on the Panel, draft LPP1.2 was referred to the DPLH for comment. As outlined in its referral advice, the DPLH recommends that the Council does not proceed with the changes to LPP1.2 as resolved by Council.

Through Council's consideration of changes to LPP1.2, Elected Members expressed that the Panel would benefit from community representation on the Panel. Elected members have expressed the view that the inclusion of a community member on the panel will align development proposals better with community expectations. Advice from DPLH has been that this should not form the basis of panel membership.

The Panel is not a decision maker but does provide the City and ultimately the decision maker advice in relation to the design quality of a building in accordance with the Panel assessment framework. This advice is taken into consideration as a part of the assessment process, which weighs up a range of matters including the relevant provisions of the planning framework and the results of community engagement.

Panels with relevant expertise adds value to the development assessment process particularly where an applicant and owner is open to the advice being given and responds positively in terms of reviewing their proposed building designs.

In a recent case, a multiple dwelling development was presented to the Panel for advice prior to formal lodgement. This development was largely compliant with the planning framework for the area, except for building height. Notwithstanding its compliance, the development had design deficiencies in the following areas:

1. It proposed a poor interface with the street.
2. Had limited information in relation to environmental considerations.
3. Provided limited opportunities for onsite landscaping.
4. The layout created poor internal amenity for future residents.

The design was not supported by the Panel and a number of opportunities for improvement were identified. A modified proposal was lodged with the City and presented back to the Panel for review. While the Panel acknowledged that improvements to the design had been made, it did not support the proposal for several reasons including the overall height and design quality.

In response, the applicant made further changes, including a reduction in height, an increase in landscaped space, provided detail in relation to environmental sustainability and the provision of improved dwelling layouts. These were presented to a third Panel meeting at which time the revised details were supported by the Panel. The applicant and landowner expressed their satisfaction in relation to the design review process, considering that it has resulted in a building which provides high levels of internal amenity, the greening of this site including space for tree canopy and a better streetscape presence. This recent example is just one of many where the Panel using their collective design expertise, have had a positive influence on the design outcome of developments.

The input of the design professionals on the Panel is reflected by their qualifications, experience, and professional standing within the industry. Notwithstanding this, the City notes Council's desire to ensure community input is reflected in the design of major developments in the City. As a compromise and to ensure conformity with SPP7.0 it is recommended that modifications be made to LPP1.2 that seeks to ensure at least one professional panel member is a resident of the City. The City has a broad cross-section of professionals represented in its community. While the City cannot guarantee a local professional panel member, as it would be up to those professionals if they wanted to apply, the City's staff are aware of numerous local professionals that could be considered as panel members.

ENGAGEMENT

The proposed changes to LPP 1.2 were advertised via an advertisement in the local paper as well as on Melville Talks. No public submission were received during the advertising period.

The proposed changes to LPP1.2 were referred to the DPLH given its relationship with SPP7.0. The DPLH has provided advice that aspects of LPP1.2 are inconsistent with SPP7.0.

SUSTAINABILITY IMPLICATIONS

There are no sustainability implications in relation to this policy change.

LEGISLATIVE AND POLICY ALIGNMENT

The proposed changes to LPP1.2 were referred to DPLH. The DPLH has provided advice that aspects of proposed LPP1.2 are inconsistent with SPP7.0. State Government agency advice in relation to planning and development processes are an important consideration for Council, this is particularly relevant where local and state government assessment processes interact (i.e. Panel advice to JDAP).

FINANCIAL IMPLICATIONS

The City allocates a budget of \$30,000 per year for the administration of the Panel. In the 2022/2023 financial year to date, approximately \$15,000 has been spent administering the Panel.

The changes to LPP1.2 endorsed by Council were advertised in the local newspaper at the same time as Local Planning Policy 1.17 Additional Development Exemptions and Local Planning Policy 1.3 Waste and Recyclables Collection for Multiple Dwellings, Mixed Use and Non-Residential Development. The cost of that was approximately \$1,000.

Once the changes to LPP1.2 are adopted, the City will undertake an Expressions of Interest process jointly with the City of South Perth. The EOI process will be advertised in the local paper as well as on line. The costs associated with this have been budgeted for.

OFFICER RECOMMENDATION

At 9:38pm Cr K Mair moved

That Council adopts Local Planning Policy 1.2 Design Review Panel as modified and notification of this is made public in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

At 9:38pm the Presiding Member declared the motion

LAPSED FOR WANT OF A SECONDER

ALTERNATIVE MOTION (UP23/13)

At 9:38pm Cr T Fitzgerald moved, seconder Cr N Pazolli

That the Council:**1. Adopts Local Planning Policy 1.2 Design Review Panel subject to the following modifications:****a) Modification to Clause 2.1 to read as follows:**

“The Panel will comprise a maximum of up to ten members including:

- i. Six design professionals,*
- ii. One community representative; and,*
- iii. At least one academic from a field relevant to the built environment.*

Appointed by the Chief Executive Officer to fulfill the requirements outlined in this Policy. There is a preference that panel members are residents of the City of Melville.”

b) Insert new Clause 2.5 to read as follows:

“In regard to the appointment of a community representative and academic, the City may request the members attend relevant training by a reputable industry body in planning and/or design review processes to assist with undertaking the functions and duties associated with the role.”

2. Request the Chief Executive Officer vacate all positions of the existing panel and commence an Expressions of Interest process.

At 9:41pm the Presiding Member declared the motion.

CARRIED UNANIMOUSLY (12/0)

Reasons for the Alternative Motion as provided by Cr T Fitzgerald

- 1. It's important that varying views are expressed as part of the design review processes.
- 2. Community views on design are relevant considerations as part of the design review process.
- 3. Academics have significant research experience which will assist with the design review process.

UP23/14 Additions to the City's Local Heritage Survey

This item has been brought forward for the convenience of those in the gallery – see page 32.

CONFIRMED

**UP23/15 Proposed Six Storey (Plus Basement) Apartment No.S 82A & 82B (Lots 1 & 2)
Macleod Road, Applecross**

This item has been brought forward for the convenience of those in the gallery – see page 27.

CONFIRMED

15 MOTIONS WITH PREVIOUS NOTICE

15.1 Motion with Notice - Public Open Space Investigation

THIS ITEM HAS BEEN BROUGHT FORWARD FOR THE CONVENIENCE OF THOSE IN THE GALLERY – SEE PAGE 40.

16 MOTIONS WITHOUT PREVIOUS NOTICE (APPROVAL BY ABSOLUTE MAJORITY)

Nil

17 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC

Nil

18 DECISION MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

Nil

19 CLOSURE

There being no further business to discuss, the Presiding Member confirmed that Cr M Woodall was still in attendance electronically, and declared the meeting closed at 9:43pm.



City of
Melville

City of Melville Statutory Delegation and Authorisation Manual

Including Registers of Delegations

20232-20243

**To search for a particular delegation, use
CTRL+F on your keyboard to open the
Find function.**

Updated 20 ~~September-June~~ 20232

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Part 1 - Introduction

CONFIRMED

Part 1 - Introduction

1.1 - Structure of this Document

Part 1 provides general background to delegations and authorisations in the City of Melville, including the statutory context.

Parts 2 and 3 comprise the City's Register of Delegations as required by section 5.46 of the *Local Government Act 1995*, section 47 of the *Cat Act 2011*, section 10AB of the *Dog Act 1976*, and Clause 84 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Part 2 contains instruments of delegation from the Council to the CEO. -These instruments include sub-delegations from the CEO to other employees where relevant. -Each Division under this Part deals with a specific primary statute, and the specific enabling provisions and any limitations or conditions on the power of delegation are described at the beginning of the division.

Part 3 contains delegations from the CEO to employees of powers and duties assigned to the CEO by legislation. -All current CEO delegations are made under the *Local Government Act 1995* section 5.44. -This part excludes sub-delegations from the CEO to other officers of delegated powers, which are included in the instrument of delegation from Council listed in Part 2.

Part 4 contains statutory authorisations and appointments by the Council relating to the CEO or any other officer. -Currently Council has made an authorisation under the *Local Government Act 1995* and an appointment under the *Health (Miscellaneous Provisions) Act 1911*. -Each Division under this Part deals with a specific primary statute. -The specific enabling provisions and any limitations or conditions on the authorisation power are described at the beginning of each division.

Part 5 lists delegations and authorisations granted to the local government, the CEO or to specified local government employees by State agencies that are primarily responsible for assisting in the administration of the relevant legislation. -These delegations may contain conditions regarding the officers who may exercise the delegation. -The officers or classes of officers who have been allocated responsibility for the exercise of the delegated or authorised functions are listed below the copy of the instrument of delegation or authorisation.

Part 6 provides guidance notes for the use of delegations and authorisations.

1.2 - Background

Council is responsible for the overall government of the City's affairs and the performance of the City's functions. The CEO is responsible, among other functions, for the management of the ~~day-to-day~~ administration of the operations of the City, including the management of other employees, for advising Council and for implementing the decisions of Council.

Legislation applicable to local government may reserve specific powers and duties to the Council, the CEO or a defined authorised person or class of persons. -Where legislation grants a power or imposes a duty on ~~"local government"~~, this is conventionally interpreted to mean the Council unless otherwise specified even if the power or duty is operational in nature.

Part 1 - Introduction

The functions and powers allocated to local governments by legislation are so many and so diverse that it would be unrealistic to expect any Council to make every discretionary decision itself. -The business of local government could not be carried out under such conditions.

Where permitted by legislation, delegation of authority is a practical and prudent mechanism to facilitate timely decisions within legislative constraints and to ensure decisions are made lawfully by a delegate with appropriate technical expertise or experience. -Delegations are made by the Council where permitted under relevant legislation in order to enable the efficient and orderly governance of the City. -Under some legislation, the CEO may also delegate statutory or delegated powers to another person.

Safeguards may be incorporated into delegations such as limiting the circumstances in which a delegation can be exercised or imposing financial or other limits to the delegated power.

The delegation of a power or duty does not preclude a delegator from exercising or performing that power or duty itself or by acting through any employee authorised, by job description or otherwise, to carry out a function as the agent of, and on behalf of, the local government in accordance with approved policies.

A person granted a delegation is not obliged to exercise the delegated power and may, if circumstances indicate, refer the decision back to the delegator.

Legislation varies in how delegation of authority is provided for, including limitations, conditions and reporting or review requirements. -Reviews of delegations, where required by law, are the responsibility of the delegator.

Under the *Local Government Act 1995* and some other legislation, persons affected by specified decisions made under delegated authority have a right under Part 9 Division 1 of the *Local Government Act 1995* to lodge an objection to the decision, which must be considered by Council, and/or to seek a review of the decision by the State Administrative Tribunal.

1.3 - Legislated Register of Delegations

Section 5.46 of the *Local Government Act 1995* requires:

- (1) The CEO to keep a register of the delegations made to the CEO and to employees under Part 5 Division 4 of that Act;
- (2) Delegations made under Part 5 Division 4 of that Act to be reviewed by the delegator at least once every financial year; and
- (3) Every person to whom a power or duty is delegated under that Act to keep prescribed records in relation to the exercise of the delegated authority.

Similar requirements apply to delegations under the *Cat Act 2011*, *Dog Act 1976* and *Planning and Development Act 2005*.

Other Acts conferring powers and duties on local governments do not specify such requirements for recording and review, but for the purposes of consistency and convenience, all delegations are listed in this register.

1.4 - Statutory Delegation by Local Governments

Delegation provisions in legislation are generally stated in the form “a local government may delegate to [specified delegate(s)] its powers and duties under this Act”. Sometimes the delegation power may relate only to a part of the Act and sometimes it may refer to “functions”. Under the *Interpretation Act 1984*, a “function” includes powers, duties, responsibilities, authorities and jurisdictions.

A Council delegation is unnecessary where the legislation has conferred a specified function or power directly on the CEO or on another defined class of authorised persons. Section 50(1) of the *Interpretation Act 1984* specifies that “Where a written law confers upon a person power to do or enforce the doing of any act or thing, all such powers shall also be deemed to be conferred on the person as are reasonably necessary to enable him to do or to enforce the doing of the act or thing.”

Delegations are therefore restricted to the statutory powers, duties and functions explicitly conferred or imposed on the delegator by legislation, and are often referred to as statutory delegations. Broadly, sections 58 and 59 of the *Interpretation Act 1984* provide for how delegations are to be made and exercised.

Delegation is appropriate for functions requiring the broad exercise of independent discretion in decision-making. A delegate is not expected to seek approval for their decisions under delegation. Section 58 of the *Interpretation Act 1984* clarifies this independence:

“Where under a written law the performance of a function by a person is dependent upon the opinion, belief, or state of mind of that person in relation to a matter and that function has been delegated under a written law, the function may be performed by the delegate upon the opinion, belief, or state of mind of the delegate in relation to that matter.”

This does not preclude the use of policies that guide decision-making to ensure consistency and alignment with certain principles and outcomes.

Section 59 of the *Interpretation Act 1984* states that “where a written law confers power upon a person to delegate the exercise of any power or the performance of any duty conferred or imposed upon him under a written law... such a delegation may be made to a specified person or to persons of a specified class, or may be made to the holder or holders for the time being of a specified office or class of office.”

It is more efficient and effective to delegate to positions rather than individuals so that anyone appointed to or acting in that position may undertake the functions/duties or exercise the powers without a new delegation being required.

Some legislation may restrict the local government to delegating a power or function only to the local government CEO, although some Acts provide for the local government to delegate to persons other than the CEO, such as other local government employees or committees. The CEO may further delegate those powers to other officers only if sub-delegation is permitted by the legislation.

Delegations are required to be made in writing, and for Council delegations, this normally takes the form of a resolution that is recorded in the Council Minutes. The City has adopted a standard form for instruments of delegation that also provides for recording sub-delegations, specifying recordkeeping obligations, and listing relevant policies and legislation to guide the delegates in exercising the delegated authority.

Under the *Local Government Act 1995*, *Cat Act 2011*, *Dog Act 1976*, *Graffiti Vandalism Act 2016* and *Planning and Development (Local Planning Schemes) Regulations 2015*,

delegations by Council must be made by absolute majority resolution. Other legislation does not require an absolute majority to grant, amend or revoke a delegation by Council.

Under ~~section~~ 5.71 of the *Local Government Act 1995*, an employee may not exercise a delegated power or discharge a delegated duty if they have a financial interest in the matter. Non-financial interests must be declared and managed.

A person who holds delegated powers or duties under Part 5 Division 4 of the Local Government Act is classified as a designated employee and a relevant person for the purposes of lodging primary and annual returns under sections 5.75 and 5.76. -The [Local Government Operational Guideline on Primary and Annual Returns](#) specifies that if a designated employee ceases to hold that position within three months of the start date, no primary return is required. ~~Short term~~ **Short-term** acting arrangements in a position holding relevant delegations therefore may not trigger a requirement for a primary return, but acting arrangements exceeding three months will do so.

Further information on delegations in local government can be found in the [Local Government Operational Guideline on Delegations](#).

1.5 - Alternatives to Delegation: Appointments, Authorisation and Acting Through

1.5.1 Appointments

Some legislation, particularly that with a strong enforcement element, provides for the local government (or its delegate) to appoint authorised persons to undertake certain functions and duties, and to exercise powers, that are imposed or conferred on authorised persons by that legislation. -They may also be called authorised officers, or approved officers, or designated officers, or a legislation-specific term. -Once appointed under a specific Act, an authorised person does not need any further delegation to exercise the powers conferred on authorised persons by that legislation.

Section 26 of the *Health (Miscellaneous Provisions) Act 1911* is a special case in that it provides for the local government to appoint and authorise a person to be its deputy to exercise the powers and perform the functions of the local government under that Act and the regulations and local laws made under it. -The Act does not grant local governments a delegation power but in practice the role of a deputy is equivalent to that of a delegate.

1.5.2 Authorisation

Some legislative provisions may specify that a power may be exercised or a function performed only by a person specifically authorised to do so by the local government. -While the power to authorise a person may be delegated, this authorisation is not itself a delegation. -The person authorised acts as an agent of the local government within operational parameters such as a policy, procedure or work instruction and may be required to seek approval for their decisions.

Where a power is required under the Act to be exercised by a person authorised to do so, an authorisation rather than a delegation is required. -The Council may authorise specified persons directly or delegate the power to the CEO to authorise persons to perform functions. Authorisation is usually granted to position titles and anyone employed or acting in that position may exercise the authorisation.

Part 1 - Introduction

One example of authorisation is section 9.49A of the *Local Government Act 1995*, which provides for a local government, by resolution, to authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government.

CONFIRMED

1.5.3 Acting Through

Section 5.45(2) of the *Local Government Act 1995* clarifies that regardless of delegations in place, a local government may perform any of its functions by acting through a person other than the CEO, and ~~that~~ the CEO may perform any of their functions by acting through another person.

[Operational Guideline 17 – Delegations](#), published by the Department of Local Government, Sport and Cultural Industries, provides guidance as to when delegation is appropriate and when a function may be effectively undertaken by acting through ~~appropriately~~ authorised employees.

The *Local Government Act 1995* does not define “acting through”, but generally where the legislation provides little or no discretion in carrying out a function or duty, then the function or duty may be undertaken by the local government acting through an employee operating in the normal course of their duties. For example, the legislation may state that a local government “must” or “shall” do or not do something under specified circumstances, or set out clear rules about how or when something must be done.

Conversely, where the legislation states the local government “may” do something and allows for substantial discretion on the part of the decision maker, particularly if the decision will have a significant impact on the City or on the person affected, the function must be:

- delegated; ~~or~~
- where specified in the legislation, undertaken by a person authorised to exercise the power or undertake the function within specified parameters; or
- be subject to a formal policy and/or procedure that provides sufficient control and accountability about how the decisions are made by officers required to administer the function as part of their normal duties.

Where considered appropriate and effective in operation, Council may approve policies about particular functions of the local government. This may remove the need for a delegation as it is the role of the organisation to implement the Council’s policies. The CEO has explicit authority to implement the City’s decisions through the relevant employees.

“Acting through” may better suit certain operational processes, reduce additional recording and reduce reporting requirements compared with the exercise of delegated authority.

1.6 - Statutory Delegations and Authorisations by External Agencies

Some powers and duties exercised or discharged by the City may be a result of delegation by a State authority or public officer, generally the CEO of the department or statutory officer responsible for assisting the responsible minister in the administration of a specific Act.

Such delegations may be to the local government, or to the local government CEO or to specified officers or classes of officers in local governments. None of the State delegations currently held by the City provide for sub-delegation.

A State agency exercising a power or discharging a duty under a statute may also authorise a local government to undertake specified functions under legislation for which it has responsibility.

Part 1 - Introduction

Currently, the City or its officers hold delegated authority or authorisations from the CEO of the Department of Water and Environmental Regulation, the Western Australian Planning Commission and the Commissioner of Main Roads.

CONFIRMED

Part 2 - Register of Statutory Delegations by Council

Previously reviewed in accordance with *Local Government Act 1995* section 5.46(2), *Cat Act 2011* section 47(2), *Dog Act 1976* section 10AB(2) and *Planning and Development (Local Planning Scheme) Regulations 2015* clause 84:

Ordinary Meeting of Council	21 June 2011	C/11/5187
Ordinary Meeting of Council	17 April 2012	C/12/5217
Ordinary Meeting of Council	21 May 2013	C/13/5291
Ordinary Meeting of Council	17 June 2014	M14/5369
Ordinary Meeting of Council	12 May 2015	M15/5418
Ordinary Meeting of Council	17 May 2016	M16/5477
Ordinary Meeting of Council	16 May 2017	M17/5549
Ordinary Meeting of Council	19 June 2018	M18/5618
Ordinary Meeting of Council	18 June 2019-	M19/5691
Ordinary Meeting of Council	16 June 2020	M20/5749
Ordinary Meeting of Council	15 June 2021	M21/5842
Ordinary Meeting of Council	19 July 2022	M22/5920
	Ordinary Meeting of Council	20 June
2023	TBC	

Division 1 - Local Government Act 1995 and Regulations and Local Laws

2.1.1 Enabling legislative provisions

Council may delegate to:

- a) A committee ([section -5.16\(1\)](#))
 - i) Comprising council members and employees – only powers and duties that may be delegated to the CEO ([section -5.17\(b\)](#)); or
 - ii) Including people who are neither council members nor employees, as described in [section -5.9\(c\)](#), (d) and (e) – only powers and duties related to management of the property or events in which the committee is involved ([section -5.17\(c\)](#)).
- b) The CEO ([section -5.42 \(1\)\(a\)](#) – all powers and duties of the local government under the Act except those listed in [section -5.43](#) or prescribed by regulations.

2.1.2 Matters that may not be delegated

1) To committees:

- a) Comprising council members only – no power or duty that requires an absolute majority decision or that is prescribed ([section -5.17\(a\)](#)); and
- b) If the committee contains no members who are council members or employees, then no delegation is permitted ([section -5.17\(d\)](#)).

2) To the CEO:

Section 5.43 of the Act states that a local government cannot delegate to a CEO any of the following powers and 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;
- (c) Appointing an auditor;
- (d) Acquiring or disposing of any property valued at an amount exceeding that determined by the local government;
- (e) Any of the local government's powers under [sections 5.98, 5.98A, 5.99A, 5.99 and 5.100](#) of the Act (fees, allowances and payments to Council members);
- (f) Borrowing money on behalf of the local government;
- (g) Hearing or determining an objection of a kind referred to in [section 9.5](#) (objection to certain local government decisions);
- (ha) The power under [section 9.49A\(4\)](#) to authorise the CEO, another employee or an agent to sign documents on behalf of the local government;
- (h) Any power or duty that requires the approval of the Minister or Governor; or
- (i) Such other duties or powers that may be prescribed by regulation.

With respect to the last point (i) above:

1. Regulation 18G of the *Local Government (Administration) Regulations 1996* prohibits the delegation to a CEO of the powers and duties under:
 - (a) Sections 7.12(a), 7.12A(3)(a) and 7.12A(4) of the *Local Government Act 1995* (relating to meetings with auditors); and
 - (b) Regulations 18C and 18D (relating to the selection and appointment of CEO's and reviews of their performance).
2. Regulation 6 of the *Local Government (Financial Management) Regulations 1996* prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

2.1.3 Sub-delegation

1. The CEO may delegate to any employee a power or duty that has been delegated to the CEO under [section -5.42](#) ([section -5.44\(1\)](#) and (3)).
2. A delegation must be made in writing ([section -5.44\(2\)](#)) and is subject to any conditions imposed by the local government on its delegation to the CEO ([section -5.44\(3\)](#)).
3. The CEO may impose further conditions on a delegation that is sub-delegated ([section -5.44\(4\)](#)).

2.1.4 Making delegations

1. An absolute majority decision of Council is required to delegate powers and duties to the CEO ([section -5.42\(1\)](#)).
2. A delegation made under [section -5.42](#) must be in writing and can be general or as otherwise provided ([s.5.42\(2\)](#)).
3. A delegation has effect indefinitely unless otherwise specified in the delegation ([section -5.45\(1\)\(a\)](#)).
4. Any decision to amend or revoke a delegation made by a local government is to be by an absolute majority decision ([section -5.45\(1\)\(b\)](#)).

2.1.5 Recording and Review Obligations

1. The CEO to keep a register of the delegations made under Part 5 Division 4 to the CEO and to employees ([section -5.46\(1\)](#)).
2. At least once every financial year delegations made under Part 5 Division 4 are to be reviewed by the delegator ([section -5.46\(2\)](#)).
3. Every person to whom a power or duty is delegated under the *Local Government Act 1995* is to keep records in accordance with the *Local Government (Administration) Regulations 1996* in relation to the exercise of the power or discharge of the duty ([section -5.46\(3\)](#)).

Regulation 19 of the *Local Government (Administration) Regulations 1996* specifies that where a power or duty has been delegated under the *Local Government Act 1995* to the CEO or any other employee, the person to whom the power or duty has been delegated must keep a written record of:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

2.1.6 Other obligations on delegates

Under [section -5.71](#), an employee who has been delegated a power or duty under Part 5 Division 4 relating to a matter, must not exercise that power or discharge that duty if they have an interest in the matter as defined in [sections -5.60A](#) or [5.60B](#), and must disclose the nature of the interest to the Mayor (if the CEO) or to the CEO (any other employee).

Employees holding delegated authority (including sub-delegations) under Part 5 Division 4 of the *Local Government Act 1995* must lodge a primary financial return under [section -5.75](#) of the Act within three months of receiving the delegation and must thereafter, while holding the delegated authority, lodge an annual return under [section -5.76](#) of the Act.

DA-006 Unvested Facilities in Two or More Districts

Delegator: -Council Process Owner: CEO		Delegation: No. DA – 006 Last Review Date: 19 July 2022 20 June 2023
Description	Authority to agree on the control and management of an unvested facility if it lies within two or more Local Government districts.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.53: -Control of certain unvested facilities	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: -Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: -CEO may delegate powers and duties to other employees	
Sub Delegated to:	None	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Property/Land Administration 5.48 6D COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council 15 May 2007 — C07/5007	
Substantive Amendments	Ordinary Meeting of Council 16 June 2020 — M20/5749 Amended title to clarify function.	

DA-007 Leasing/Licensing of Property

Delegator: — Council Process Owner: Director Corporate Services		Delegation: No. DA – 007 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to: <ul style="list-style-type: none"> Dispose of property by way of lease/licence or hire agreement including to advertise disposal in accordance with section 3.58 of the Act; and Negotiate, execute and administer lease and other contractual documents for the purposes of a lease, licence or hire agreement, including assignment, extension and renewal. 	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.58(2) and (3) : –Disposing of property	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42 : –Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44 : –CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> Director Corporate Services (any lease/ licence) Director Community Development (restricted to leases and management licences with community, and sporting groups, and with government agencies, artists and cultural organisations, and to commercial parking leases) 	
Conditions on Delegation/Sub Delegation	Delegation to CEO limited to disposal of an interest in land/property by leasehold or licence or a hire agreement to an annual property rental value of \$100,000 per annum (excl. GST) and a maximum lease term of ten years. Sub-delegation is limited to disposal of property by way of lease/licence or hire agreement to a value of \$50,000 per annum (excl. GST) and a maximum term of five years.	
Compliance links	<i>Local Government (Functions & General) Regulations 1996</i> Regulation 30 : Dispositions of property with market value less than \$20,000 excluded from section 3.58 of Act. <i>Property Law Act 1969</i> <i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i>	
Policy Reference	CP-005 – Land and Property Retention, Disposal and Acquisition Related Delegation: DA-008 Disposition of Land and Other Assets	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: PROPERTY MANAGEMENT – Leases-Licences-Agreements-Contracts 22.07 7D COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — C07/5007	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to incorporate delegations previously recorded in DA009,	

Part 2 - Register of Statutory Delegations by Council

	DA011 and DA-087.
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CONFIRMED

DA-008 Disposition of Land and Other Assets

Delegator: — Council Process Owner: — Director Corporate Services		Delegation: No. DA – 008 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to initiate and conclude the disposal (excluding disposal by way of lease) of land and property up to \$500,000.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.58: Disposing of property Section 3.59: Commercial enterprises by local government	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: — CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Corporate Services • Director Environment and Infrastructure • Manager Financial Services • Manager City Buildings 	
Conditions on Delegation/Sub Delegation	Delegation thresholds per transaction: <ul style="list-style-type: none"> • Chief Executive Officer – up to \$500,000 • Director Corporate Services — \$19,999 / \$74,999 • — Director Environment and Infrastructure — \$19,999 / \$74,999 • <u>Director Community Development – \$19,999 / \$74,999</u> • Manager Financial Services — \$5,000 / \$19,999 • Manager City Buildings — \$5,000/\$19,999 Note the \$74,999 above relates to property which is provided as consideration for the purchase of other property up to the value of \$75,000, e.g.e.g. , a motor vehicle trade in. -This is in accordance with Regulation 30(3)(b).	
Compliance links	<i>Local Government Act 1995</i> Section 5.43(d): Limit on value of disposed property <i>Local Government (Functions and General) Regulations 1996</i> Regulation 8A: Amount prescribed for major land transactions, exempt land transactions Regulation 8: Exempt land transactions Regulation 30: Dispositions of property excluded from Act <u>section</u> 3.58	
Policy Reference	CP-005 — Land and Property Retention, Disposal and Acquisition Related Delegation: DA-007 Leasing/Licensing of Property	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P STRATEGIC PROPERTY MANAGEMENT – Land and Property Acquisition / Disposal / Development 20.71 5A	
Period of Validity	Ongoing	

Part 2 - Register of Statutory Delegations by Council

Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — C07/5007
Substantive Amendments	Ordinary Meeting of Council – 15 June 2021 – M21/5842 GEO-24 June 2020 — Amended sub-delegation thresholds for Manager Financial Services and Manager City Buildings. —

CONFIRMED

DA-015 Bonds for Works

Delegator: Urban Council Process Owner: Director Urban Planning		Delegation: No. DA – 015 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to determine the value of and conditions associated with the lodgement of cash bonds or other performance bonds for works associated with the subdivision or development of land that may affect thoroughfares and public places; and to approve the return or payment of such bonds upon the completion of the works or event.	
Statutory Power or Duty Delegated	<i>Local Government (Uniform Local Provisions) Regulations 1996</i> Regulation 6(4)(c) and (d) : Obstruction of public thoroughfare Regulation 11(6)(b) and (c) : Dangerous excavation in or near public thoroughfare Regulation 17(5): Private works on, over, or under public places	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: Delegation of some powers and duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Urban Planning • Director Environment and Infrastructure • Manager Statutory Planning • Manager Engineering 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> , Schedule 9.1 <i>Local Government (Uniform Local Provisions) Regulations 1996</i>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P PROPERTY MAINTENANCE – Security Deposits/Bonds/Retention Money 21.09 7D	
Period of Validity	Ongoing	
Adopted by Council	Technical Services Committee – 5 November 1996 – T96/8030	
Substantive Amendments	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amend to clarify circumstances when delegation exercised –	

DA-016 Administration of Local Laws

Delegator: — Council Process Owner: CEO		Delegation: No. DA – 016 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to administer City of Melville Local Laws.	
Statutory Power or Duty Delegated	Powers to determine applications, issue and apply conditions to approvals, consents, permits, licences and registrations, undertake enforcement functions and exercise discretion under the following local laws: <ol style="list-style-type: none"> 1. <i>Activities in Thoroughfares, Public Places and Trading Local Law 2014</i> 2. <i>By-laws Relating to Fences 1996</i> 3. <i>Dog Local Law 20195</i> 4. <i>Health Local Laws 1997</i> 5. <i>Local Government Property Local Law 2010</i> 6. <i>Local Law relating to Firebreaks 1997</i> 7. <i>Local Law relating to Street Numbering 2006</i> 8. <i>Parking Local Law 2016</i> 	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : Delegation of some powers and duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	See attached sub-delegation matrix	
Conditions on Delegation/Sub Delegation	Infringements may only be issued by persons authorised for the purposes of section 9.16 of the <i>Local Government Act 1995</i> .	
Compliance links	<i>Local Government Act 1995</i> <u>Part 9, Division 1</u> : Objections and Review <u>Part 9, Division 2</u> : Enforcement and Legal Proceedings	
Policy Reference	CP—068 : — Street Numbering Policy Australian Standard AS/NZS 4819: — 20 19 3: Geographic Information —Rural Rural and Urban Addressing <i>Local Law relating to Street Numbering 2006</i> SPP 7.3 Residential Design Codes — CP—078 - Residential Development Policy — LPP 2.2- Outdoor Advertisements and Signage Policy CP-097 Parking Permit Policy CP-114 Compliance and Enforcement Policy and Guidelines <u>Compliance and Enforcement Guideline</u>	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate subject index for decision: —	
Period of Validity	Ongoing	

Part 2 - Register of Statutory Delegations by Council

Adopted by Council	Planning & Development Services Committee — — — 12 November 1996 — P96/7023
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended- to align with legislative provisions, add policy and legislative references. <u>Ordinary Meeting of Council 15 June 2021 – M21/5842</u> <u>CEO 24 June 2020</u> —Updated sub-delegate position titles, add sub-delegation for purposes of Parking Local Law to Manager Engineering, and sub-delegation for purposes of Thoroughfares Local Law to Manager Cultural Services; revoke sub-delegation to Manager Natural Areas and Parks in relation to Street Numbering Local Law.

DA – 016 SUB-DELEGATION MATRIX

Key to Local Laws:

1. *Activities in Thoroughfares, Public Places and Trading Local Law 2014*
2. *By-laws relating to Fences 1966*
3. *Dog Local Law 20~~21~~⁰⁵*
4. *Health Local Laws 1997*
5. *Local Government Property Local Law 2010*
6. *Local Law relating to Street Numbering 2006*
7. *Parking Local Law 2016*

Position	1	2	3	4	5	6	7
Director Community Development	√		√		√		√
Manager Neighbourhood Amenity Community Safety	√		√		√		√
Coordinator Rangers and Emergency Management	√		√		√		√
Manager Healthy Melville	√			√	√		
Manager Cultural Services	√						
Director Environment and Infrastructure	√				√		√
Manager Engineering	√				√		√
Manager Natural Areas and Parks	√				√		
Director Urban Planning	√	√				√	
Manager Statutory Planning		√				√	
Planning Services Coordinator		√				√	
Senior Planning Officer		√				√	
Manager Building and Environmental Health Services	√	√					
Coordinator Environmental Health	√			√			
Building Services Coordinator	√	√					
Senior Building Surveyor		√					
Director Corporate Services	√				√		

DA-024 Senior Employees

Delegator: _____ Council Process Owner: CEO		Delegation: No. DA -024 Last Review Date: 20 June 2023 19 July 2022
Description	4. 1. Authority to designate any employees or persons belonging to a class of employee to be a senior employee; and- 2. Authority to a Advertise the vacant position of a designated senior employee.	
Statutory Power or Duty Delegated	Local Government Act 1995 Section 5.37 (1), (3) & (4)	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: -CEO may delegate powers and duties to other employees	
Sub Delegated to:	None	
Conditions on Delegation/Sub Delegation	An advertisement is to be in the manner and contain such information with respect to the position as is prescribed.	
Compliance links	Local Government (Administration) Regulations 1996 Regulation 18A: Vacancy in position of CEO or senior employee to be advertised	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P ORGANISATIONAL DEVELOPMENT POSITION DESCRIPTIONS – Employee Services 60.1 2D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-026 Determination of Criteria for Acceptance of Tenders and Pre-Qualified Supplier Panels

Delegator: — Council Process Owner: — Director Corporate Services		Delegation: No. DA – 026 Last Review Date: 20 June 2023 19 July 2022
Description	Before tenders and/or applications for pre-qualified supplier panels are publicly invited, authority to determine in writing the criteria for deciding which tender should be accepted.	
Statutory Power or Duty Delegated	<i>Local Government (Functions & General) Regulations 1996</i> , Regulation 14(2a): Publicly inviting tenders, requirements for Regulation 24AD(3): Requirements when inviting persons to join panel of pre-qualified suppliers	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: —Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: —CEO may delegate powers and duties to other employees	
Sub Delegated to:	All Directors	
Conditions on Delegation/Sub Delegation	Directors may only exercise this sub-delegation with respect to tenders and/or prequalified supplier panels emanating from their Directorate.	
Compliance links	None	
Policy Reference	CP-023 —Procurement Policy	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P COUNCIL ADMINISTRATION – Procurement – Tenders 5.36 5A	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — — 15 May 2007 — — C07/5007	
Substantive Amendments		

DA-027 Rejecting and Accepting Tenders and/or Applications for Pre-Qualified Supplier Panels

Delegator: _____ Council Process Owner: CEO		Delegation: No. DA – 027 Last Review Date: 20 June 2023 19 July 2022
Description	2. Authority to accept tenders and applications for pre-qualified supplier panels, up to the value of \$550,000 (excluding GST), including pre award minor variations but excluding post award variations, per tender or application, per contract year; and 3.1. 4.2. Authority to decline to accept any tender and to accept the withdrawal of a tender once awarded.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.57: Tenders for providing goods and services Section 9.49B: Contract formalities	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: - Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Sub-delegation is not permitted	
Sub Delegated to:	Not a Applicable	
Conditions on Delegation/Sub Delegation	Maximum threshold \$550,000 (excl <u>uding</u> GST) per tender, per contract year. Decision to be made following receipt and consideration of a recommendation from the Contracts and Tenders Advisory Unit (CTAU).	
Compliance links	<i>Local Government (Functions and General) Regulations 1996</i> Regulation 11: When tenders have to be publicly invited Regulation 13: Requirements when a local government invites tenders though not required to do so Regulation 14: Publicly inviting tenders, requirements for Regulation 15: Minimum time to be allowed for submitting tenders Regulation 18: Rejecting and accepting tenders Regulation 20: Variation of requirements before entry into contract Regulation 21: Limiting who can tender, procedure for Regulation 22: Minimum time to be allowed for submitting EoI Regulation 24AH: Rejecting and accepting applications to join panel of pre-qualified suppliers DA-028 - Contract Variations and Selection of Next Successful Tenderer	
Policy Reference	CP - 023 - Procurement Policy	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P COUNCIL ADMINISTRATION – Procurement – Tenders 5.36 5A	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council - 15 May 2007 - C07/5007	

Part 2 - Register of Statutory Delegations by Council

Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to remove reference to expressions of interest (covered in DA-030) and unnecessary reference to “capital projects”
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DA-028 Contract Variations and Selection of Next Successful Tenderer

Delegator: — Council Process Owner: — Director Corporate Services		Delegation: No. DA – 028 Last Review Date: 20 June 2023 19 July 2022
Description	<p>Pre-Award</p> <ol style="list-style-type: none"> 1. Power to make a minor variation to the goods and services specified and enter a contract with the chosen tenderer for the supply of the varied requirement; and- 2. Power to select the next most advantageous tenderer if the chosen tenderer does not agree on a contract with the varied requirements. <p>Post Award</p> <p>Following acceptance of a tender and having entered into a contract for the supply of products or services, authorise variations which are unforeseen.</p>	
Statutory Power or Duty Delegated	<p><i>Local Government (Functions and General) Regulations 1996</i> <u>Regulation 20</u>: Variation of requirements before entry into the contract <u>Regulation 21A</u>: Varying a contract for the supply of goods or services</p>	
Statutory Power to Delegate	<p><i>Local Government Act 1995</i> <u>Section 5.42</u>: — Delegation of some powers or duties to the CEO</p>	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<p><i>Local Government Act 1995</i> <u>Section 5.44</u>: CEO may delegate powers and duties to other employees</p>	
Sub Delegated to:	<ul style="list-style-type: none"> • — All Directors • — • — All Managers • — 	
Conditions on Delegation/Sub Delegation	<p>Directors/Managers may only exercise the sub-delegated power with respect to tenders and contracts originating in their directorate.</p> <p>A minor variation means a variation that has does not significantly increase the risk to the City associated with the terms and conditions, and does not fundamentally alter the scope of works and/or the goods or services that tenderers were invited to supply.</p> <p>Post-contract variations are to be made following the post award contract variation procedure.</p>	
Compliance links	<p><i>Local Government (Functions and General) Regulations 1996</i> <u>Regulation 11</u>: When tenders have to be publicly invited <u>Regulation 20</u>: Variation of requirements before entry into contract <u>Regulation 21A</u>: Varying a contract for the supply of goods or services</p>	

Part 2 - Register of Statutory Delegations by Council

	Post Award Contract Variation Directorate Procedure DA-027 - Rejecting and Accepting Tenders and/or Applications for Pre-Qualified Supplier Panels
Policy Reference	CP-023 Procurement Policy
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P COUNCIL ADMINISTRATION – Procurement – Tenders 5.36 5A
Period of Validity	Ongoing
Confirmed by Council	Ordinary Meeting of Council -15 May 2007 - C07/5007
Substantive Amendments	Ordinary Meeting of Council -16 June 2020 - M20/5749 Simplified description.

DA-030 Consideration of Expressions of Interest to Supply Products or Services

Delegator: _____ Council Process Owner: _____ Director Corporate Services		Delegation: No. DA – 030 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to consider expressions of interest that have been called in accordance with the <i>Local Government Act (Functions & General) Regulations 1996</i> and decide which, if any, of those expressions of interest are from persons capable of satisfactorily supplying the products or services.	
Statutory Power or Duty Delegated	<i>Local Government (Functions and General) Regulations 1996 Regulation 23(3):</i> Rejecting and accepting expressions of interest to be acceptable tenderer	
Statutory Power to Delegate	<i>Local Government Act 1995 Section 5.42:</i> –Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995 Section 5.44:</i> CEO may delegate powers and duties to other employees	
Sub Delegated to:	All Directors	
Conditions on Delegation/Sub Delegation	Directors may only exercise the sub-delegated power in respect to e Expressions of i nterest originating in their D irectorate.	
Compliance links	<i>Local Government (Functions and General) Regulations 1996 Regulation 23:</i> Rejecting and accepting expressions of interest to be acceptable tenderer	
Policy Reference	CP-023 Procurement Policy	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council _ _____ 15 May 2007 _ _____ C07/5007	
Substantive Amendments		

DA-031 Reimbursement of Expenses for Employee Committee Members

Delegator: <u> </u> Council Process Owner: <u> </u> Director Corporate Services		Delegation: No. DA – 031 Last Review Date: <u>20 June 2023</u> 19 July 2022
Description	Authority to reimburse an employee on a committee for an expense that was incurred in relation to a matter affecting the City of Melville.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 5.101(2)</u> : Payments for employee committee members	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : – Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • All Directors • Operational Managers 	
Conditions on Delegation/Sub Delegation	Delegates and sub-delegates are not authorised to approve payments to themselves. –	
Compliance links	<i>Local Government Act 1995</i> <u>Section 5.102</u> : Expense may be funded before actually incurred	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate financial records	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council <u> </u> 15 May 2007 <u> </u> <u> </u> C07/5007	
Substantive Amendments	Ordinary Meeting of Council <u> </u> 15 June 2021 <u> </u> <u> </u> M21/5842	

DA-032 Granting of a Concession or Writing off Debts Owed to the Council

Delegator: _____ Council Process Owner: _____ Director Corporate Services		Delegation: No. DA – 032 Last Review Date: 20 June 2023 19 July 2022
Description	1. Authority to determine what conditions apply to the granting of a concession proposed to be undertaken (except for rates & service charges); 2. Authority to waive or grant concessions in relation to any amount of money except for rates & service charges; and 3. Authority to write off any amount of money that is owed to the local government (including rates & service charges).	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 6.12(1)(b)-(c)</u> : waive and grant concessions; write off any amount of money <u>Section 6.12(3)</u> : grant of a concession under section 6.12(1)(b) may be subject to any conditions	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.44</u> : Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> All Directors in relation to concessions or write offs emanating from their Directorate Manager Financial Services 	
Conditions on Delegation/Sub Delegation	<u>Delegation thresholds:</u> <ul style="list-style-type: none"> Chief Executive Officer – Limit \$10,000 for any one item All Directors – Limit \$5,000 for any one item Manager Financial Services – Limit \$1,000 for any one item <p>Any write offs in accordance with function 3 above are to be notified to the Council in the next available Council meeting in the CEO report that presents the monthly Statements of Financial Activity.</p> <p>This delegation does not apply to waiving fees or granting concessions in relation to the Community Partnership Fund, which is to be done under delegation DA-115.</p>	
Compliance links	<u>None</u>	
Policy Reference	CP-025 Accounting Policy	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate financial records	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments	Ordinary Meeting of Council – 16 June 2020 – M20/5749 Amended conditions to differentiate from waivers and concessions granted under the Community Partnership Fund under DA-115.	

DA-033 Power to Invest

Delegator: Council Process Owner: Director Corporate Services		Delegation: No. DA – 033 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to invest money held in the Municipal or Trust funds that is not, for the time being, required for any other purpose, in accordance with the <i>Trustees Act 1962</i> , Part III. Note: (The Municipal Fund includes the Reserve Accounts which form part of what is commonly known as the City of Melville Reserve Fund.)	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 6.14(1)</u> : Power to invest	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : – Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Corporate Services • Manager Financial Services • Manager Organisational Development • Senior Accountant (Management) • Management Accountant 	
Conditions on Delegation/Sub Delegation	Investment must be in accordance with Part III of the <i>Trustees Act 1962</i> , the <i>Local Government Act 1995</i> , the <i>Local Government (Financial Management) Regulations 1996</i> and Council Policy. All investment transactions are required to be authorised by two of the delegated officers of which at least one of whom will be a Category A authorised signatory as outlined in Delegation-DA- 035.	
Compliance links	<i>Trustees Act 1962</i> , Part III Investments <i>Local Government (Financial Management) Regulations 1996</i> <u>Regulation 19</u> : Investments, control procedures for <u>Regulation 19C</u> : Investment of money, restrictions on	
Policy Reference	CP--009 – Investment of Funds	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate financial records	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – <u>15 May 2007</u> – <u>C07/5007</u>	
Substantive Amendments	Ordinary Meeting of Council – <u>15 June 2021</u> – <u>M21/5842</u> <u>Ordinary Meeting of Council – 20 June 2023 – TBC</u> <u>Manager Organisational Development removed as position no longer exists</u>	

DA-035 Payment of Accounts from Municipal or Trust Funds

Delegator: — Council Process Owner: — Director Corporate Services		Delegation: No. DA – 035 Last Review Date: 20 June 2023 19 July 2022	
Description	Power to authorise payments from the Municipal and Trust Funds and all transactions on Municipal, Trust and Reserve Bank Accounts.		
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 6.7(2)</u> : Money held in the municipal fund may be applied towards the performance of functions and exercise of powers of the local government <u>Section 6.9(2)</u> : Money or property held in the trust fund is to be applied for the purposes of, and in accordance with, the trusts affecting it		
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : — Delegation of some powers or duties to the CEO		
Delegated to	Chief Executive Officer (Category A signatory)		
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : CEO may delegate powers and duties to other employees		
Sub Delegated to:	Position (Signatory)	Signatory category	
	Director Corporate Services	Category A	
	Manager Financial Services	Category A	
	Director Community Development	Category A	
	Director Environment and Infrastructure	Category A	
	Director Urban Planning	Category A	
	Senior Accountant (Management)	Category B	
	Management Accountant	Category B	
Conditions on Delegation/Sub Delegation	1. The <i>Local Government (Financial Management) Regulations 1996</i> Regulation 13 requires a list of accounts detailing payments made under delegated authority from the Municipal Fund or the Trust Fund to be prepared each month and submitted to the Council showing for each account paid since the last such list was prepared — (a) the payee's name; (b) the amount of the payment; (c) the date of the payment; and (d) sufficient information to identify the transaction. 2. Two signatures of the “authorised signatories” shown above are required with at least one signatory being a category A signatory.		
Compliance links	<i>Local Government Act 1995</i> <u>Section 6.8</u> : Expenditure from the municipal fund <i>Local Government (Financial Management) Regulations 1996</i> <u>Regulation 11</u> : Payments, procedures for making <u>Regulation 12</u> : Payments from municipal fund or trust fund, restrictions on making <u>Regulation 13</u> : Payments from municipal fund or trust fund by CEO, CEO's duties as to City of Melville Procurement Authorisation Limits		
Policy Reference	CP --- 025 — Accounting Policy		

Part 2 - Register of Statutory Delegations by Council

Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate financial records
Period of Validity	Ongoing
Adopted by Council	Ordinary Meeting of Council — 19 December 2006 — C06/6024
Substantive Amendments	

CONFIRMED

DA-038 District Boundary Adjustment

Delegator: — Council Process Owner: — Director Corporate Services		Delegation: No. DA – 038 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to negotiate as to any adjustment or transfer of property, rights and liabilities with an adjoining local government where an order to amend a District Boundary is made.	
Statutory Power or Duty Delegated	Local Government Act 1995 Schedule 2.1, Clause 11, subclauses (1) – & (2)	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: – Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: – CEO may delegate powers and duties to other employees	
Sub Delegated to:	Director Corporate Services	
Conditions on Delegation/Sub Delegation	Negotiated matters are subject to final ratification by the Council.	
Compliance links	Local Government Act 1995 Schedule 2.1: <u>Provisions about creating, changing the boundaries of, and abolishing districts</u> Local Government (Constitution) Regulations 1998	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P COUNCIL ADMINISTRATION – District Boundaries 5.16 5A	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – 15 May 2007 – C07/5007	
Substantive Amendments		

DA-044 Disputes between Local Governments

Delegator: _____ Council Process Owner: CEO		Delegation: No. DA – 044 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to refer a matter to the Minister to resolve a dispute between two or more Local G overnments.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 9.63(1)	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42 : –Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44 : –CEO may delegate powers and duties to other employees	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	Chief Executive Officer must consult with the Mayor prior to referring a dispute to the Minister. Sub-delegation is not permitted.	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council _____ 15 May 2007 __ -C07/5007	
Substantive Amendments	Ordinary Meeting of Council _____ 16 June 2020 __ -M20/5749 Amended to insert a requirement to consult with Mayor before referring a dispute and to prohibit sub-delegation.	

DA-046 Notice to Owner or Occupier Requiring Certain Actions to be Undertaken

Delegator: _____ Council Process Owner: _____ Director Community Development		Delegation: No. DA – 046 Last Review Date: 20 June 2023 19 July 2022
Description	1. Power to give a person who is the owner or occupier of land, a notice in writing requiring the person to do a thing required under Schedule 3.1 of the <i>Local Government Act 1995</i> . 2. In the event of non-compliance with a notice given under section 3.25 of the Act , do anything necessary to achieve the purpose for which the notice was given, and recover the cost of anything done under section 3.26(2) of the Act from the person who failed to comply with the notice given under section 3.25 .	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.25: Notice requiring certain things be done by owner or occupier of land Section 3.26: Additional powers when notices given	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> All Directors MOperational managers in Environment and Infrastructure, Urban Planning and Community Development Divisionsdirectorates 	
Conditions on Delegation/Sub Delegation	Operational managers may exercise the powers provided under section 3.26(2) only.	
Compliance links	<i>Local Government Act 1995</i> Section 3.24: The powers given to a local government by this subdivision can only be exercised on behalf of the local government by a person expressly authorised to exercise those powers. Schedule 3.1: Powers under notices to owners or occupiers of land. Section 9.3: Rights of affected person extended to certain owners. Section 9.4: Advice of objection and review rights.	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Delegated Authority – Exercises 5.119 P Appropriate subject index for decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — C07/5007	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to consolidate delegated powers under sections 3.25	

Part 2 - Register of Statutory Delegations by Council

	and 3.26 by incorporating powers previously recorded in DA-047 and DA-048
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CONFIRMED

DA-049 Power to Carry Out Works on Private Land

Delegator: — Council Process Owner: — Director Environment and Infrastructure		Delegation: No. DA – 049 Last Review Date: 20 June 2023 19 July 2022
Description	Power to carry out works on private land in the circumstances prescribed in Schedule 3.2 of the <i>Local Government Act 1995</i> , even if such works do not have the consent of the owner.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.27(1): Particular things local government can do on land that is not local government property; Schedule 3.2: Works prescribed for the purposes of section 3.27.	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: —Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: —CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Environment and Infrastructure • Manager Natural Areas and Parks • Manager Engineering 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> Section 3.21: Duties when performing functions Section 3.24: Authorising persons – the powers given to a local government by this subdivision can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers. Part 9, Division 1: Objections and Review	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P CONSTRUCTION AND MAINTENANCE PROGRAMS – Land Access Notices 25.21 7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — — C07/5007	
Substantive Amendments		

DA-050 Entry on to Private Land

Delegator: — Council Process Owner: — Director Community Development		Delegation: No. DA – 050 Last Review Date: 20 June 2023 19 July 2022
Description	Power to give notice and enter land, premises or thing in accordance with Part 3, Division 3, Subdivision 3 of the <i>Local Government Act 1995</i> .	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.32: Notice of entry Section 3.34: Entry in emergency	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: — CEO may delegate powers and duties to other employees	
Sub Delegated to:	All Directors	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> Part 3, Division 3, Subdivision 3: — Powers of entry	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P CONSTRUCTION AND MAINTENANCE PROGRAMS – Land Access Notices 25.21 7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — — C07/5007	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Added power to enter in an emergency under section 3.34.	

DA-051 Making an Opening in a Fence

Delegator: — Council Process Owner: — Director Environment and Infrastructure		Delegation: No. DA – 051 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to make an opening in a fence to do prescribed works on property subject to providing the owner or occupier with 3 days written notice.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 3.36</u> : Opening fences	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.42</u> : — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> <u>Section 5.44</u> : — CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Environment and Infrastructure • Manager Natural Areas and Parks • Manager Engineering 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> Schedule 3.2: Particular things local government can do on land that is not local government property	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P CONSTRUCTION AND MAINTENANCE PROGRAMS – Land Access Notices 25.21 7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — — 15 May 2007 — — C07/5007	
Substantive Amendments		

DA-053 Declare Abandoned Vehicle Wreck

Delegator: — Council Process Owner: — Director Community Development		Delegation: No. DA – 053 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to declare that a vehicle is an abandoned vehicle wreck.	
Statutory Power or Duty Delegated	Local Government Act 1995 Section 3.40A(4)	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: — CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Community Development • —Manager Neighbourhood AmenityCommunity Safety • —Coordinator Rangers and Emergency Management 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P COMMUNITY SAFETY, SECURITY AND LAW ENFORCEMENT – Abandoned and Impounded Vehicles & Lost Property 4.11 7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — — C07/5007	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to remove redundant reference to authorising officers. Ordinary Meeting of Council – 15 June 2021 – M21/5842 CEO-24 June 2020 Amended to restrict sub-delegates to c GCoordinator / m Manager level and above.	

DA-054 Sale and Disposal of Impounded and Confiscated Goods

Delegator: — Council Process Owner: — Director Community Development		Delegation: No. DA – 054 Last Review Date: 20 June 2023 19 July 2022
Description	1. 4. Authority to withhold goods impounded or removed under sections 3.39, 3.40 and 3.40A of the Local Government Act 1995 until the costs of removing, impounding and keeping them have been paid. 2. 2. Authority to sell or otherwise dispose of any goods that have been ordered to be confiscated under section 3.43 of the Act. 3. Authority to sell or otherwise dispose of any vehicle that has not been collected within two months of a notice having been given under section 3.40(3) of the Act, or seven days of a declaration being made that a vehicle is an abandoned vehicle wreck. 4. Authority to sell or otherwise dispose of impounded goods that have not been collected within the period specified in section 3.47(2b) of the date a notice is given under sections 3.42(1)(b) or 3.44 of the Act. 5. Authority to arrange, humane destruction of an impounded animal and dispose of the carcass if the animal is ill or injured to such an extent that treating it is not practicable, humane euthanasia and disposal of the carcass.	
Statutory Power or Duty Delegated	Local Government Act 1995 Section 3.46: Goods may be withheld until costs paid Section 3.47: Confiscated or uncollected goods, disposal of Section 3.48(1): Sick or injured animals, disposal of	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: — CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> All Directors Manager Neighbourhood Amenity Community Safety Coordinator Rangers and Emergency Management 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Delegated Authority – Exercises 5.119 P COMMUNITY SAFETY, SECURITY AND LAW ENFORCEMENT – Abandoned and Impounded Vehicles & Lost Property 4.11 7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — — C07/5007	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to delegate power under section 3.46.	

Part 2 - Register of Statutory Delegations by Council

	<u>Ordinary Meeting of Council – 15 June 2021 – M21/5842</u> CEO 24 June 2020 Amended to restrict sub-delegates to cCoordinator / mManager level and above.
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CONFIRMED

DA-062 Notices & Permissions

Delegator: _____ Council Process Owner: CEO		Delegation: No. DA – 062 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to grant, vary or renew permissions and issue notices pursuant to the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> .	
Statutory Power or Duty Delegated	Powers and duties of the local government under the <i>Local Government (Uniform Local Provisions) Regulations 1996</i>	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: – Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: – CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Urban Planning • Director Environment and Infrastructure 	
Conditions on Delegation/Sub Delegation	<i>Local Government Act 1995</i> Part 3, Division 3, Subdivision 2: Certain provisions about land Part 9, Division 1: Objections and Review	
Compliance links	<i>Local Government Act 1995</i> Part 3, Division 3, Subdivision 2: Certain provisions about land Part 9, Division 1: Objections and Review	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Adopted by Council	Administration & Community Services Committee – – 4 November 1996 – –A96/1031	
Substantive Amendments	Ordinary Meeting of Council – –16 June 2020 – –M20/5749 Amended to restrict to notices and permissions under the <i>Local Government (Uniform Local Provisions) Regulations</i> . Ordinary Meeting of Council – 15 June 2021 – M21/5842 CEO 24 June 2020 Approved sub-delegations.	

DA-063 Management of Vested Land

Delegator: — Council Process Owner: — Director Environment and Infrastructure		Delegation: No. DA – 063 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to do anything a local government could do under the <i>Parks and Reserves Act 1895</i> if it were a Board appointed under that Act, to control and manage any land reserved under the <i>Land Administration Act 1997</i> and vested in or placed under the control and management of the local government.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.54(1) : Reserves under control of local government	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42 : –Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44 : –CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • All Directors • Manager Engineering • Manager Natural Areas and Parks 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Parks and Reserves Act 1895</i>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P ENVIRONMENTAL MANAGEMENT – Bushland Management 9.05 30D Appropriate subject index for specific property	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — C07/5007	
Substantive Amendments		

DA-074 Due Date of Rates and Service Charges

Delegator: — Council Process Owner: — Director Corporate Services		Delegation: No. DA – 074 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to determine the date that rates and service charges become due and payable and any instalment due dates.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 6.50: Rates or service charges due and payable	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer (Category A signatory)	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	Director Corporate Services	
Conditions on Delegation/Sub Delegation	In accordance with the provisions of the <i>Local Government Act 1995</i> , the date determined is not to be earlier than 35 days after the date noted on the rate notice as the date the rate notice was issued ({section b-6.50 (2)}), and that the period between instalments is not permitted to be less than two months ({section -6.50 (3)}).	
Compliance links	<i>Local Government (Financial Management) Regulations 1996</i> Regulation 64: Instalments, when to be paid	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P FINANCIAL MANAGEMENT – Rates	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — — C07/5007	
Substantive Amendments		

DA-075 Actions Against Lessees of Land Where Rates or Service Charges Are Unpaid

Delegator: _____ Council Process Owner: _____ Director Corporate Services		Delegation: No. DA – 075 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to seek payment of rates or service charges from lessees of land in respect to rent that would be otherwise payable to the lessor, to satisfy rates or service charges imposed on the land that are due and payable.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 6.60(2): Local government may require lessee to pay rent	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: –Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer (Category A signatory)	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	Director Corporate Services	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council _____ 15 May 2007 _____ _____ C07/5007	
Substantive Amendments		

DA-076 Lodgement of Caveats Against Land Where Rates or Service Charges Are Unpaid

Delegator: <u> </u> Council Process Owner: <u> </u> Director Corporate Services		Delegation: No. DA – 076 Last Review Date: 20 June 2023 <u>19 July 2022</u>
Description	Authority to lodge a caveat in respect of any land for which rates and service charges are outstanding or withdraw such caveats when the arrears are cleared.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 6.64(3): <u> </u> local government may lodge caveats over land for which rates or service charges are in arrears and may withdraw caveats so lodged	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: <u> </u> Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	Director Corporate Services	
Conditions on Delegation/Sub Delegation	<u>None</u>	
Compliance links	<u>None</u>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council <u> </u> 15 May 2007 <u> </u> <u> </u> C07/5007	
Substantive Amendments		

DA-077 Actions in Respect to Land Where Rates or Service Charges are Unpaid After Three Years

Delegator: — Council Process Owner: — Director Corporate Services		Delegation: No. DA – 077 Last Review Date: 20 June 2023 19 July 2022
Description	Take possession of rateable land for which rates or service charges have been unpaid for at least three years.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 6.64: If rates or service charges in respect of any rateable land have been unpaid for at least 3 years the local government may take possession of the land and: (a) from time to time lease the land; or (b) sell the land; or (c) cause the land to be transferred to the Crown; or (d) cause the land to be transferred to [the City of Melville].	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	Director Corporate Services	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> Part 6, Division 6, Subdivision 6: — Actions against land where rates or service charges unpaid Schedule 6.2: — Provisions relating to lease of land where rates or service charges unpaid Schedule 6.3: — Provisions relating to sale or transfer of land where rates or service charges unpaid	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — — 15 May 2007 — — C07/5007	
Substantive Amendments	Ordinary Meeting of Council — — 16 June 2020 — — M20/5749 Amended to remove reference to lodging caveats which is covered in DA-076.	

DA-079 Compensation to the Owners of Property

Delegator: — Council Process Owner: — Director Corporate Services		Delegation: No. DA – 079 Last Review Date: 20 June 2023 19 July 2022
Description	The power to compensate the owners or occupiers of land, if the person requests compensation, to which uninsured damage has been caused through the performance of the City of Melville's functions.	
Statutory Power or Duty Delegated	Local Government Act 1995 Section 3.22: Compensation	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	All Directors	
Conditions on Delegation/Sub Delegation	Financial limits to delegation: • — Chief Executive Officer – Limit \$10,000 per claim • All Directors – Limit \$5,000 per claim •	
Compliance links	Local Government Act 1995 Section 3.22(5): compensation is not payable for damage sustained as a result of certain functions Section 3.23: Arbitration Schedule 3.1: Powers under notices to owners or occupiers of land Schedule 3.2: Particular things local governments can do on land even though it is not local government property	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate subject index for specific decision	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — — 15 May 2007 — — C07/5007	
Substantive Amendments		

DA-081 Closure of Thoroughfares

Delegator: — Council Process Owner: — Director Environment and Infrastructure		Delegation: No. DA – 081 Last Review Date: 20 June 2023 19 July 2022
Description	<ol style="list-style-type: none"> 1. Authority to close a thoroughfare to vehicles, wholly or partially for a period not exceeding four weeks (section -3.50(1)). 2. Authority, after providing public notice of its intention and reasons, inviting submissions and then considering submissions, order a thoroughfare to be wholly or partially closed to vehicles for a period exceeding four weeks (section -3.50(1a)). 3. Authority to revoke an order to close a thoroughfare. (section -3.50(6)) 4. Authority to partially and temporarily close a thoroughfare, without giving local public notice, if the closure is for the purpose of carrying out repairs or maintenance and is unlikely to have a significant adverse effect on users of the thoroughfare (section -3.50A). 	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 3.50: Closing certain thoroughfares to vehicles Section 3.50A: Partial closure of thoroughfare for repairs and maintenance	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: –Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: –CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Environment and Infrastructure • Manager Engineering 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P PLANNING AND DEVELOPMENT - Road Closures 20.18 7D	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — 15 May 2007 — — C07/5007	
Substantive Amendments		

DA-083 Consultation Regarding Fixing, Altering or Realigning a Public Thoroughfare

Delegator: _____ Council Process Owner: _____ Director Environment and Infrastructure		Delegation: No. DA – 083 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to give notice of proposal, invite submissions and consider those submissions before fixing, altering or realigning a public thoroughfare or draining water onto adjoining land.	
Statutory Power or Duty Delegated	Local Government Act 1995 Section 3.51(3) and (4) : Affected owners to be notified of certain proposals	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: – Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: – CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Environment and Infrastructure • Manager Engineering 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate index for specific project	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council – _____ 15 May 2007 – _____ C07/5007	
Substantive Amendments		

DA-085 Parking Control

Delegator: — Council Process Owner: — Director Environment and Infrastructure		Delegation: No. DA – 085 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region, in accordance with the provisions of the Parking Local Law.	
Statutory Power or Duty Delegated	City of Melville Parking Local Law 2016 Clause 1.10: — Powers of the local government	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Environment and Infrastructure • Manager Engineering 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	City of Melville Parking Local Law 2016	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P COMMUNITY SAFETY, SECURITY AND LAW ENFORCEMENT – Parking Schemes 4.14 2D	
Period of Validity	Ongoing	
Adopted by Council	Technical Services Committee — 5 September 2000 — — T00/8028	
Substantive amendment by Council or CEO	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended title and description to align with the power as described in the Parking Local Law.	

DA-088 Severance Payment to Employees

Delegator: — Council Process Owner: CEO		Delegation: No. DA – 088 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to determine and approve severance payments to employees consistent with the provisions of Council policy	
Statutory Power or Duty Delegated	Local Government Act 1995 Section 5.50(2): — Make a payment to an employee whose employment is finishing and that is more than the additional amount set out in policy	
Statutory Power to Delegate	Local Government Act 1995 Section 5.42: — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Local Government Act 1995 Section 5.44: — CEO may delegate powers and duties to other employees	
Sub Delegated to:	None	
Conditions on Delegation/Sub Delegation	None	
Compliance links	Local Government Act 1995 Section 5.50(2): — local public notice to be given Local Government (Administration) Regulations 1996 Regulation 19A: Payments in addition to contract or award, limits of	
Policy Reference	CP--027 — Severance Policy	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate employee files	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council — 21 June 2011 — C11/5187	
Substantive Amendments		

DA-115 Non-Monetary Grants (Grant Concessions or Waive Fees) – Community Partnership Fund

Delegator: — Council Process Owner: — Director Community Development		Delegation: No. DA – 115 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to waive or grant a concession in relation to hire fees for City of Melville owned equipment and facilities as a non-monetary or in-kind grant as part of the existing Community Partnership Fund program.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 6.12(1)(b): waive or grant concessions in relation to any amount of money (other than money owing in respect of rates or service charges) Section 6.12(3): Determine conditions to apply to the grant of any concession	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: — Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Community Development • — Manager Neighbourhood Development • 	
Conditions on Delegation/Sub Delegation	Financial limits: <ul style="list-style-type: none"> • Chief Executive Officer – Limit of \$500 for any one item • Director Community Development – Limit \$500 • Manager Neighbourhood Development – Limit \$500 Exercise of this delegation is to be in accordance with the Community Partnership Funding Directorate Procedure.	
Compliance links	DA-032 – Granting of a Concession or Writing Off Debts Owed to the Council	
Policy Reference	CP-025 Accounting Policy CP-095 Non-Monetary Grants Policy Community Partnership Fund	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Delegated Authority – Exercises 5.119 P COMMUNITY DEVELOPMENT – Community Partnership Funding – Non-Monetary 14.38 7D	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council — — 16 June 2015 — — CD15/8073	
Substantive Amendments	Ordinary Meeting of Council — — 16 June 2020 — M20/5749 Amended to clarify statutory power being delegated.	

**DA-129 Appoint Officer/s to Receive and Withdraw Complaints
(Elected Members Code of Conduct)**

Delegator: <u> </u> Council EO		Delegation: No. DA – 129 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to appoint officers to receive and withdraw complaints in accordance with c Clause 11(3) of the Local Government (Code of Conduct) Regulations 2021.	
Statutory Power or Duty Delegated	<i>Local Government (Code of Conduct) Regulations 2021</i> Regulation 11: Complaint about alleged breach	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42: –Delegation of some powers or duties to the CEO	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: –CEO may delegate powers and duties to other employees	
Sub Delegated to:	None	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> Part 5, Division 9: –Conduct	
Policy Reference	Code of Conduct for Elected Members, Committee Members and Candidates (adopted at Special Meeting of Council 3 May 2021)	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: Delegated Authority – Exercised 5.119	
Period of Validity	Ongoing	
Confirmed by Council	Ordinary Meeting of Council — — 16 March 2021 — — M21/5810	
Substantive Amendments		

Division 2 - Building Act 2011 and Regulations

2.2.1 Enabling legislative provisions

Council may delegate any of its powers or duties as a permit authority to an employee of the local government ([section](#)-127(1) and (3)).

Section 127(7) clarifies that delegation does not limit the ability of the delegator to perform a function through an officer or agent.

2.2.2 Matters that may not be delegated

Other than the CEO under [section](#) -127(6A), a person to whom a power or duty is delegated cannot sub-delegate that power or duty ([section](#) -127(5)).

2.2.3 Sub-delegation

The CEO may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO (subject to any conditions qualifications, limitations or exceptions imposed by the original delegation) ([section](#) -127(6A)).

2.2.4 Making delegations

The delegation must be in writing executed by or on behalf of the delegator ([section](#) -127(4)).

The Act does not require delegations by the Council to be made, amended or revoked by absolute majority.

2.2.5 Recording and Review Obligations

None specified.

2.2.6 Other obligations

The exercise of a delegated authority to appoint an authorised person is subject to the person to be authorised having the appropriate experience or qualifications where this is prescribed in regulations ([section](#) -96(4)).

DA-098 Authorised Persons (Building Act)

Delegator: Council (as permit authority) Process Owner: Chief Executive Officer CEO		Delegation: No. DA – 098 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to: 1. D esignate an employee as an authorised person for the purposes of the <i>Building Act 2011</i> in relation to buildings and incidental structures located or proposed to be located in the district, and 2. A ppoint authorised and approved officers for the purposes of issuing and dealing with infringements under sections 6(a) and 6(b) of the <i>Criminal Procedure Act 2004</i> pursuant to the requirements of the <i>Building Regulations 2012</i> . 3-2.	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> Section 96(3): A —local government may designate an employee as an authorised person for the purposes of the Act <i>Building Regulations 2012</i> Regulation 70: Approved officers and authorised officers (for the purposes of the <i>Criminal Procedure Act 2004</i>)	
Statutory Power to Delegate	<i>Building Act 2011</i> Section 127(1): A —A local government may delegate any of its powers or duties as a permit authority Section 127(3): A —A local government may only delegate its powers or duties to a local government employee <i>Local Government Act 1995</i>	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> Section 127(6A): the CEO of a local government may delegate to any other employee a power or duty that has been delegated to the CEO	
Sub Delegated to:	Director Urban Planning	
Conditions on Delegation/Sub Delegation	1. A person may only be appointed under the Building Regulations r.70(1) as an approved officer under regulation 70(1) of the Building Regulations 2012 if they hold a delegation from the CEO under section 5.44(1) of the <i>Local Government Act 1995</i> to perform functions under sections 9.19 or 9.20 of that Act. 2. A person may only be appointed under the Building Regulations r.70(2) as an authorised officer under regulation 70(2) of the Building Regulations 2012 if they have been appointed and authorised under ssection 9.10(1) of the <i>Local Government Act 1995</i> for the purpose of performing functions under section 9.16 of that Act. 2. 3. All authorised officers must be issued with identification showing proof of authorisation. 5-3.	

Part 2 - Register of Statutory Delegations by Council

Compliance links	<p><i>Building Act 2011</i> <u>Section 97</u>: —Identity cards <u>Section 99</u>: —Limitations on powers of authorised persons <u>Part 8, Division 3</u>: —Powers of authorised persons <i>Building Regulations 2012</i> <u>Regulation 5A</u>: Authorised persons <u>Schedule 6</u>: Prescribed Offences and Modified Penalties <i>Local Government Act 1995</i> <u>Section 5.36</u>: Local government employees <u>Section 9.10</u>: Appointment of authorised persons (see DA-055) <u>Section 9.16</u>: Notice to alleged offender <u>Section 9.19</u>: Extension of time <u>Section 9.20</u>: Withdrawal of notice <i>Criminal Procedure Act 2004</i>, Part 2 Building Code of Australia</p>
Policy Reference	
Recordkeeping	<p>Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P</p>
Period of Validity	Ongoing
Adopted by Council	<p>Special Meeting of Council — <u>27 March 2012</u> — <u>P12/3298</u></p>
Substantive Amendments	<p>Ordinary Meeting of Council — <u>16 June 2020</u> — <u>M20/5749</u> Amended to incorporate delegation of appointment of approved and authorised officers under <u>regulation 70 of the Building Regulations 2012</u>, 70 previously recorded in DA-123.</p>

DA-103 Inspection and Copies of Building Information

Delegator: _____ Council as permit authority Process Owner: _____ Director Urban Planning		Delegation: No. DA – 103 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to: 1. Provide a copy of a permit, building approval certificate or building order kept in the register specified in section 128 i and 2. Allow an interested person (as defined) to inspect and be provided with a copy of a building record as defined in section 130 of the Building Act 2011.	
Statutory Power or Duty Delegated	Building Act 2011 Section 129(2): –Copies of permits, certificates in register Section 131(2): –Inspection, copies of building records	
Statutory Power to Delegate	Building Act 2011 Section 127(1): A local government may delegate any of its powers or duties as a permit authority. Section 127(3): A local government may only delegate its powers or duties to a local government employee	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Building Act 2011 Section 127(6A): The CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO.	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Urban Planning • Manager Building and Environmental Health Services • Building Services Coordinator • _____ • _____ Senior Building Surveyor • _____ 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	Building Regulations 2012 Regulation 12: Building records to be kept Regulation 13: Inspection, copies of building records	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P PLANNING AND DEVELOPMENT – General Enquiries – 20.115 10D	
Period of Validity	Ongoing	
Adopted by Council	Special Meeting of Council _____ 27 March 2013 _____ _____ P12/3298	
Substantive Amendments	Ordinary Meeting of Council _____ 16 June 2020 _____ M20/5749 Amended to include authority under section 129 to provide copies of documents on register.	

CONFIRMED

DA-105 Prosecutions and Legal Proceedings – Building Matters

Delegator: — Council as permit authority Process Owner: — Director — Urban Planning		Delegation: No. DA – 105 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to commence and have the carriage and conduct of legal proceedings and other matters pursuant to the <i>Building Act 2011</i> and <i>Building Regulations 2012</i> and exercise the powers set out in section 133.	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> Section 133(1)(b): Prosecutions may be commenced by a local government or a person authorised to do so by the local government.	
Statutory Power to Delegate	— Building Act 2011 Section 127(1): A local government may delegate any of its powers or duties as a permit authority. Section 127(3): A local government may only delegate its powers or duties to a local government employee	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> Section 127(6A): The CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO.	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Corporate Services • Director Urban Planning • Manager Building and Environmental Health Services • Building Compliance Officer 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Building Act 2011</i> Part 12 Legal Proceedings	
Policy Reference	Building Compliance Work Instruction CP-114 Compliance and Enforcement Policy and Guidelines Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P PLANNING AND DEVELOPMENT – Building Inspections – prosecutions, notices, complaints, demolition 20.69 10D	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council — 21 May 2013 — — C13/5291	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to remove redundant matters and provide for authorising a person to commence prosecution in accordance with section — 133. Ordinary Meeting of Council – 15 June 2021 – M21/5842	

Part 2 - Register of Statutory Delegations by Council

	CEO 24 June 2020 Approved sub-delegation to Building Compliance Officer.
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CONFIRMED

DA-126 Building and Demolition Permits

Delegator: _____ Council as permit authority Process Owner: Director <u>Urban Planning</u>		Delegation: No. DA – 126 Last Review Date: <u>20 June 2023</u> 19 July 2022
Description	Authority to grant or refuse to grant a building permit or demolition permit; to impose, vary, and revoke permit conditions and extend the time of during which permit has effect.	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> <u>Section 18:</u> Seek further information <u>Section 20:</u> Grant of building permit <u>Section 21:</u> Grant of demolition permit <u>Section 22:</u> Refuse to grant a building permit or demolition permit <u>Section 27:</u> Impose, add, vary or revoke conditions on a building permit or demolition permit <u>Section 88:</u> Impose a condition specifying the finish of a close wall <i>Building Regulations 2012</i> <u>Regulation 24:</u> Extension of time during which permit has effect	
Statutory Power to Delegate	<i>Building Act 2011</i> <u>Section 127(1):</u> A local government may delegate any of its powers or duties as a permit authority.	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> <u>Section 127(6A):</u> The CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO.	
Sub Delegated to:	<ul style="list-style-type: none"> • Manager Building and Environmental Health Services • Building Services Coordinator • _____ Senior Building Surveyor 	
Conditions on Delegation/Sub Delegation	<i>Building Act 2011</i> <u>Section 127(3):</u> A local government may only delegate its powers or duties to a local government employee	
Compliance links	<i>Building Act 2011</i> , Part 2, Division 2 <i>Building Regulations 2012</i> , Part 3 and Schedule 2 <i>Building Services (Registration Act) 2011</i> , Section 7 <i>Home Building Contracts Act 1991</i> , Part 3A, Division 2 <i>Building Services (Complaint Resolution and Administration) Act 2011</i> , Part 7, Division 2 <i>Building and Construction Industry Training Levy Act 1990</i> <i>Heritage Act 2018</i>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Delegated Authority – Exercises 5.119 P PLANNING & DEVELOPMENT – Building Licence Applications 20.112 P	
Period of Validity	Ongoing	
Adopted by Council	Special Meeting of Council _____ 27 March 2012 _____ P12/3298	
Substantive Amendments	Ordinary Meeting of Council _____ 16 June 2020 _____ M20/5749 Amended to incorporate delegations formerly recorded in DA-089, DA-090, DA-091, DA-092, DA-097, DA-104, add delegation	

	of power to seek further information under section 18 .
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DA-127 Occupancy Permits and Building Approval Certificates

Delegator: — Council as permit authority Process Owner: — Director Urban Planning		Delegation: No. DA – 127 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to grant or to refuse to grant an occupancy permit or a building approval certificate; to impose, vary and revoke conditions, and to extend duration.	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> Section 55: Seek further information from applicant Section 58: — Grant of occupancy permit or building approval certificate (including power to refuse under section 58(3)) Section 62: Impose, add, vary or revoke conditions on an occupancy permit or building approval certificate Section 65: Extend the duration of an occupancy permit or building approval certificate.	
Statutory Power to Delegate	— Building Act 2011 Section 127(1): A local government may delegate any of its powers or duties as a permit authority. Section 127(3): A local government may only delegate its powers or duties to a local government employee	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> Section 127(6A): The CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO.	
Sub Delegated to:	<ul style="list-style-type: none"> • Manager Building and Environmental Health Services • Building Services Coordinator • — Senior Building Surveyor 	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Building Act 2011</i> , Part 2, Division 3 <i>Building Regulations 2012</i> , Part 5 and Schedule 2 <i>Building Services (Registration Act) 2011</i> , Sections 3 and 11 <i>Home Building Contracts Act 1991</i> , Part 3A, Division 2 <i>Building Services (Complaint Resolution and Administration) Act 2011</i> , Part 7, Division 2 <i>Building and Construction Industry Training Levy Act 1990</i>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMIN – Delegated Authority – Exercises 5.119 P Appropriate index relevant to decision	
Period of Validity	Ongoing	
Adopted by Council	Special Meeting of Council — 27 March 2012 — P12/3298	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to incorporate delegations formerly recorded in DA-093, DA-094, DA-095, DA-096.	

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CONFIRMED

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DA-128 Building Orders

Delegator: _____ Council as permit authority Process Owner: _____ Director Urban Planning		Delegation: No. DA – 128 Last Review Date: 20 June 2023 19 July 2022
Description	1. Authority to issue building orders, give notice of a building order, revoke a building order and give notice to that effect; and- 2. In the event of non-compliance with a building order, cause an authorised person to take any action, or commence or complete any work, specified in the order or to take reasonable steps to cause specified action to cease, and recover the reasonable costs in giving effect to the building order.	
Statutory Power or Duty Delegated	<i>Building Act 2011</i> Section 110(1): _____ Building orders Section 111: _____ Notice of proposed building order Section 117: _____ Revocation of building order Section 118: _____ Give effect to building order if non-compliance Section 88(3): _____ Specify the finish of a close wall in a building order	
Statutory Power to Delegate	_____ <i>Building Act 2011</i> Section 127(1): A local government may delegate any of its powers or duties as a permit authority; Section 127(3): A local government may only delegate its powers or duties to a local government employee	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Building Act 2011</i> Section 127(6A): The CEO of a local government may delegate to any other local government employee a power or duty that has been delegated to the CEO.	
Sub Delegated to:	<ul style="list-style-type: none"> • _____ Manager Building and Environmental Health Services • Building Services Coordinator • Senior Building Surveyor 	
Conditions on Delegation/Sub Delegation	The Senior Building Surveyor is delegated the power to give notice of a building order only (section _____ 111).	
Compliance links	<i>Building Act 2011</i> , Part 8, Division 5	
Policy Reference	CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline and Guidelines	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P PLANNING & DEVELOPMENT – Building & Planning Compliance 20.107 5A	
Period of Validity	Ongoing	
Adopted by Council	Special Meeting of Council _____ 27 March 2012 _____ P12/3298	
Substantive Amendments	Ordinary Meeting of Council _____ 16 June 2020 _____ M20/5749 Amended to incorporate delegations recorded in instruments DA-	

Part 2 - Register of Statutory Delegations by Council

	097, DA-099, DA-100, DA-101, DA-102.
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Division 3 - *Bush Fires Act 1954 and Regulations*

2.3.1 Enabling legislative provisions

Council may delegate to:

- a) The CEO any of its functions under the Bush Fires Act ([section -48\(1\)](#)).
- b) Its bush fire control officer, or other officer, the authority generally or in any case or class of cases, to consider allegations of offences against the Act and to institute and carry on legal proceedings in the name of the local government if they see fit ([section -59\(3\)](#)).
- c) The Mayor and the Chief Bush Fire Control Officer, jointly, its powers and duties in relation to varying prohibited burning times under s.17(7) and (8) ([section -17\(10\)](#)).

Sections 48(4) provides that such delegation does not limit the ability of the local government to act through its council, members of staff or agents in the normal course of business.

Sections 59(5) and 17(11) provide that despite any delegation under [section -59\(3\)](#) or [section -17\(10\)](#), the local government is not precluded from exercising its powers or discharging its duties under those sections.

2.3.2 Matters that may not be delegated

A delegation to the CEO made under section 48(1) may not be sub-delegated ([section -48\(3\)](#)).

2.3.3 Sub-delegation

Not permitted (section 48(3)).

2.3.4 Making delegations

A delegation by the Council must be in writing ([section -48\(1\)](#), [section -59\(3\)](#)) but there is no requirement for an absolute majority to make, amend or cancel an instrument of delegation.

2.3.5 Recording and Review Obligations

None specified.

DA-022 Legal Proceedings – Bush Fires

Delegator: — Council Process Owner: — Director Community Development		Delegation: No. DA –022 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to commence and carry on legal proceedings against a person for alleged offences against the <i>Bush Fires Act 1954</i> .	
Statutory Power or Duty Delegated	<i>Bush Fires Act 1954</i> Section 59(1): Prosecution of offences.	
Statutory Power to Delegate	<i>Bush Fires Act 1954</i> Section 59(3): A local government may delegate authority to its bush fire control officer or other officer to consider allegations of offences and if they see fit to institute proceedings against the person.	
Delegated to	<ul style="list-style-type: none"> Chief Bush Fire Control Officer appointed under section 38(1) of the <i>Bush Fires Act 1954</i> Deputy Chief Bush Fire Control Officer appointed under section 38(1) of the <i>Bush Fires Act 1954</i> 	
Statutory Power to sub delegate:	None. — Section 48(3) does not permit sub-delegation.	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Bush Fires Act 1954</i> Section 59A: Alternative procedure – infringement notices Section 65: Proof of certain matters Section 66: Proof of ownership or occupancy <i>Bush Fires (Infringements) Regulations 1978</i>	
Policy Reference	CP-114 Compliance and Enforcement Policy and Guidelines Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate index relevant to decision	
Period of Validity	Ongoing	
Adopted by Council	Administration & Community Services Committee — 5 November 1996 — — A96/1017	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — — M20/5749 Amended to remove delegation from CEO and grant it to the Chief and Deputy Chief Bush Fire Control Officers in accordance with section 59(3).	

DA-023 Performance of Functions Under the Bush Fires Act 1954

Delegator: — Council Process Owner: — Director Community Development		Delegation No. DA – 023 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to perform any of the functions of a Local Government contained in the <i>Bush Fires Act 1954</i> .	
Statutory Power or Duty Delegated	All operational functions of a local government under the Act.	
Statutory Power to Delegate	<i>Bush Fires Act 1954</i> Section 48(1): Delegation by local governments	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	None. — Section 48(3) does not permit sub-delegation.	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i> <i>Bush Fires (Infringement) Regulations 1978</i>	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P ENVIRONMENTAL MANAGEMENT – Bushfire Management 9.04 7D	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council — 15 May 2007 — C07/5007	
Substantive Amendments		

Division 4 *Cat Act 2011* and Regulations

2.4.1 *Enabling legislative provisions*

- 1) Council may delegate to:
The CEO the exercise of any of its powers or the discharge of any of its duties under the *Cat Act 2011* ([section -44\(1\)](#)).
- 2) The CEO may delegate to:
Any employee of the local government – the exercise of any of the CEO's powers or discharge of any of the CEO's duties under the *Cat Act 2011* ([section -45\(1\)](#)).

The delegation of a power or duty does not prevent the Council from performing its functions by acting through a person other than the CEO or the CEO from acting through another person ([section -46\(2\)](#)).

2.4.2 *Matters that may not be delegated*

Section 79 deals with the making of local laws, which under the *Local Government Act 1995* must be made by Council by absolute majority.

A power or duty under sections 63, 64 and 65 cannot be delegated to an authorised person appointed under [section -48-9.5 of the Local Government Act 1995 \(section 45\(6\)\)](#).

2.4.3 *Sub-delegation*

The CEO's power to delegate under section 45(1) extends to the delegation of any powers and duties delegated to the CEO, subject to any conditions imposed in the delegation to the CEO ([section -45\(3\)](#)).

2.4.4 *Making delegations*

1. An absolute majority decision of Council is required to delegate powers and duties to the CEO ([section -44\(3\)](#)).
2. A delegation made under [sections -44\(1\) or 45\(1\)](#) must be in writing, and may be general or as otherwise provided ([section -44\(2\)](#), [section -45\(2\)](#)).
3. A delegation has effect indefinitely unless otherwise specified in the delegation ([section -46\(1\)\(a\)](#)).
4. Any decision to amend or revoke a delegation made by a local government is to be by an absolute majority decision ([section -46\(1\)\(b\)](#)).

2.4.5 *Recording and Review Obligations*

1. The CEO to keep a register of the delegations made under Part 4, Division 2 to the CEO and to employees ([s47\(1\)](#)).
2. At least once every financial year delegations made under Part 4 Division 2 are to be reviewed by the delegator ([s.47\(2\)](#)).
3. Every person to whom a power or duty is delegated under the *Local Government Act 1995* is to keep records in accordance with the regulations in relation to the exercise of the power or discharge of the duty ([section 47\(3\)](#)).

There are currently no regulations under the *Cat Act 2011* prescribing the form of records to be kept of the exercise of delegated authority.

DA-125 Delegation of Duties and Powers under the Cat Act 2011

Delegator: — Council Process Owner: — Director Community Development		Delegation: No. DA – 125 Last Review Date: 20 June 2023 19 July 2022
Description	Perform any function or duty and exercise any power of the local government under the <i>Cat Act 2011</i> , <i>Cat Regulations 2012</i> and <i>Cat (Uniform Local Provisions) Regulations 2013</i> .	
Statutory Power or Duty Delegated	All operational powers and duties of the local government under the <i>Cat Act 2011</i> other than those excluded below.	
Statutory Power to Delegate	<i>Cat Act 2011</i> Section 44: Delegation by local government	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Cat Act 2011</i> Section 45: Delegation by CEO of local government-	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Community Development • Manager Neighbourhood Amenity Community Safety (except section 48) • Coordinator Rangers and Emergency Services (except section 48) • Senior Ranger (limited to sections 9(5) & (6), 26(1)) • Rangers (limited to sections 9(5) & (6), 26(1)) 	
Conditions on Delegation/Sub Delegation	<p>This delegation excludes functions in the Act reserved to Council, specifically:</p> <ul style="list-style-type: none"> • Section 44(1): —Delegation of powers and duties to the CEO; • Section 46(1)(b): —Decision to amend or revoke a delegation; • Section 70: —Dealing with objections to decisions made under sections 9, 10, 2-37 or 38 and • Section 79: —Making local laws. <p>This delegation must be exercised in accordance with any relevant Council Policies or local laws as approved from time to time. Sub-delegations to certain officers are limited as listed above.</p>	
Compliance links	<i>Cat Regulations 2012</i> <i>Cat (Uniform Local Provisions) Regulations 2013-</i>	
Policy Reference	CP-114 Compliance and Enforcement Guidelines Policy Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate subject index relevant to decision	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council — 16 June 2020 — — M20/5749 (Replaces former DA-106, DA-107, DA-108, DA-109, DA-110, DA-111, DA-112, DA-113, DA-114.)	
Substantive Amendments		

Division 5 - Dog Act 1976 and Regulations

2.5.1 Enabling legislative provisions

Council may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the *Dog Act 1976* ([section -10AA\(1\)](#)).

Nothing in [section -10AA](#) limits the ability of the CEO to perform a function through an officer or agent.

2.5.2 Matters that may not be delegated

The following powers must be exercised by Council by absolute majority and ~~therefore~~ cannot be delegated:

- ~~Section 31(2B)~~ – specify a public place under the care, control or management of the local government to be a place where dogs are prohibited.
-
- ~~Section 31(3A)~~ – specify a public place under the care, control or management of the local government to be a dog exercise area.
-
- ~~Section 31(3B)~~ – specify a public place under the care, control or management of the local government to be a rural leashing area.
-
- Sections 26, 27(3), 49 and 51 deal with the making of local laws, which under the *Local Government Act 1995* must be made by Council by absolute majority.

2.5.3 Sub-delegation

The CEO may delegate to another person ~~the exercise of any of the~~ powers or discharge of any of the duties delegated to the CEO (~~section -10AA(1)~~) provided the instrument of delegation expressly authorises that the power or duty may be further delegated ([section -10AA\(3\)](#)).

2.5.4 Making delegations

1. An absolute majority decision of Council is required to delegate powers and duties to the CEO ([section -10AA\(1\)](#)).
2. A delegation made under [section -10AA\(1\)](#) must be in writing ([section -10AA\(2\)](#)).

2.5.5 Recording and Review Obligations

1. The CEO is to keep a register of the delegations made under [section -10AA\(1\)](#) and any further delegations made under the authority of such delegations ([section -10AB\(1\)](#)).
2. At least once every financial year delegations made under [section -10AA\(1\)](#) and further delegations made under the authority of such delegations are to be reviewed by the delegator ([section -10AB\(2\)](#)).

DA-122 Delegation of Duties and Powers under the Dog Act 1976

Delegator: — Council Process Owner: — Director Community Development		Delegation: No. DA – 122 Last Review Date: 20 June 2023 19 July 2022
Description	Perform any function or duty and exercise any power of the local government under the <i>Dog Act 1976</i> and the <i>Dog Regulations 2013</i> .	
Statutory Power or Duty Delegated	All operational powers and duties of the local government under the <i>Dog Act 1976</i> other than those excluded below.	
Statutory Power to Delegate	<i>Dog Act 1976</i> Section 10AA: Delegation of local government powers and duties	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Dog Act 1976</i> Section 10AA(3): The delegation may expressly authorise the delegate to further delegate- Council permits sub-delegation of delegated powers and duties under this the Dog Act 1976-	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Community Development • Manager Neighbourhood Amenity Community Safety • Coordinator Rangers and Emergency Services • Senior Ranger 	
Conditions on Delegation/Sub Delegation	This delegation excludes functions in the Act reserved to Council, specifically: <ul style="list-style-type: none"> • Delegation of powers and duties to the CEO (section -10AA(1); section 10AA(1)); • Specifying a public place where dogs are prohibited (section -31(2B); section 31(2B)); • Specifying a public place to be a dog exercise area (section -31(3A); and section 31(3A)); and • Making local laws (section -49A. section 49A). This delegation must be exercised in accordance with the <i>City of Melville Dog Local Law 2021</i> and any relevant Council Policies as approved from time to time.	
Compliance links	<i>Dog Regulations 2013</i> <i>City of Melville Dog Local Law 2021</i>	
Policy Reference	CP-114 Compliance and Enforcement Policy and Guidelines Compliance and Enforcement Guideline	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Appropriate subject index relevant to decision	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council — 10 December 2019 — — M19/5722	
Substantive Amendments		

Part 2 - Register of Statutory Delegations by Council

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CONFIRMED

Division 6 - Food Act 2008 and Regulations

2.6.1 Enabling legislative provisions

- 1) The CEO of the administering State agency may:
 - a) delegate any power or duty of the CEO under another provision of the *Food Act 2008* to a local government (*section -117(1)(c)*) with the written consent of the enforcement agency (*section -117(6)*); *and*
 - b) expressly authorise the delegate to further delegate the power or duty to another person specified in *section -117(1)* (*section -117(4)*).
- 2) The local government as an enforcement agency may delegate a function conferred or imposed on it subject to *section -117(3)* ~~and~~ (4) and in accordance with the *Food Act Regulations 2009* (*section -118(2)(b)*).

2.6.2 Matters that may not be delegated

Sub-delegation is permitted only where expressly provided for in the *Food Act Regulations 2009*. ~~The The Food Regulations 2009~~ do not currently prescribe any functions that may be sub-delegated.

2.6.3 Sub-delegation

Permitted only if prescribed in regulations (*section -118(4)*). -No sub-delegation has currently been prescribed.

2.6.4 Making delegations

A delegation made by the CEO of the administering State agency must be in writing signed by the CEO (*section -117(3)*).

A delegation made by an enforcement agency under *section -118(2)(b)* is subject to conditions or limitations on those functions imposed on it under section 119 and the performance of those functions in accordance with guidelines required by the CEO of the administering State agency under section 120, and in accordance with *the Food Act Regulations 2009* (*section -118(2)(b)*).

2.6.54 Recording and Review Obligations

None specified.

DA-073 Delegations Under the Food Act 2008

Delegator: —Council as enforcement agency Process Owner: —Director: Urban Planning		Delegation: No. DA – 073 Last Review Date: 20 June 2023 19 July 2022
Description	Any function conferred or imposed on the local government as an enforcement agency under the <i>Food Act 2008</i> .	
Statutory Power or Duty Delegated	Food Act 2008 All functions conferred or imposed on the local government as an enforcement agency <u>under the Food Act 2008</u> , subject to limitations or conditions below.	
Statutory Power to Delegate	Food Act 2008 <u>Section 118(2)(b)</u> : A function conferred or imposed on an enforcement agency may be delegated	
Delegated to	<ul style="list-style-type: none"> • Chief Executive Officer • Manager Building and Environmental Health Services (sections 65, 66, 110, and 112 only) • Coordinator Environmental Health Services • Senior Environmental Health Officer 	
Statutory Power to sub delegate:	Not permitted. The —Food Regulations 2009 do not allow for sub-delegation	
Sub Delegated to:	Not applicable N/A	
Conditions on Delegation/Sub Delegation	Any c Conditions or limitations imposed on the performance of functions by the enforcement agency from time to time by the C hief E xecutive O fficer of the department principally assisting in the administration of the Act.	
Compliance links	Any guidelines required to be adopted by enforcement agencies under section 120(1) (food standards) or section 122(2) (qualifications of authorised officers) of the Act. <u>Section 53(2)</u> : Destroy, sell or dispose of forfeited item <u>Section 56</u> : Compensation for seized item <u>Section 65(1)</u> : Prohibition order <u>Section 66</u> : Certificate of clearance to be given <u>Section 70</u> : Determine application for compensation <u>Section 100</u> : Priority classification system and frequency of auditing <u>Section 110(1)</u> : Registration of food businesses <u>Section 112</u> : Variation of conditions or cancel lation of registration of food businesses Part 10, Division 2: Functions of enforcement agencies <u>Section 122(1)</u> : Appointment of authorised officers <u>Section 126(13)</u> : Appointment of designated officers	
Policy Reference	CP-114 Compliance and Enforcement Policy and Guidelines <u>Compliance and Enforcement Guideline</u>	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P PUBLIC HEALTH – Food (subject index relevant to the decision)	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council — 15 June 2010 — — C10/5116	

Part 2 - Register of Statutory Delegations by Council

Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 — Amended to extend delegation to Manager Building and Environmental Health Services, Coordinator Environmental Health Services and Senior Environmental Health Officer.
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Division 7 - Graffiti Vandalism Act 2016 and Regulations

2.7.1 Enabling legislative provisions

- 1) Council may delegate to:
The CEO the exercise of any of its powers or the discharge of any of its duties under another provision of Part 3 of the *Graffiti Vandalism Act 2016* ([section -16\(1\)](#)).
- 2) *The CEO may delegate to:*
Any employee of the local government – the exercise of any of the CEO's powers or discharge of any of the CEO's duties under the *Graffiti Vandalism Act 2016* ([section -17\(1\)](#)).

2.7.2 Matters that may not be delegated

Section 17(1) provides that the CEO may not delegate the power of delegation.

2.7.3 Sub-delegation

The CEO's power to delegate under [section -17\(1\)](#) extends to the delegation of any powers and duties delegated to the CEO, subject to any conditions imposed in the delegation to the CEO ([section -17\(3\)](#)).

2.7.4 Making delegations

1. An absolute majority decision of Council is required to delegate powers and duties to the CEO ([section -16\(3\)](#)).
2. A delegation made under [sections -16\(1\)](#) or [17\(1\)](#) must be in writing, and may be general or as otherwise provided ([section -16\(2\)](#), [section -17\(2\)](#)).

2.7.5 Recording and Review Obligations

None specified.

DA-121 Graffiti Vandalism

Delegator: — Council Process Owner: — Director Environment and Infrastructure		Delegation: No. DA – 121 Last Review Date: 20 June 2023 19 July 2022
Description	The exercise of local government powers and the discharge of local government duties under Part 3 of the <i>Graffiti Vandalism Act 2016</i> .	
Statutory Power or Duty Delegated	<i>Graffiti Vandalism Act 2016</i> <u>Section 18</u> : Notice requiring removal of graffiti <u>Section 19</u> : Additional powers when notice is given <u>Section 25</u> : Local government graffiti powers on land not local government property <u>Section 28</u> : Notice of entry	
Statutory Power to Delegate	<i>Graffiti Vandalism Act 2016</i> <u>Section 16</u> : Delegation by local government	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Graffiti Vandalism Act 2016</i> <u>Section 17</u> : Delegation by CEO of local government	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Environment and Infrastructure • Manager City Buildings 	
Conditions on Delegation/Sub Delegation	This delegation excludes s Section 22(3) Dealing with objection to decision to give a notice , which is a matter reserved to Council.	
Compliance links	<i>Graffiti Vandalism Act 2016</i> <i>Local Government Act 1995</i> <u>Part 9, Division 1</u> : Objections and review	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P PROPERTY MAINTENANCE – Graffiti 21.02 7D	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council 20 June 2017 M17/5552	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to cover all Part 3 powers and duties of local government.	

Division 8 - Health (Miscellaneous Provisions) Act 1911 and (Health (Asbestos) Regulations 1992)

2.8.1 Enabling legislative provisions

The *Health (Miscellaneous Provisions) Act 1911* does not explicitly provide for local governments to have the power of delegation.

Section 26(1) of the Act authorises and directs every local government to carry out within its district the provisions of that Act and the regulations, local laws and orders made under it.

Section 26(2) provides that a local government may "appoint and authorise any person to be its deputy and in that capacity exercise and discharge all or any of the functions of the local government". Section 26(2) is technically a statutory appointment, not a delegation.

Since there is no power of delegation, there is no capacity within this Act to sub-delegate. The appointment of deputies is set out in Part 4.

Section 344(2) of the Act provides for a regulation or local law made under the Act to be made so as to delegate or confer a discretionary authority on a specified person or body or class of person or body.

Regulation 15D(7) of the *Health (Asbestos) Regulations 1992* provides that a local government may delegate a power or duty conferred or imposed on it by regulation 15D (Infringement Notices) to its CEO. No sub-delegation power is provided.

2.8.2 Matters that may not be authorised for performance by a deputy

Council is not fettered in the functions or powers it may authorise any deputy to carry out.

2.8.3 Recording and Review Obligations

None specified with respect to appointment of deputies. Local governments are required to report annually to the Health Department on the performance of their functions under the *Health (Miscellaneous Provisions) Act 1911*.

DA-123 Authority to Appoint Approved and Authorised Officers for the Purposes of the Criminal Procedure Act

Delegator: Urban Council Process Owner: Director- Urban Planning		Delegation: No. DA – 123 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to appoint authorised and approved officers for the purposes of issuing and dealing with infringements under <u>section 6 of the Criminal Procedure Act 2004</u> , Part 2 section 6 in accordance with the requirements of the <u>Health (Asbestos) Regulations 1992</u> .	
Statutory Power or Duty Delegated	<u>Health (Asbestos) Regulations 1992 Regulation 15D(5)</u> : A local government may appoint persons or classes of persons to be authorised or approved officers for the purposes of the <i>Criminal Procedure Act 2004</i> Part 2.	
Statutory Power to Delegate	Health (Miscellaneous Provisions) Act 1911 Section 26 : A local government may appoint and authorise any person to exercise and discharge its powers and functions <u>Health (Asbestos) Regulations 1992 Regulation 15D(7)</u> : A local government may delegate a power or duty under this regulation to the chief executive officer of the local government.	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	No sub-delegation power	
Sub Delegated to:	<u>Not applicable</u>	
Conditions on Delegation/Sub Delegation	<u>None</u>	
Compliance links	<u>Criminal Procedure Act 2004</u> , Part 2 <u>Health (Asbestos) Regulations 1992</u> , — Schedule 1	
Policy Reference	<u>None</u>	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council — 17 March 2020 — M20/5724	
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to remove delegation under regulation 70 of the <i>Building Regulations 2012</i> (transferred to DA-098).	

Division 9 - Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015

2.9.1 Enabling legislative provisions

The *Planning and Development Act 2005* does not grant any powers of delegation to local governments.

- 1) Council may delegate to:
 - a) The CEO:
 - (i) the exercise of any of its powers or the discharge of any of its duties under the *Planning and Development Act 2005*, section 214(2), (3) or (5) (*Local Government Act 1995* section 5.42(1)(b));
 - (ii) the exercise of any of the local government's powers or discharge of any of the local government's duties under its Local Planning Scheme (*Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, ~~c~~Clause 82(1)).
 - (b) A committee – the exercise of any of the local government's powers or discharge of any of the local government's duties under its Local Planning Scheme (*Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, ~~c~~Clause 82(1)).
 - (c) A Development Assessment Panel – the power of the local government to determine a development application of a class prescribed under ~~regulation~~ 19(1) and to amend or cancel determinations of applications of that kind (*Planning and Development (Development Assessment Panels) Regulations 2011*, ~~regulation~~ 19(2)).
- 2) The CEO may delegate to any employee of the local government – the exercise of any of the CEO's powers or discharge of any of the CEO's duties under its Local Planning Scheme other than the power of delegation (*Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, ~~c~~Clause 83(1)).

2.9.2 Matters that may not be delegated

The CEO may not delegate the power of delegation (*Local Government Act 1995*, section 5.44(1); *Planning and Development (Local Planning Schemes) Regulations*, Schedule 2, ~~cl~~ause 83(1)).

2.9.3 Sub-delegation

- 1) The CEO may delegate to any employee of the local government the power or duty delegated by a local government under ~~section~~ 5.42 of the *Local Government Act 1995*, subject to any conditions imposed in the original delegation related to section 214(2), (3) or (5) of the *Planning and Development Act* (~~section~~ 5.44(3)).
- 2) The CEO's power to delegate to an employee under ~~c~~Clause 83(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* extends to the delegation of any powers and duties delegated to the CEO under ~~c~~Clause 82(1), subject to any conditions imposed in the original delegation to the CEO.

2.9.4 Making delegations

1. The power to delegate can only be exercised by a Council by or in accordance with a decision of an absolute majority (*Local Government Act 1995, section 5.42(1); Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, clause 82(2); Planning and Development (Development Assessment Panels) Regulations 2011, regulation 19(3)*).
2. Delegations must be in writing (*Local Government Act 1995, section 5.42(2); Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, clause 82(3); Planning and Development (Development Assessment Panels) Regulations 2011, regulation 19(2)*).
3. Delegations made under the *Local Government Act 1995, section 5.42* and the *Planning and Development (Local Planning Schemes) Regulations 2015* have effect indefinitely unless otherwise specified (*Local Government Act 1995, section 5.45(1)(a); Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, clause 84*).
4. Delegations made under the *Local Government Act 1995, section 5.42* and the *Planning and Development (Local Planning Schemes) Regulations 2015* can only be amended or revoked by absolute majority (*Local Government Act 1995, section 5.45(1)(b); Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, clause 84*).

2.9.5 Recording and Review Obligations

1. The CEO is to keep a register of the delegations made under Part 5 Division 4 to the CEO and to employees (*Local Government Act 1995, section 5.46(1)*).
2. At least once every financial year delegations made under Part 5 Division 4 are to be reviewed by the delegator (*Local Government Act 1995, section 5.46(2)*).
3. Every person to whom a power or duty is delegated under the *Local Government Act 1995* is to keep records in accordance with the *Local Government (Administration) Regulations 1996* in relation to the exercise of the power or discharge of the duty (*Local Government Act 1995, section 5.46(3)*).

Regulation 19 of the *Local Government (Administration) Regulations 1996* specifies that where a power or duty has been delegated under the *Local Government Act 1995* to the CEO or any other employee, the person to whom the power or duty has been delegated must keep a written record of:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

The *Planning and Development (Local Planning Schemes) Regulations 2015*, Schedule 2, ~~Deemed provisions for local planning~~ Part 10 ~~Enforcement and administration~~ Clause 84 provides that *Local Government Act 1995* sections 5.45 and 5.46 apply to any delegation made under clauses 82 and 83 of those regulations.

2.9.6 Other obligations on delegates

The following requirements apply to employees who hold a delegation or sub-delegation given under *section 5.42* of the *Local Government Act 1995* to exercise the powers or

Part 2 - Register of Statutory Delegations by Council

discharge the duties of the local government under section 214(2), (3) or (5) of the *Planning and Development Act 2005* (~~i.e.~~, DA-061).

Under [section -5.71](#), an employee who has been delegated a power or duty under Part 5 Division 4 relating to a matter, must not exercise that power or discharge that duty if they have an interest in the matter as defined in [sections -5.60A](#) or [5.60B](#), and must disclose the nature of the interest to the Mayor (if the CEO) or to the CEO (any other employee).

Employees holding delegated authority (including sub-delegations) under Part 5 Division 4 of the *Local Government Act 1995* must lodge a primary financial return under [section -5.75](#) of the Act within three months of receiving the delegation and must thereafter, while holding the delegated authority, lodge an annual return under [section -5.76](#) of the Act.

The above requirements do not apply to employees only holding delegations (including (sub-delegations) granted under the *Planning and Development (Local Planning Scheme) Regulations 2015*.

DA-020 Planning and Related Matters

Delegator: City of Melville Council Process Owner: CEO		Delegation: No. DA – 020 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to: <ul style="list-style-type: none"> consider and determine all planning applications for approval to commence and carry out development within the district under the City of Melville's local planning scheme; and amend or cancel development approval on application by the landowner; and make recommendations to the Western Australian Planning Commission, Department of Planning, Lands and Heritage Department of Parks and Wildlife (for Swan River Trust), Heritage Council, State Heritage Office, Joint Metro Central Development Assessment Panel and other government departments and instrumentalities on matters associated with the subdivision and/or development of land; and determine the extent and nature of public consultation required for all planning matters having regard for the statutory requirements of Local Planning Scheme No. 6, the Residential Design Codes of Western Australia and Local Planning Policy. 	
Statutory Power or Duty Delegated	Planning and Development (Local Planning Scheme) Regulations 2015 Powers and duties of local government provided for in: <ul style="list-style-type: none"> Schedule 2 Part 8 Applications for development approval and Schedule 2 Part 9 Dealing with applications for development approval of the Planning and Development (Local Planning Scheme) Regulations 2015 	
Statutory Power to Delegate	Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 10 Division 2 c Clause 82: – Delegations by local government	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2, Part 10 Division 2 c Clause 83: – Local government CEO may delegate powers	
Sub Delegated to:	See attached sub-delegation matrix In accordance with the attached sub-delegation matrix approved by the CEO: <ul style="list-style-type: none"> Director Urban Planning Manager Statutory Planning Planning Services Coordinator Senior Planning Officers 	
Conditions on Delegation/Sub Delegation	The exercise of delegation is subject to the following restrictions and conditions: <ol style="list-style-type: none"> The provisions of Local Planning Policy 1.1 Planning Process and Decision Making apply. 	

Part 2 - Register of Statutory Delegations by Council

	<p>2. The dDelegation to determine an application under clause 68 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> is not to be exercised where the delegated officer has undertaken the assessment of the application unless the assessment and recommendation is first checked by another appropriate delegated oOfficer listed in this delegation:-</p> <p>3. The delegation is limited in accordance with the following Delegated Authority (<i>Sub-Delegation</i>) Matrix for Planning Matters:- and:-</p> <p>4. Should a development application be called up by Council, the Chief Executive Officer may not make recommendations to the Joint Metro Central Development Assessment Panel without first seeking Council's comment on the application and the planning officer's recommendations in the Responsible Authority Report, and attaching to the RAR the Council's comments as approved by Council.</p> <p>This delegation excludes the following powers:</p> <ul style="list-style-type: none"> • Adopting or amending a Local Planning Policy other than minor administrative changes to reflect grammatical or numbering changes:- • Amendments to the Local Planning Scheme:- • Determination of an application for the modification or closure of a Public Access Way:- and • Adopting or amending a Local Development Plan:-
Compliance links	<p>Local Planning Scheme #6 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>:- Schedule 2:- <i>Planning and Development Act 2005</i>:- <i>Planning and Development Regulations 2009</i>:- State Planning Policies:- WAPC Delegation 2017/02, as amended (development on land zoned under the MRS):- and WAPC Delegation 2009/03 (section 25 of the <i>Strata Titles Act 1985</i>):- <i>City of Melville Local Law R</i>elating to Street Numbering 2006 <i>City of Melville By-L</i>aws <i>R</i>elating to Fences 1996</p>
Policy Reference	<p>All Local Planning Policies:- State Planning Policies</p>
Recordkeeping	<p>Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Relevant subject index according to decision</p>
Period of Validity	Ongoing
Adopted by Council	<p>Planning & Development Services Committee — — 12 November 2007 — P96/7023</p>
Substantive Amendments	<p>Ordinary Meeting of Council — 10 December 2019 — M19/5723 Amended with respect to RAR submitted to JDAP:- Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to align description to WAPC delegation and to relevant</p>

Part 2 - Register of Statutory Delegations by Council

	legislative provisions. <u>Ordinary Meeting of Council – 15 June 2021 – M21/5842</u> GEO 24 June 2020 Amended sub-delegation matrix to remove redundant entries
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CONFIRMED

DA-020 Delegated Authority (Sub-delegation) Matrix for Planning Matters

	Director Urban Planning	Manager Statutory Planning	Planning Services Coordinator	Senior Planning Officers
Applications which satisfy all of the requirements of LPS6, the Deemed-to Comply provisions of the State Planning Policy 7.3 Residential Design Codes Volume 1 (R-Codes Volume 1) and Local Planning Policies.	✓	✓	✓	✓
Development which involves departures from the requirements of LPS6, the Deemed-to-Comply provisions of the R-Codes Volume 1 and Local Planning Policies and where no objection(s) which raise relevant planning matters have been received.	✓	✓	✓	✓
Development which involves departures from the requirements of LPS6 the Deemed-to-Comply provisions of the R-Codes Volume 1 and Local Planning Policies and where objection(s) which raise relevant planning matters have been received.	(DAU**)	(DAU)		
Development which satisfies the Element Objectives and Acceptable Outcomes contained in State Planning Policy 7.3 Residential Design Codes Volume 2 Apartments (R-Codes Volume 2)	✓	✓	✓	✓
Development which satisfies the Element Objectives and Acceptable Outcomes contained in R-Codes Volume 2 and where objection(s) which raise relevant planning matters have been received.	(DAU)	(DAU)		
Refusal of applications which do not satisfy all of the requirements of LPS6, the Deemed-to-Comply provisions of the R-Codes, the element objectives and acceptable outcomes of R-Codes Volume 2 and Local Planning Policies.	✓	✓	✓	
SAT matters relating to attendance at Directions Hearings, Mediations, Hearings, and the preparation of Witness Statements and other documents ordered by the SAT.	✓	✓	✓	
Reconsideration requests made by the SAT.	✓*	✓*	✓*	
Recommendations to the WAPC relating to subdivisions resulting in less than 10 lots (approvals and refusals).	✓	✓	✓	✓
Subdivision clearances.	✓	✓	✓	✓
Recommendations to government agencies (whether to approve or refuse) where no objection(s) which raise relevant planning matters have been received.	✓	✓	✓	✓
Recommendations to other government agencies (whether to approve or refuse) where objection(s) which raise relevant planning matters have been received.	✓	✓		

Part 2 - Register of Statutory Delegations by Council

	Director Urban Planning	Manager Statutory Planning	Planning Services Coordinator	Senior Planning Officers
Allocation of new or amending existing street numbers.	✓	✓	✓	✓
Modification or removal of existing restrictive covenants.	✓	✓	✓	✓
To make minor administrative changes to local planning policies to reflect grammatical or numbering changes to the State Planning framework.	✓	✓		

* Where the State Administrative Tribunal requests that the City reconsider its previous decision the matter is to be reconsidered at the same level at which the previous determination was made, i.e. if the matter was refused by the Council, the application returns to the Council for determination; if the matter was determined by the Manager Statutory Planning, the application returns to the Manager Statutory Planning for determination.

** Delegation following consideration by Development Advisory Unit (DAU) in accordance with Council Policy.

DA-061 Enforcement and Legal Proceedings – ~~Urban~~ Planning Matters

Delegator: – Council (as responsible authority) Process Owner: – Director Urban Planning		Delegation: No. DA – 061 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to give written directions under section 214(2), (3) and (5) of the the <i>Planning and Development Act 2005</i> and issue notices under Part 10 of the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> .	
Statutory Power or Duty Delegated	<i>Planning and Development Act 2005</i> – Part 13 Section 214(2), (3) and (5): Illegal development, responsible authority's powers <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> Schedule 2, Part 10, Division 1: Powers of local government	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.42(1)(b): Delegation to CEO of powers and duties under the <i>Planning and Development Act 2005</i> section 214(2), (3) or (5). <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2, clause (Deemed provisions for local planning schemes) Clause 82: Delegations by local government	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	<i>Local Government Act 1995</i> Section 5.44: CEO may delegate powers and duties to other employees. <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Schedule 2, (Deemed provisions for local planning schemes) c Clause 83: Local government CEO may delegate powers (including those delegated to the CEO under clause 82)	
Sub Delegated to:	<ul style="list-style-type: none"> • Director Urban Planning • Manager Statutory Planning 	
Conditions on Delegation/Sub Delegation		
Compliance links	<i>Planning and Development Act 2005</i> , Part 13 Enforcement and Legal Proceedings <i>Criminal Procedure Act 2004</i> , Part 3 Prosecutions in Courts of Summary Jurisdiction	
Policy Reference	Planning Compliance – Directorate Procedure Planning Compliance – and Work Instruction CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guideline and Guidelines	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P Relevant subject index according to decision	
Period of Validity	Ongoing	

Part 2 - Register of Statutory Delegations by Council

Adopted by Council	Ordinary Meeting of Council — 12 May 2015 — M15/5418
Substantive Amendments	Ordinary Meeting of Council — 16 June 2020 — M20/5749 Amended to remove non-delegable powers

CONFIRMED

Division 10 - Public Health Act 2016 and Regulations

2.10.1 Enabling legislative provisions

- 1) Council may delegate to:
 - a) The CEO:
 - (i) A power or duty imposed on the local government as an enforcement agency ([section -21\(1\)\(b\)\(i\)](#)); [and](#)
 - b) An authorised officer designated by the local government:
 - (i) A power or duty imposed on the local government as an enforcement agency ([section -21\(1\)\(b\)\(ii\)](#));

2.10.2 Matters that may not be delegated

Section 21(4) provides that sub-delegation is permitted only when the regulations expressly authorise a delegable power or duty to be further delegated. ~~No~~ sub-delegation has been authorised in the *Public Health Regulations 2017*.

2.10.3 Sub-delegation

Permitted only if expressly authorised in regulations in relation to a delegated power or duty ([section -21\(4\)](#)). ~~No~~ sub-delegation has currently been authorised.

2.10.4 Making delegations

1. A delegation must be in writing ([section -21\(2\)](#)).
2. The delegation may be subject to any condition or restriction imposed on the exercise or performance of the enforcement agency by the Chief Health Officer under [section -20](#) ([section -21\(3\)](#)).
3. The Act does not require that a delegation must be made by absolute majority.

2.10.5 Recording and Review Obligations

Section 22 requires reporting, at intervals determined by the Chief Health Officer, by an enforcement agency on the performance of its functions under the Act, including those performed under delegated authority.

DA-124 Designation of Authorised Officers (Public Health Act)

Delegator: _____ Council Process Owner: CEO		Delegation: No. DA – 124 Last Review Date: 20 June 2023 19 July 2022
Description	Authority to designate persons or classes of persons under the <i>Public Health Act 2016</i> as authorised officers for the purposes of certain Acts.	
Statutory Power or Duty Delegated	<i>Public Health Act 2016</i> <u>Section 24:</u> — Designation of authorised officers for the purposes of specified Acts	
Statutory Power to Delegate	<i>Public Health Act 2016</i> <u>Section 21(1)(b):</u> (i) — Local government as enforcement agency may delegate to the CEO or a designated authorised officer	
Delegated to	Chief Executive Officer	
Statutory Power to sub delegate:	No sub-delegation permitted under <i>Public Health Act 2016</i> .	
Sub Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	Persons designated as authorised officers must be issued with a certificate or card stating they are authorised in accordance with the requirements of the legislation <u>section 30 of the <i>Public Health Act 2016</i></u> .	
Compliance links	<i>Public Health Act 2016</i> Sections 18, 24(4), 25-32	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P	
Period of Validity	Ongoing	
Adopted by Council	Ordinary Meeting of Council — 13 May 2016 — — P16/3733	
Substantive Amendments	Ordinary Meeting of Council — — 16 June 2020 — — M20/5749 Record of delegation transferred from instrument DA-055 to DA-124.	

Part 3 - Register of Statutory Delegations by the CEO (excluding sub-delegations)

Reviewed annually by the CEO under section 5.46(2) of the *Local Government Act 1995*.

Powers delegated to the CEO by the Council and further delegated by the CEO to other officers are included as sub-delegations in the Register of Council delegations in Part 2 of this document.

Division 1 - Local Government Act 1995 and Regulations and Local Laws

3.1.1 Enabling legislative provisions

Section 5.44(1) permits the CEO to delegate to any employee of the local government the exercise of any of the CEO's powers or discharge of any of the CEO's duties under the Act, other than the power of delegation. This extends to powers and duties delegated to the CEO, subject to any conditions imposed by the local government on its delegation to the CEO.

The power to delegate does not prevent the CEO from performing any of their functions by acting through another person.

3.1.2 Matters that may not be delegated

Regulation 6 of the *Local Government (Financial Management) Regulations 1996* prohibits the delegation of the duty to conduct an internal audit to an employee (including a CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.

Section 5.44(1) of the Act provides that the CEO may not delegate the power of delegation.

3.1.3 Making delegations

1. A delegation made under [section -5.44](#) must be in writing and may be general or as otherwise provided ([section -5.44\(2\)](#)).
2. A delegation has effect indefinitely unless otherwise specified in the delegation ([section -5.45\(1\)\(a\)](#)).

3.1.4 Recording and Review Obligations

1. The CEO to keep a register of the delegations made under Part 5 Division 4 to the CEO and to employees ([section -5.46\(1\)](#)).
2. At least once every financial year delegations made under Part 5 Division 4 are to be reviewed by the delegator ([section -5.46\(2\)](#)).
3. Every person to whom a power or duty is delegated under the *Local Government Act 1995* is to keep records in accordance with the *Local Government (Administration) Regulations 1996* in relation to the exercise of the power or discharge of the duty ([section -5.46\(3\)](#)).

Regulation 19 of the *Local Government (Administration) Regulations 1996* specifies that where a power or duty has been delegated under the *Local Government Act 1995* to the CEO or any other employee, the person to whom the power or duty has been delegated must keep a written record of:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes of persons, other than council or committee members or employees of the local government, directly affected by the exercise of the power or the discharge of the duty.

3.1.5 Other obligations

| Under [section -5.71](#), an employee who has been delegated a power or duty under Part 5 Division 4 relating to a matter, must not exercise that power or discharge that duty if they have an interest in the matter as defined in [sections -5.60A or 5.60B](#), and must disclose the nature of the interest to the Mayor (if the CEO) or to the CEO (any other employee).

| Employees holding delegated authority (including sub-delegations) under Part 5 Division 4 of the *Local Government Act 1995* must lodge a primary financial return under [section -5.75](#) of the Act within three months of receiving the delegation and must thereafter, while holding the delegated authority, lodge an annual return under [section -5.76](#) of the Act.

CONFIRMED

DA-003C Destruction of Records

Delegator: CEO Process Owner: Director Corporate Services		Delegation: No. DA – 003C Last Review Date: 20 June 2023 21 June 2022
Description	Authority to approve the destruction of records in accordance with the 2010 General Disposal Authority for Local Government Records (RD 2010046), published by the State Records Office of Western Australia.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> <u>Section 5.41</u> : Functions of CEO – (h) ensure that records and documents of the local government are properly kept; and (i) any other function imposed under any other written law	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.44(1)</u> : CEO may delegate powers and duties to other employees	
Delegated to	<ul style="list-style-type: none"> Director Corporate Services Manager Information and Communications Technology 	
Conditions on Delegation	None	
Compliance links	<i>State Records Act 2000</i>	
Policy Reference	City of Melville Recordkeeping Plan 201 9 ⁴ as approved by the State Records Commission under section 23 of the <i>State Records Act 2000</i>	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P COUNCIL ADMINISTRATION – Records Management	
Period of Validity	Ongoing	
Granted by CEO	16 June 2009	
Substantive Amendments		

DA-004C Rates or Service Charge Payment Agreements

Delegator: CEO Process Owner: Director Corporate Services		Delegation: No. DA – 004C Last Review Date: 20 June 2023 24 June 2022
Description	Authority to accept payment of a rate or service charge due and payable by a person in accordance with an agreement made with the person.	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 6.49: Agreement as to payment of rates and service charges <i>Local Government (Financial Management) Regulations 1996</i> Regulation 5(1)(a): Proper collection of all money owing to the local government	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.44(1): CEO may delegate powers and duties to other employees	
Delegated to	<ul style="list-style-type: none"> • Director Corporate Services – up to \$100,000 outstanding for each ratepayer • Manager Financial Services – up to \$50,000 outstanding for each ratepayer 	
Conditions on Delegation	The agreed re-payment amount and period must ensure that the amount paid over a 12-month period substantially exceeds the estimated value of rates and service charges that will become due over the ensuing 12-month period.	
Compliance links	<i>Local Government Act 1995</i> Section 5.41(d): Functions of the CEO – ... (d) day to day operations <i>Local Government (Financial Management) Regulations 1996</i> Regulation 5(1)(a): CEO's duties - proper collection of all money owing to the local government	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P FINANCIAL MANAGEMENT – Rates Payment Arrangements 11.53 7D	
Period of Validity	Ongoing	
Granted by CEO	16 June 2009	
Substantive Amendments	19 June 2020 – Delegates restricted to Director Corporate Services and Manager Financial Services. -Function performed by acting through other staff.	

DA-006C Authority to Approve Deputations

Delegator: CEO Chief Executive Officer Process Owner: Director Corporate Services		Delegation: No. DA – 006C Last Review Date: 20 June 2023 24 June 2022
Description	Authority to approve applications for deputations.	
Statutory Power or Duty Delegated	<i>City of Melville Local Government (Meeting Procedures) Local Law 2022</i> <u>Clause 6.12(5)</u> : The CEO may approve the request to make a deputation or refer the request to the Mayor or Presiding Member for decision.	
Statutory Power to Delegate	<i>Local Government Act 1995</i> <u>Section 5.44</u> : (4) CEO may delegate powers and duties to other employees	
Delegated to	<ul style="list-style-type: none"> • Director Corporate Services • Head of Governance 	
Conditions on Delegation	A deputation must be relevant to a report on the agenda.	
Compliance links	<i>City of Melville Local Government (Meeting Procedures) Local Law 2022</i> <u>Clause 1.5</u> : deputation means an oral submission by one or more members of the public at an agenda briefing forum or at a Council or committee meeting on an item listed on the agenda of that meeting-	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P	
Period of Validity	Ongoing	
Granted by CEO	1 November 2010	
Substantive Amendments	19 June 2020 – Amended to apply to all meetings to which deputations may be made.	

DA-007C Access to Electoral or Ratepayer Details

Delegator: Chief Executive Officer Process Owner: Director Corporate Services		Delegation: No. DA – 007C Last Review Date: 20 June 2023 21 June 2022
Description	Authority to determine that information requested relating to the provision of rate record, electoral or ratepayer details will not be used for a commercial purpose.	
Statutory Power or Duty Delegated	<i>Local Government (Administration) Regulations 1996</i> Regulation 29B(b): Copies of certain information not to be provided unless the CEO of the local government is satisfied that information requested under section 5.94(m) or (s) of the <i>Local Government Act 1995</i> will not be used for commercial purposes.	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.44: (1) CEO may delegate powers and duties to other employees	
Delegated to	<ul style="list-style-type: none"> • Director Corporate Services • Manager Financial Services • Director Corporate Services • 	
Statutory Power to sub-delegate:	None	
Sub-Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	None	
Compliance links	<i>Local Government Act 1995</i> Section 5.94: Public can inspect certain information — subsection (m) any rate record subsection (s) any register of owners and occupiers under section 4.32(6) Section 5.95 (2),(6) : Limits on right to inspect subsections(2) and (8)	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P	
Period of Validity	Ongoing	
Granted by CEO		
Substantive Amendments	19 June 2020 – Amended to limit delegates to Manager level and above.	

DA-008C Authority to Extend Time to Pay and to Withdraw Infringement Notices

Delegator: CEO Process Owner: — Director Corporate Services		Delegation: No. DA – 008C Last Review Date: 20 June 2023 21 June 2022
Description	1. 4. Authority to extend the period of 28 days within which a modified penalty may be paid; and: 2. 2. Authority to withdraw an infringement notice within one year of the notice being given, whether or not the modified penalty has been paid.	
Statutory Power or Duty Delegated	1. Local Government Act 1995 Section 9.19: Extension of time 2. Local Government Act 1995 Section 9.20: Withdrawal of notice 3. Cat Act 2011 Section 64: Extension of time 4. Cat Act 2011 Section 65: Withdrawal of notice	
Statutory Power to Delegate	Local Government Act 1995 Section 5.44: (1) CEO may delegate powers and duties to other employees	
Delegated to	<ul style="list-style-type: none"> • Director Community Development • Manager Neighbourhood Amenity <u>Community Safety</u> • Coordinator Rangers and Emergency Management • Director Urban Planning • Manager Building and Environmental Health Services • Coordinator Environmental Health Services • <u>Director Environment and Infrastructure</u> • Director Environment and Infrastructure 	
Statutory Power to sub-delegate:	None	
Sub-Delegated to:	Not applicable	
Conditions on Delegation/Sub Delegation	Each delegate may exercise these powers only with respect to infringements issued by officers who report directly or indirectly to them. Delegates may not issue infringement notices.	
Compliance links	None	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P COMMUNITY SAFETY, SECURITY AND LAW ENFORCEMENT – Infringement Notices 4.13 7D	

Part 3 - Register of Statutory Delegations by Chief Executive Officer

Period of Validity	Ongoing
Granted by CEO	13 November 2019
Substantive Amendments	24 March 2020 – Added Director Technical Services. 21 June 2022 – Title amended from Director Technical Services to Director Environment and Infrastructure

CONFIRMED

DA-009C Appointment of Authorised Persons
(Local Government Act)

DA-009C Appointment of Authorised Persons (Local Government Act)

Delegator: CEO Process Owner: —Director Corporate Services		Delegation: No. DA – 009C Last Review Date: <u>20 June 2023</u> June 2022
Description	Authority to appoint authorised persons under: 1. the <i>Local Government Act 1995</i> ; 2. the <i>Caravan Parks and Camping Grounds Act 1995</i> 3. the <i>Cat Act 2011</i> ; 4. the <i>Cemeteries Act 1986</i> ; 5. the <i>Control of Vehicles (Off-road Areas) Act 1978</i> ; 6. the <i>Dog Act 1976</i> ; 7. Any subsidiary legislation made under the above Acts; and 8. Any written law prescribed for the purposes of section 9.10 of the <i>Local Government Act 1995</i> .	
Statutory Power or Duty Delegated	<i>Local Government Act 1995</i> Section 9.10(2): The CEO may, in writing, appoint persons or classes of persons to be authorised persons for the purposes of 1 or more specified laws or specified provisions of 1 or more specified laws.	
Statutory Power to Delegate	<i>Local Government Act 1995</i> Section 5.44(4): CEO may delegate powers and duties to other employees	
Delegated to	<ul style="list-style-type: none"> All Directors for functions for which they are responsible. Manager Neighbourhood Amenity Community Safety and Coordinator Rangers and Emergency Management for authorisation for the purposes of appointing authorised persons for sections 3.39 and 3.40A(1) of the <i>Local Government Act 1995</i>. 	
Conditions on Delegation	Persons appointed as authorised persons must be issued with an identity card in accordance with the requirements of section 9.10(4) of the <i>Local Government Act 1995</i> .	
Compliance links	<i>Local Government Act 1995</i> —section 9.10 <i>Caravan Parks and Camping Grounds Act 1995</i> —section 17 <i>Cat Act 2011</i> —section 3(1) <i>Cemeteries Act 1986</i> —section 64 <i>Control of Vehicles (Off-road Areas) Act 1978</i> —section 38 <i>Dog Act 1976</i> —section 11A	
Policy Reference	None	
Recordkeeping	Records of exercise of delegated authority and associated contracts to be retained in ECM index: COUNCIL ADMINISTRATION – Delegated Authority – Exercises 5.119 P	
Period of Validity	Ongoing	
Granted by CEO	22 June 2022 — Note this delegation replaced Council delegation DA-055 revoked	

Part 3 - Register of Statutory Delegations by Chief Executive Officer

	on 15 June 2021 as a result of amendments to section 9.10 of the <i>Local Government Act 1995</i> .
Substantive Amendments	

CONFIRMED

Part 4 - Statutory Authorisations and Appointments by Council

CONFIRMED

Division 1 - Local Government Act 1995 and Regulations and Local Laws

4.1.1 Legislative provisions

Certain powers and functions may only be exercised or performed by persons explicitly authorised by the local government to do so.

Two types of authorisation of persons to perform functions are reserved to the Council:

1. Section 9.6(1) ~~–~~ authorisation of a committee to deal with an objection to a local government decision made by Council or under delegated authority regarding:
 - a) A licence, permit, approval or other authorisation granted, renewed, varied or cancelled under Part 3 of the Act;
 - b) A notice given under section 3.25 of the Act; and
 - c) A decision made under a local law which states that it is one to which Part 9 Division 1 of the Act applies and that the person specified in it is an affected person as defined in section 9.2 of the Act.

There are no committees that currently hold this authorisation. ~~–~~Council will authorise a committee under section 9.6(1) as required on receipt of an objection under Part 9 Division 1 of the Act.

2. Section 9.49A(4) – authorisation, by resolution, of the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, including (if specified) deeds. ~~–~~Section 5.43(ha) specifically prohibits this power being delegated to the CEO.

For other functions and powers that are required to be performed by persons specifically authorised to exercise them, section 9.10(2) of the *Local Government Act 1995* provides that the CEO of the local government may, in writing, appoint persons or classes of persons to be authorised persons for the purposes of one or more specified laws or specified provisions of one or more specified laws as defined in section 9.10(1):

- (a) the *Local Government Act 1995*;
- (b) the *Caravan Parks and Camping Grounds Act 1995*;
- (c) the *Cat Act 2011*;
- (d) the *Cemeteries Act 1986*;
- (e) the *Control of Vehicles (Off-road Areas) Act 1978*;
- (f) the *Dog Act 1976*;
- (g) subsidiary legislation made under an Act referred to in any of paragraphs (a) to (f); and
- (h) a written law prescribed for the purposes of this section.

The Act also separately provides for the CEO to authorise employees to certify certain documents as being true copies or statements of fact (sections 9.31, 9.41 and 9.48).

Persons Authorised by Council to Sign Documents on Behalf of the City

Authorising Body: <u>Council</u> Process Owner: <u>CEO</u>		Council Statutory Authorisation: CSA-Local-01 Last Reviewed: <u>20 June 2023</u> 16 June 2020
Function Authorised	Sign documents of behalf of the local government.	
Statutory power to authorise	<i>Local Government Act 1995</i> <u>Section 9.49A(4):</u> — A local government may, by resolution, authorise the Chief Executive Officer, another employee or an agent of the local government to sign documents on behalf of the local government.	
Authorised officer(s)	<ul style="list-style-type: none"> Chief Executive Officer – any document that is necessary or appropriate to sign in carrying out the CEO's functions under any written law. For signing/initialling construction plans and pages of accepted tenders and related contract documents: Director Environment and Infrastructure – <u>signing/initialling construction plans and pages of accepted tenders and related contract documents</u> Manager Natural Areas and Parks – <u>signing/initialling construction plans and pages of accepted tenders and related contract documents,</u> Manager Engineering – <u>signing/initialling construction plans and pages of accepted tenders and related contract documents-</u> 	
Conditions on authorisation	<ol style="list-style-type: none"> A person authorised by this instrument to sign a document that may be classified as a deed is authorised to execute that document as a deed (<u>section 9.49A(5)</u>). For the purposes of this authorisation, document means any paper or electronic document, including communications such as letters and emails, which: <ol style="list-style-type: none"> conveys a decision; or establishes an obligation on the City; or is ceremonial. Where a City employee holds a delegated authority, a statutory authority or an operational authorisation, to make a decision, that person also has the authority to sign documents which give effect to that decision. 	
Compliance references	<i>Local Government Act 1995</i> <u>Section 5.41(d):</u> — CEO's duty to manage day to day operations <u>Section 9.38:</u> Evidence of documents coming from local government <u>Section 9.49A(1)(b):</u> Execution of documents <u>Section 9.49A(5):</u> Document not regarded as deed unless executed as a deed <u>Section 9.49B:</u> Contract formalities <u>Section 9.49:</u> Documents, how authenticated <u>Section 9.54:</u> Defects in documents	
Policy reference		

Part 4 - Statutory Authorisations and Appointments

Recordkeeping	All records to be retained in ECM under appropriate subject index
History	Previously approved as Council Delegations DA-012 and DA-117
Resolved by Council	Ordinary Meeting of Council = 16 June 2020 = M20/5749 Delegations DA-012 and DA-117 were revoked and replaced by this authorisation.
Term of Authorisation	Ongoing

Division 2 - Health (Miscellaneous Provisions) Act 1911 and Regulations and Local Laws made thereunder

4.2.1 Enabling legislative provisions

Section 26(1) of the *Health (Miscellaneous Provisions) Act 1911* authorises and directs every local government to carry out within its district the provisions of that Act and the regulations, local laws and orders made under it.

Section 26(2) provides that a local government may "appoint and authorise any person to be its deputy and in that capacity exercise and discharge all or any of the functions of the local government, subject to such conditions and limitations (if any) that the local government shall see fit to prescribe".

The appointment of a deputy or deputies does not affect the exercise or discharge by the local government itself of any power or function (section 26(2)).

Section 26(2) is technically not a delegation power, although in practice the role of a deputy and the role of a delegate are essentially the same. -There is no capacity within this Act to sub-delegate or sub-deputise.

Section 344(2) of the Act provides for a regulation or local law made under the Act to be made so as to delegate or confer a discretionary authority on a specified person or body or class of person or body.

Section 374 of the Act provides for a local government to authorise by resolution any officer or member to appear before any court or in any legal proceeding.

4.2.2 Matters that may not be undertaken by deputy

Council is not fettered in the functions or powers it may authorise any deputy to carry out.

4.2.3 Recording and Review Obligations

None specified with respect to appointment of deputies.

Local governments are required to report annually to the Health Department on the performance of their functions under the Act.

Appointment of Deputies under the Health (Miscellaneous Provisions) Act 1911

Appointing Body: <u>Council</u> Process Owner: <u>Chief Executive Officer</u>		Statutory Appointment: CSA-Health-01 Last Reviewed: <u>20 June 2023</u> <u>24 June 2022</u>
Statutory power to appoint and authorise	<i>Health (Miscellaneous Provisions) Act 1911</i> <u>Section 26: Powers of local governments</u> 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 granted or imposed under <i>Health (Miscellaneous Provisions) Act 1911</i> and the regulations, local laws and orders made thereunder.	
Persons appointed and authorised as deputies	<ul style="list-style-type: none"> • Chief Executive Officer • Coordinator Environmental Health Services • Senior Environmental Health Officer • Director Corporate Services (<u>section 353</u> -- take possession of land) • Director Environment and Infrastructure (Part IV -- Sanitary provisions) 	
Statutory powers and functions authorised to be exercised and discharged by deputies	<i>Health (Miscellaneous Provisions) Act 1911</i> <u>Part II Administration</u> <u>Section 38:</u> Report annually to the Chief Health Officer <u>Part IV:</u> Sanitary provisions <u>Part V:</u> Dwellings <u>Part VI:</u> Public buildings <u>Part VII:</u> Nuisances and offensive trades <u>Part XV Miscellaneous provisions</u> <u>Section 353:</u> Take possession of land where expenses are due and unpaid for 3 years <u>Section 357:</u> Suspend or cancel any licence or registration of persons convicted for any offence under the Act <u>Section 358(1):</u> Prosecution of offences <u>Section 374:</u> Appearance of local government in legal proceedings	
Conditions and limitations on appointment	The authority held by the deputies appointed above excludes the following powers reserved to Council: <ul style="list-style-type: none"> • <u>Part III:</u> Financial; <u>Part XIV Regulations and local laws</u> • <u>Section 342:</u> -- Make, repeal, amend or suspend local laws with the consent or at the direction of the Chief Health Officer; • <u>Section 344C:</u> Fix fees and charges 	
Compliance references	<i>Health (Miscellaneous Provisions) Act 1911</i> <u>Section 36:</u> Review of orders and decisions by local governments by SAT <u>Section 354:</u> Service of notice <i>Health (Asbestos) Regulations 1992</i> <i>Health (Offensive Trades Fees) Regulations 1976</i> <i>Health (Public Buildings) Regulations 1992</i>	

Part 4 - Statutory Authorisations and Appointments

	<i>City of Melville Health Local Laws 1997</i>
Policy reference	
Recordkeeping	All records to be retained in ECM under appropriate subject index
History	Certain powers originally delegated by Council under: DA-065—Corporate & Community Services Committee 6 February 2001 A01/6000 DA-067, DA-069, DA-070—Administration & Community Services Committee 5 November 1996 A96/1017 DA-071—Ordinary Meeting of Council 16 June 2009 C09/5070 Delegations DA-065, DA-067, DA-069, DA-070, and DA-071, were revoked and replaced by this appointment of deputies on 16 June 2020
Appointment Approved by Council	Ordinary Meeting of Council — 16 June 2020 — M20/5749 <u>Delegations DA-065, DA-067, DA-069, DA-070 and DA-071 were revoked and replaced by this appointment of deputies on 16 June 2020.</u>
Term of Appointment	Ongoing

Division 3 - Litter Act 1979

4.3.1 Enabling legislative provisions

Section 30(4) of the *Litter Act 1979* provides that an infringement notice issued under [section 30\(1\)](#) of the Act may be withdrawn at any time within 28 days after the service of the notice by sending a notice in the prescribed form advising that the infringement notice has been withdrawn.

Section 30(4a) specifies that a withdrawal notice sent under [section 30\(4\)](#) must be signed by [“a person appointed in writing to withdraw infringement notices by the public authority on behalf of which the infringement notice was served.”](#)

The definition of the term [“public authority”](#) under the *Litter Act 1979* includes [“a local government within its district”](#). By convention, unless otherwise specified or made obvious by the context, the term [“local government”](#) in legislation is generally interpreted as referring to the Council when it is used in relation to a decision-making power.

The *Litter Act 1979* does not confer a delegation power on local governments, so an appointment under [section 30\(4a\)](#) giving authority to sign withdrawal notices must be made by the Council.

Appointment of Person Authorised to Withdraw Infringement Notices Issued under Part V of the *Litter Act 1979*

Authorising Body: <u>Council</u> Process Owner: <u>Director Community Development</u>		Statutory Appointment: CSA-Litter-01 Approved Last Reviewed: 20 June 2023 20 September 2022
Function or Power s Authorised	<i>Litter Act 1979</i> <u>Section 30(4):</u> — Withdraw infringement notices issued under section 30(1) of the <i>Litter Act 1979</i> .	
Statutory power to authorise	<i>Litter Act 1979</i> <u>Section 30(4)(a):</u> — A withdrawal notice sent under subsection (4) shall be signed by a person appointed in writing to withdraw infringement notices by the public authority on behalf of which the infringement notice was served.	
Person(s) appointed	<ul style="list-style-type: none"> • Chief Executive Officer • Director Community Development • Manager Neighbourhood Amenity <u>Community Safety</u> • Coordinator Rangers and Emergency Management 	
Conditions on appointment		
Compliance references	<i>Litter Act 1979</i>	
Policy reference	CP-114 Compliance and Enforcement Policy Compliance and Enforcement Guidelines	
Recordkeeping	All records to be retained in ECM under appropriate subject index	
<u>Appointment approved by Council</u>	<u>Ordinary Meeting of Council – 20 September 2022 – C22/5931</u>	
Term of Appointment	Ongoing	

Part 5 - Statutory Delegations and Authorisations to the City of Melville from External Agencies

CONFIRMED

Division 1 - Environmental Protection Act 1986

5.1.1 Noise Control – Environmental Protection Notices

19 March 2004

GOVERNMENT GAZETTE, WA

919

ENVIRONMENT

EV401

ENVIRONMENTAL PROTECTION ACT 1986

SECTION 20

Delegation No. 52

Pursuant to section 20 of the *Environmental Protection Act 1986*, the Chief Executive Officer hereby delegates as follows—

Powers and duties delegated—

All the powers and duties of the Chief Executive Officer, where any noise is being or is likely to be emitted from any premises not being premises licensed under the Act, to serve an environmental protection notice under section 65(1) in respect of those premises, and where an environmental protection notice is so served in such a case, all the powers and duties of the Chief Executive Officer under Part V of the Act in respect of that environmental protection notice.

Persons to whom delegation made—

This delegation is made to any person for the time being holding or acting in the office of Chief Executive Officer under the *Local Government Act 1995*.

Pursuant to section 59(1)(e) of the *Interpretations Act 1984*, Delegation No. 32, dated 4 February 2000 is hereby revoked.

Dated this 9th day of January 2004.

Approved—

FERDINAND TROMP, A/Chief Executive Officer.
Dr JUDY EDWARDS MLA, Minister for the Environment.

EXERCISE OF THIS DELEGATION WITHIN THE CITY OF MELVILLE

The Chief Executive Officer to whom powers and duties have been delegated in this instrument nominates the holders from time to time of the following positions (including under acting arrangements) to exercise those powers and discharge those duties on the Chief Executive Officer's behalf and under his authority:

- Coordinator Environmental Health ~~Services~~
- Senior Environmental Health Officer

Note that section 114(4) of the *Environmental Protection Act 1986* states that

(4) *If the CEO has delegated a power under section 65(1) to a local government or the chief executive officer or an employee of a local government, a prosecution for an offence under section 65(5) in respect of a failure to comply with a requirement contained in an environmental protection notice caused to be served under section 65(1) by that local government, chief executive officer or employee may be instituted by the chief executive officer of the local government.*

5.1.2 Noise Management Plans in relation to Specific Works or Venues, Keeping Log Books, Noise Control Notices, Calibration and Approval of Non-Complying Events

6282

GOVERNMENT GAZETTE, WA

20 December 2013

EV402*

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 112

I, Jason Banks, in my capacity as Acting Chief Executive Officer of the Department of Environment Regulation responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to any person for the time being holding or acting in the office of a Chief Executive Officer under the *Local Government Act 1995*, my powers and duties under the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation, in relation to—

- (a) waste collection and other works—noise management plans relating to specified works under regulation 14A or 14B;
- (b) bellringing or amplified calls to worship—the keeping of a log of bellringing or amplified calls to worship requested under regulation 15(3)(c)(vi);
- (c) community activities—noise control notices in respect of community noise under regulation 16;
- (d) motor sport venues—noise management plans in relation to motor sport venues under Part 2 Division 3;
- (e) shooting venues—noise management plans in relation to shooting venues under Part 2 Division 4;
- (f) calibration results—requesting, under regulation 23(b), details of calibration results undertaken and obtained under Schedule 4;
- (g) sporting, cultural and entertainment events—approval of events or venues for sporting, cultural and entertainment purposes under Part 2 Division 7, subject to the following limitation—

(i) Subregulation 18(13)(b) is not delegated.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 68, gazetted 22 June 2007 is hereby revoked.

Dated the 12th day of December 2013.

JASON BANKS, Acting Chief Executive Officer.

Approved by—

JOHN DAY, Acting Minister for Environment; Heritage.

EXERCISE OF THIS DELEGATION WITHIN THE CITY OF MELVILLE

The Chief Executive Officer to whom powers and duties have been delegated in this instrument nominates the holders from time to time of the following positions (including under acting arrangements) to exercise those powers and discharge those duties on the Chief Executive Officer's behalf and under his authority:

- Coordinator Environmental Health ~~Services~~
- Senior Environmental Health Officer

5.1.3 Noise Management Plans

1548

GOVERNMENT GAZETTE, WA

16 May 2014

EV405*

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 119

I, Jason Banks, in my capacity as the Acting Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the offices of—

- (a) Chief Executive Officer under the *Local Government Act 1995*; and
- (b) to any employee of the local government under the *Local Government Act 1995* who is appointed as an Authorised Person under section 87 of the Act,

all my powers and duties in relation to noise management plans under regulation 13 of the *Environmental Protection (Noise) Regulations 1997*, other than this power of delegation.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 111, gazetted 20 December 2013, is hereby revoked.

Dated the 1st day of May 2014.

JASON BANKS, Acting Chief Executive Officer.

Approved by—

Hon ALBERT JACOBS JP MLA, Minister for Environment: Heritage.

EXERCISE OF THIS DELEGATION WITHIN THE CITY OF MELVILLE

The powers and duties delegated ~~under this Instrument of Delegation~~ Delegation 119 may only be exercised and discharged by the Chief Executive Officer and ~~the~~ City employees holding the following positions provided they have been appointed as Authorised Persons under section 87 of the *Environmental Protection Act 1986*:

- Coordinator Environmental Health ~~Services~~
- Senior Environmental Health Officer
- Environmental Health Officers

Division 2 - Planning and Development Act 2005

**5.2.1 Instrument of Authorisation – Sign Development Applications
for Crown Land as Owner**

DoL FILE 1738/2002v8; 858/2001v9

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF AUTHORISATION

I, **Donald Terrence Redman MLA**, Minister for Lands, a body corporate continued by section 7(1) of the *Land Administration Act 1997*, under section 267A of the *Planning and Development Act 2005*, HEREBY authorise, in respect of each local government established under the *Local Government Act 1995* and listed in Column 2 of the Schedule, the person from time to time holding or acting in the position of Chief Executive Officer of the relevant local government, to perform the powers described in Column 1 of the Schedule subject to the conditions listed in Column 3 of the Schedule.

Dated the 2nd day of June 2016



**HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS**

Part 5 Statutory Delegations and Authorisations from External Agencies

SCHEDULE

This is the Schedule referred to in an Instrument of Authorisation relating to Development Applications under the *Planning and Development Act 2005*

Column 1	Column 2	Column 3
<p>The power to sign as owner in respect of Crown land that is:</p> <ul style="list-style-type: none"> a reserve managed by the local government pursuant to section 46 of the <i>Land Administration Act 1997</i> and the development is consistent with the reserve purpose and the development is not for a commercial purpose; or the land is a road of which the local government has the care, control and management under section 55(2) of the <i>Land Administration Act 1997</i> and where there is no balcony or other structure proposed to be constructed over that road unless that structure comes within the definition of a "minor encroachment" in the Building Regulations 2012 (Regulation 45A), or is an "awning, verandah or thing" (Regulation 46B), or is a ground anchor, and where the development is consistent with the use of the land as a road, <p>in respect of development applications being made under or referred to in:</p> <p>(i) section 99(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a regional interim development order (as that term is defined in that Act);</p> <p>(ii) section 103(2) of the <i>Planning and Development Act 2005</i> in respect of development for which approval is required under a local interim development order (as that term is defined in that Act);</p> <p>(iii) section 115 of the <i>Planning and Development Act 2005</i> in respect of development within a planning control area (as that term is defined in that Act);</p> <p>(iv) section 122A of the <i>Planning and Development Act 2005</i> in respect of which approval is required under an improvement scheme (as that term is defined in that Act);</p> <p>(v) section 182 of the <i>Planning and Development Act 2005</i> in respect of developments for which approval is required under a planning scheme or interim development order (as those terms are defined in that Act);</p> <p>(vi) section 163 of the <i>Planning and Development Act 2005</i> in respect of development on land which is comprised within a place entered in the Register maintained by the Heritage Council under the <i>Heritage of Western Australia Act 1990</i>, or of which such a place forms part;</p> <p>(vii) section 171A of the <i>Planning and Development Act 2005</i> in respect of a prescribed development application (as that term is defined in that section of that Act).</p>	<p>City of Albany City of Armadale Shire of Ashburton Shire of Augusta-Margaret River Town of Bassendean City of Baywater City of Belmont Shire of Beverley Shire of Boddington Shire of Boyup Brook Shire of Bridgetown-Greenbushes Shire of Brookton Shire of Broome Shire of Broomehill-Tambellup Shire of Bruce Rock City of Bunbury Shire of Busselton Town of Cambridge City of Canning Shire of Capel Shire of Carnamah Shire of Carnarvon Shire of Chapman Valley Shire of Chittering Shire of Christmas Island Town of Claremont City of Cockburn Shire of Cocos (Keeling) Islands Shire of Collie Shire of Coolgardie Shire of Coorow Shire of Corrigin Town of Cottesloe Shire of Cranbrook Shire of Cuballing Shire of Cue Shire of Cunderdin Shire of Dalwallinu Shire of Dardanup Shire of Dardanup Shire of Denmark Shire of Derby-West Kimberley Shire of Dongroybrook-Balingup Shire of Dowerbin Shire of Dumbleyung Shire of Dundas Town of East Fremantle Shire of East Pilbara Shire of Esperance Shire of Esmeralda City of Fremantle City of Greater Geraldton</p> <p>Shire of Gingin Shire of Gnowangerup Shire of Goomalling City of Gosnells Shire of Halls Creek Shire of Harvey Shire of Irwin Shire of Jerramungup City of Joondalup Shire of Kalamunda City of Kalgoorlie-Boulder Shire of Kalbarning Shire of Kellerberrin Shire of Kent Shire of Kojonup Shire of Kondinin Shire of Koorda Shire of Kulin City of Kwinana Shire of Lake Grace Shire of Laverton Shire of Leonora City of Mandurah Shire of Manjimup Shire of Meekatharra City of Melville Shire of Menzies Shire of Merredin Shire of Mingenew Shire of Mobera Shire of Morawa Town of Mosman Park Shire of Mount Magnet Shire of Mt Marshall Shire of Mukinbin Shire of Mundaring Shire of Murchison Shire of Murray</p>	<p>In accordance with and subject to approved Government Land policies.</p> <p>Any signature subject to the following endorsement: Signed only as acknowledgement that a development application is being made in respect of a proposal that includes Crown land, Crown reserves under management for the purpose, or a road and to permit this application to be assessed under the appropriate provision of the <i>Planning and Development Act 2005</i> (including any planning scheme). The signature does not represent approval or consent for planning purposes. Further, in the event that development approval is granted for the proposal, the above signature should not be taken as an acknowledgement of or consent to the commencement or carrying out of the proposed development or to any modification of the tenure or reservation classification of the Crown land component.</p>

Part 5 Statutory Delegations and Authorisations from External Agencies

Shire of Nannup
Shire of Narembeen
Shire of Narrogin
Town of Narrogin
City of Nedlands
Shire of Ngaanyatjaraku
Shire of Northam
Shire of Northampton
Shire of Nungarin
Shire of Peppermint Grove
Shire of Perenjori
City of Perth
Shire of Pingelly
Shire of Plantagenet
Town of Port Hedland
Shire of Quairading
Shire of Ravensthorpe
City of Rockingham
Shire of Roebourne
Shire of Sandstone
Shire of Serpentine Jarrahdale
Shire of Shark Bay
City of South Perth
City of Stirling
City of Subiaco
City of Swan

Shire of Tammin
Shire of Three Springs
Shire of Toodyay
Shire of Trayning
Shire of Upper Gascoyne
Town of Victoria Park
Shire of Victoria Plains
Town of Vincent
Shire of Wagin
Shire of Wandaring
City of Wanneroo
Shire of Waroona
Shire of West Arthur
Shire of Westonia
Shire of Wickepin
Shire of Williams
Shire of Wiluna
Shire of Wongan-Ballidu
Shire of Woodanilling
Shire of Wyalkatchem
Shire of Wyndham-East Kimberley
Shire of Yalgoo
Shire of Yalgoo
Shire of Yalgoo
Shire of York


HON DONALD TERRENCE REDMAN MLA
MINISTER FOR LANDS

2nd June 2016
..... day of 2016

EXERCISE OF THIS AUTHORISATION WITHIN THE CITY OF MELVILLE

Consistent with the Minister's Instrument of Authorisation, only the Chief Executive Officer or an officer given explicit written authority to sign on the CEO's behalf in these matters may exercise the powers in Column 1 of this Instrument.

5.2.2 Development Control Powers – Metropolitan Region Scheme

NOTE: WAPC Delegation 2022/03 must be read in conjunction with the conditions set out in WAPC Resolution 2021/01 (reproduced in section 5.2.2A of this document).

18 January 2022

GOVERNMENT GAZETTE, WA

111

PL405

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2022/03 Powers of Local Governments Metropolitan Region Scheme

Delegation of certain powers and functions of the Western Australian Planning Commission relating to the Metropolitan Region Scheme.

Preamble

Under section 16 of the Planning and Development Act 2005 (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to an officer of a public authority or to a local government, a committee established under the Local Government Act 1995 or an employee of a local government

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 8 December 2021, pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Part IV of the Metropolitan Region Scheme, of applications for approval to commence and carry out development specified in clauses 1 and 2 of Section A, within their respective districts, subject to the conditions set out in clauses 1 to 4 of Section B;
- B. To revoke its delegation of powers and functions to local governments as detailed in the notice entitled “DEL 2017/02 Powers of local governments (MRS)” published in the *Government Gazette* on 30 May 2017, to give effect to this delegation.

SAM FAGAN, Secretary, Western Australian Planning Commission.

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

SECTION A—Types of Development

1. Development on zoned land

Applications for development on land zoned under the MRS except—

- (a) where the land is subject to a resolution under Clause 32 of the MRS; or
- (b) where the land is subject to the declaration of a planning control area under Section 112 of the *Planning and Development Act 2005*; or



- (c) where that land is partly within the development control area described in section 10 of the *Swan and Canning Rivers Management Act 2006* or is outside the development control area but abuts waters within the development control area and the Swan River Trust objects to the proposal, or a referral body recommends refusal; or
- (d) where the local government is of the opinion that the application should be determined by the WAPC on the grounds that the proposal is of State or regional importance or is in the public interest, or
- (e) in respect of public works undertaken by public authorities.

2. Development on regional road reservations

Applications for developments on or abutting land that is reserved in the MRS for the purpose of a regional road.

SECTION B—Conditions

1. Referral requirements for development on land within or abutting a regional road reservation

The following applications for development on land that abuts or is fully or partly reserved as regional road reservation (classified as Category 1, 2 and 3) shall be referred to Main Roads WA (MRWA) or the Department of Planning, Lands and Heritage, as applicable, for transport planning related comments and recommendations before being determined by the local government subject to the process explained in clause 4, Section B.

Type of regional road reservation in the MRS	Classification on plans SP 693 (PRR) and SP 694 (ORR)	Referral Agency
Primary Regional Road (PRR)	Category 1, 2 and 3	Main Roads WA
Other Regional Road (ORR)	Category 1, 2 and 3	Department of Planning, Lands and Heritage

The regional road network (PRR and ORR) changes periodically with amendments to the MRS. This clause relates to all regional road reservations in the MRS as amended from time to time. Regional roads subject to this notice and the relevant agency that is responsible for their planning are shown on accompanying editions of plans SP 693 (PRR, MRWA) and SP 694 (ORR, WAPC).

The road categories shown on plans SP 693 (PRR) and SP 694 (ORR) classify the regional roads based on—

- (a) the permissible vehicular access arrangements to the subject land via the regional road frontage
 - Category 1 road means that frontage access is not allowed (control of access);
 - Category 2 road means that frontage access may be allowed subject to approval; and
- (b) the legibility and statutory powers of current road land requirements defined for the purpose of regional road reservation in the MRS
 - Category 3 road means that the subject regional road reservation is not accurately defined or is subject to review by the agency that is responsible for planning of the regional road.

“Category 1 road” applies where regional roads—

- (a) are constructed or planned to a fully controlled and grade separated freeway standard; or
- (b) are constructed or planned to an access controlled arterial standard, (i.e. functioning as Primary Distributor or Integrator Arterial (District Distributor) road with widely spaced signalised intersections or roundabouts, and a few, if any, direct access points to individual sites or local streets.

“Category 2 road” applies where regional roads—

- (a) are constructed or planned to a partially access controlled arterial standard, (i.e. a primary or district distributor road with direct connections to local streets and driveways to larger sites, but with some restriction of direct frontage access to individual properties); or
- (b) have direct frontage access to abutting properties due to the historic development of the road and properties.

“Category 3 road” applies where regional road reservation is not accurately defined or is under review.

Tables 1, 2 and 3 below outline the category of the regional road reservation and the criteria for referring development applications to agencies for comment in accordance with this instrument of delegation.

Table 1—Referral process of development applications with respect to Category 1 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
<ol style="list-style-type: none"> 1. Where a development application has one or more of the following characteristics— <ol style="list-style-type: none"> (a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or (b) Development with potential for a significant increase in traffic using any access, either directly or indirectly, onto the road reservation; or (c) Development, which involves direct vehicle access to and/or from the regional road reservation. 	<ol style="list-style-type: none"> 1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

Table 2—Referral process of development applications with respect to Category 2 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
<ol style="list-style-type: none"> 1. Where a development application has one or more of the following characteristics— <ol style="list-style-type: none"> (a) Development, including earthworks and drainage, which encroaches or impacts upon the road reservation; or (b) Development with potential for a significant increase in traffic on the regional road using any access, either directly or indirectly, onto the road reservation; or (c) Development, which involves the retention of more than one existing access; or additional, relocated or new access between the subject land and the road reservation; or (d) Development, which proposes retention of an existing access between the subject land and the road reservation, where alternative access is or could be made available from side or rear streets or from rights of way at rear; or (e) Development on a lot affected by the regional road reservation where— <ul style="list-style-type: none"> • all or part of the proposed development is within the regional road reservation; and • has a construction value greater than \$50 000; or (f) Development on a lot affected by the regional road reservation where— <ul style="list-style-type: none"> • none of the proposed development is within the regional road reservation; and • has a construction value greater than \$250 000 	<ol style="list-style-type: none"> 1. Where the local government first decides to refuse the application under the MRS; or 2. Under circumstances where the application is for an ancillary and incidental addition or modification to an existing authorised development, which does not encroach upon the road reservation and has no intention to alter existing access arrangements.

Table 3—Referral process of development applications with respect to Category 3 (PRR or ORR reservations in the MRS)

Respective referral agency (as per Section B)	
Referral is required in these instances	Referral is not required in these instances
1. All development applications, other than those where local government first decides to refuse it.	1. Where the local government first decides to refuse the application under the MRS

Notes—

- (1) Copies of plans SP 693 (PRR) and SP 694 (ORR) are available from the WAPC's website: "Resolutions and instruments of delegation—WAPC Powers of local governments (MRS)". (<http://www.DPLH.wa.gov.au/1212.asp>).
- (2) In determining applications under this delegation, local governments shall have due regard to relevant WAPC and MRWA policy and guidelines, including but not limited to the Commission's D C Policy—5.1 *Regional Roads (Vehicular Access)*, the Transport Impact Assessment Guidelines, and MRWA *Driveways Policy*, which set out the principles and requirements to be applied when considering proposals for vehicle access to or from developments abutting certain categories of regional roads.
(<http://www.DPLH.wa.gov.au/publications/812.asp>; and <https://www.mainroads.wa.gov.au/BuildingRoads/StandardsTechnical/RoadandTrafficEngineering/GuidetoRoadDesign/Pages/Driveways.aspx>)
- (3) Local governments shall ensure that sufficient transport information accompanies the development application to assist the referral agency in assessing the transport implications of the proposal. This information should be provided in accordance with the WAPC's *Transport Impact Assessment Guidelines*. (<http://www.DPLH.wa.gov.au/publications/1197.asp>)
- (4) With regard to proposals for new noise-sensitive developments, the local government shall have due regard to the provisions of Commission's *State Planning Policy—5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning*. (<http://www.DPLH.wa.gov.au/publications/1182.asp>)

2. Referral requirements for development on land abutting the Swan River Trust Development Control Area

Applications for development on land that is outside the development control area but abutting land that is in the development control area, or which in the opinion of the local government are likely to affect waters in the development control area, shall be referred to the Swan River Trust for comment and recommendation before being determined by the local government.

3. Referral requirements for development on land abutting other reservations

Applications for development on land abutting land reserved in the MRS for purposes other than regional roads or Parks and Recreation (where the reservation corresponds with the Swan River Trust development control area and is covered by Clause 2, Section B of this notice) shall be referred to the public authority responsible for that reserved land for comment and recommendation before being determined by the local government.

In the case of land reserved for the purpose of Parks and Recreation, which is not vested or owned by another public authority, the applications shall be referred to the Department of Planning, Lands and Heritage before being determined by the local government.

4. For the purpose of this Instrument of Delegation

- Where an application is referred by the local government to a public authority for comment and recommendation, the public authority shall provide comment and a recommendation, if any, within 30 days of receipt of the application. If no comment or recommendation is received within that 30 day period the local government may determine the application on the available information.
- Where the recommendation provided by the public authority specified in the delegation notice is not acceptable to the local government the application, together with the recommendations provided by all public authorities consulted and the reasons why the recommendation is not acceptable to the local government, shall be referred immediately to the WAPC for determination.
- The powers delegated to a member or officer of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development within the local government district under the local government's local planning scheme.

Interpretation

In this Instrument of Delegation, unless the context otherwise requires—

- A reference to a 'position' or 'classification' contemplates and includes a reference to its successor in title.
- "access" means both entry and exit from either a road or abutting development by a vehicle.
- "Commission" or "WAPC" means the "Western Australian Planning Commission".

- “development” has the same meaning given to it in and for the purposes of the *Planning and Development Act 2005* or “development means the development or use of any land, including—
 - (a) any demolition, erection, construction, alteration of or addition to any building or structure on the land;
 - (b) the carrying out on the land of any excavation or other works;
 - (c) in the case of a place to which a Conservation Order made under section 59 of the *Heritage of Western Australia Act 1990* applies, any act or thing that—
 - (i) is likely to change the character of that place or the external appearance of any building; or
 - (ii) would constitute an irreversible alteration of the fabric of any building”.
- “local road” means a public road other than a private road or a road subject of reservation under Part II of the MRS.
- “not acceptable” means that the local government wishes to determine the application, as a delegate of the WAPC, in a manner that is inconsistent with the recommendation received from the public agency to which the local government was required to consult under this Notice of Delegation.
- Main Roads WA means Main Roads Western Australia
- “regional road” means any road designated under the region Scheme as follows—
 - (a) land coloured red in the Scheme Map—Primary Regional Roads; and
 - (b) land coloured dark blue in the Scheme Map—Other Regional Roads.
- “reserved land” means land reserved under Part II of the MRS.
- “road reservation” means land reserved for the purposes of a regional road in the MRS.
- “significant increase in traffic” means generating more than 100 vehicle trips in the peak hour and would therefore require a transport assessment to accompany the development application. Refer to the Commission’s *Transport Impact Assessment Guidelines*

EXERCISE OF THIS DELEGATION WITHIN THE CITY OF MELVILLE

Consistent with Clause 4(c) of WAPC Instrument of Delegation 2022/03, the powers delegated in this instrument, as gazetted on 18 January 2022, may only be exercised by the Chief Executive Officer, Director ~~Urban~~ Planning, Manager Statutory Planning, Planning Services Coordinator and Senior Planning Officers, in accordance with the delegated authority matrix listed in Council Instrument of Delegation DA-020.

5.2.2A WA Planning Commission – Resolution under Clause 32 of the Metropolitan Region Scheme

The following resolution by the WA Planning Commission is not a delegation to the local government but places conditions on the preceding WAPC Delegation 2022/03 in accordance with clause 1(a) of that delegation:

INSTRUMENT OF DELEGATION
SECTION A Types of Development

1. Development on zoned land

Applications for development on land zoned under the MRS except
(a) where the land is subject to a resolution under Clause 32 of the MRS;

18 January 2022

GOVERNMENT GAZETTE, WA

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PL406

PLANNING AND DEVELOPMENT ACT 2005
NOTICE OF RESOLUTION
Resolution under Clause 32 of the MRS
RES 2021/01

Notice of resolution made under clause 32 of the Metropolitan Region Scheme (MRS) regarding development control powers of the Western Australian Planning Commission

Under clause 32 of the MRS, the WAPC may, by resolution, identify land and require that applications for all or certain classes of development on that land, be referred to the WAPC for determination.

Resolution under clause 32 of the MRS

On 8 December 2021, pursuant to clause 32 of the MRS, the WAPC RESOLVED—

- A TO REVOKE its resolutions made under clause 32 of the MRS as detailed in a notice published in the *Government Gazette* of 12 June 2015 at pages 2062 and 2063 and as published in the *Government Gazette* of 11 December 2011 concerning Lots 202 and 203, Corner Kwinana Freeway, Beeliar Drive and Wentworth Parade, Success.
- B TO REQUIRE all local governments within the MRS area to refer applications for development of the classes and in the locations specified in clauses 1 to 4 of Schedule 1 to the WAPC for determination.
- C TO REQUIRE that local governments specified in clauses 5 to 8 of Schedule 1 to refer applications for development of the classes and in the locations specified in clauses 5 to 8 of Schedule 1 to the WAPC for determination.
- D TO CONFIRM that words used in the schedules to this resolution have the meanings given to them in the *Planning and Development Act 2005* (the Act) and the MRS and, unless the context otherwise requires, the meanings defined in schedule 3. In the case of any inconsistency, the Act prevails;
- E TO DECLARE that this resolution takes effect when notice of it is published in the *Government Gazette*.

SAM FAGAN, Secretary, Western Australian Planning Commission.

Schedule 1

All Local governments in the area covered by the MRS

1. Development of State or Regional Significance

Development in respect of which the WAPC, by notice in writing in each case, advises the local government that the development is of state or regional significance or that, in the public interest, the development should be the subject of an application determined by the WAPC.

2. Development in the rural zone

Extractive Industry applications and any other uses which in the opinion of the WAPC or the local government may not be consistent with the rural zone.

3. Poultry Farms

Applications made under clause 28 of the MRS for approval to commence and carry out development of new poultry farms or any extension or addition in excess of 100 square metres to the improvements of an existing poultry farm in the Rural, Urban or Urban Deferred zones in the MRS

4. Development in Activity Centres

Applications made under clause 28 of the MRS for approval to commence and carry out development relating to a building or extension/s to an existing building for shop-retail purposes—

- (a) where the local government or the WAPC considers that the development proposed may be of State or regional significance;
- (b) where the development proposed is major development which the local government considers is appropriately located in an activity centre of a higher level of the Activity Centre Hierarchy that the activity centre in which it is proposed to be located;
- (c) where the development proposed is major development which the WAPC (after consulting the relevant local government) considers is appropriately located in an activity centre of a higher level of the Activity Centre Hierarchy that the activity centre in which it is proposed to be located;
- (d) for Strategic metropolitan centre or Secondary centre developments where the development proposed is major development;
- (e) for District centre developments, where the development is major development and where approval of the proposal would result in the shop/retail floorspace exceeding 20 000m² of shop/retail floorspace (net lettable area); or
- (f) where the development proposed is wholly or partly located in zoned land in specialised centres; except where the application complies with an activity centre structure plan or equivalent plan or strategy for the activity centre endorsed by the WAPC.

Referral arrangements for specific local governments**5. Stirling and Glendalough Station Precinct**

Unless a structure plan is in place for the areas defined in WAPC plan No. 4.1495/1, the City of Stirling is to refer for determination by the WAPC the following classes of applications under clause 28 of the MRS for approval to commence and carry out development on land—

- (a) Applications that include non-residential uses and/or development;
- (b) Applications for 5 or more residential dwellings.

6. Kwinana Industrial Area

The City of Kwinana is to refer for determination by the WAPC all applications made under clause 28 of the MRS for all classes of development for the area shown on WAPC plan No. 4.1489/1, except where development is estimated by the applicant to be less than \$250,000 in respect of which the council may decide at its discretion to submit or not to the WAPC.

7. North Coogee Industrial Area

The City of Cockburn is to refer for determination by the WAPC all applications made under clause 28 of the MRS for all classes of development for the area shown on WAPC plan 4.1622.

8. Parliament House Precinct 6

The City of Perth is to refer for determination by the WAPC all applications for approval to commence and carry out development within—

- (a) The area depicted as the Inner Precinct on WAPC plan 3.2096; and
- (b) The area depicted as the Outer Precinct on WAPC plan 3.2096, where the development proposed will exceed the specified height limits, previously determined by the WAPC.

Interpretation

In this notice of resolution, words have the meanings given to them in the Act and the MRS. Unless the context otherwise requires—

“activity centre” is defined in section 9 of State Planning Policy 4.2;

“activity centre hierarchy” means the categories of activity centres set out in Appendix 1 of State Planning Policy 4.2, namely—

- Capital City;
- Strategic centres;
- Specialised centres;
- Secondary centres;
- District centres;
- Neighbourhood centres; and
- Local centres.

“Advice agency” means a department, public authority or body which is requested to provide advice and recommendations on applications for planning approval under the GBRs as an agency responsible for reserved land or to which local governments refer applications under the terms of schedule 3.

“Category A activity centre uses” means land uses as defined in section 9 of State Planning Policy 4.2;

“Forward to the WAPC” and similar expressions mean convey by mail, by hand or electronically to the office of the Department of Planning Lands and Heritage.

“major development” means development as defined in section 9 of State Planning Policy 4.2;

“net lettable area” is defined in section 9 of State Planning Policy 4.2;

“precinct structure plan or equivalent” means a precinct structure plan prepared for an activity centre as required under 7.2 of State Planning Policy 4.2, and includes what were previously referred to as an activity centre plan;

“Planning approval” means the planning approval of the WAPC as required under the MRS and this resolution, whether granted by the WAPC or by delegates of the WAPC including committees, or officers.

CONFIDENTIAL

5.2.3 WA Planning Commission – Section 25 of the Strata Titles Act 1985

29 January 2021

GOVERNMENT GAZETTE, WA

449

PL402

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2020/01 Powers of Local Governments

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to certain applications under the *Strata Titles Act 1985*

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function under the Act or any other written law to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 20 January 2021, pursuant to section 16 of the Act, the WAPC RESOLVED—

- A. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under section 15 of the *Strata Titles Act 1985* as set out in clause 1 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- B. TO DELEGATE to local governments, and to members and officers of those local governments, its powers and functions under sections 21 and 22 of the *Strata Titles Act 1985* as set out in clause 2 of Schedule 1, within their respective districts, subject to the conditions set out in clause 3 of Schedule 1;
- C. TO AMEND “Del 2020/01—Powers of Local Governments” to give effect to its resolution and to publish an updated, consolidated instrument.

SAM FAGAN, Western Australian Planning Commission.

Schedule 1

1. Applications made under section 15 of the *Strata Titles Act 1985*

Power to determine applications under section 15 of the *Strata Titles Act 1985*, except those applications that—

- (a) propose the creation of a vacant lot;
- (b) propose vacant air stratas in multi-tiered strata scheme developments;
- (c) propose the creation or postponement of a leasehold scheme;
- (d) propose a type 1 (a) subdivision or a type 2 subdivision (as defined in section 3 of the *Strata Titles Act 1985*);
- (e) in the opinion of the WAPC as notified to the relevant local government in writing, or in the opinion of the relevant local government as notified to the WAPC in writing, relate to—
 - i. a type of development; and/or
 - ii. land within an area,

which is of state or regional significance, or in respect of which the WAPC has determined is otherwise in the public interest for the WAPC to determine the application.

2. Applications under sections 21 and 22 of the *Strata Titles Act 1985*

Power to determine applications under—

- (a) section 21 of the *Strata Titles Act 1985*;
- (b) section 22 of the *Strata Titles Act 1985* where the amendment or repeal of scheme by-laws requires the approval of the WAPC.

3. Reporting requirements

A local government that exercises the powers referred to in clause 1 and/or clause 2, is to provide the WAPC with data on all applications determined under this Instrument of Delegation. This must be provided at the conclusion of each financial year in the format prescribed by the WAPC.

EXERCISE OF THIS DELEGATION WITHIN THE CITY OF MELVILLE

The powers delegated in WAPC Instrument of Delegation 2020/01, gazetted on 29 January 2021, may only be exercised by the Chief Executive Officer, Director ~~Urban~~-Planning, Manager Statutory Planning, Planning Services Coordinator and Senior Planning Officers.

The Director ~~Urban~~-Planning is responsible for meeting the reporting requirements.

CONFIRMED

Division 3 - Main Roads Act 1930

1. Parking

Section 15(2) of the *Main Roads Act 1930* provides that the Commissioner (of Main Roads) has the care, control and management of the land over which a highway or main road is declared.

Section 16(2) of the *Main Roads Act 1930* states that the exercise of any local government over any highway or main road shall be subject to the control and direction of the Commissioner.

2. Signs and Signals

Under clause 297(1) of the *Road Traffic Code 2000*, ~~(RTC2000)~~ the Commissioner of Main Roads ~~(CMP)~~ may erect, establish, or display, alter or take down any road sign or traffic signal signals on the State's road network.

Under clause 297(2) of the ~~RTC2000 Code~~, the ~~CMP Commissioner~~ can delegate this authority to 'Authorised Bodies' such as local governments, subject to the conditions set out in an Instrument of Authorisation.

3. Unattended Animals and Vehicles

Clause 275(3) of the ~~Code~~ ~~RTC2000~~ provides for local government officers to seize and impound any stock that are unattended on or obstructing any portion of a road.

4. Advertisements

Section 33B of the *Main Roads Act 1930* provides for regulations to control or prohibit the erection of hoardings or other advertising structures on or in the vicinity (including on private land) of highways, main roads and controlled-access roads; and to enforce the removal of those deemed hazardous or exceptionable.

Section 33C of the *Main Roads Act 1930* permits the Commissioner of Main Roads to delegate powers under section 33B to a local government.

Main Roads WA has published a [Policy and Application Guidelines for Advertising Signs Within and Beyond State Road Reserves](#) -which provides a framework for the Commissioner's powers under s.33B to be delegated to local governments. -At the time of preparing this manual, the Commissioner had not delegated these powers to the City of Melville.

5.3.1 Parking Regulation on Verges of Main Roads and Highways

Enquiries: Theo Hazebroek on 9323 4545
Our Ref: 04/9019 (D04#23029)
Your Ref:

29 October 2004

Mr J. J. McNally
Chief Executive Officer
City Of Melville
Locked Bag 1
BOORAGOON WA 6954

Dear Mr McNally

VEHICLES PARKED ON VERGES OF MAIN ROADS AND HIGHWAYS.

Recently I have been approached by more than one metropolitan Local Government for a delegation to enable those local governments to issue parking infringements for vehicles offered for sale on Main Roads and Highways verges (where these form part of the Main Road or Highway).

I understand that the Local Laws of most Metropolitan Local Governments for regulating parking exclude from the Parking Region to which those Local Laws apply:

"...any road which comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road has been delegated by the Commissioner of Main Roads to the local government."

I understand that this exclusion is based on Schedule 1 of the Model Local Laws for Parking developed in conjunction with WALGA. Those Model Local Laws have been enacted by most, if not all of the metropolitan Local Governments.

Subsection 16(2) of the Main Roads Act provides:

"Subject to the provisions of section 15[], the powers of any local government over any highway or main road shall not be deemed to be taken away by this Act, but the exercise of such powers shall be subject to the control and direction of the Commissioner."*

* Section 15 doesn't appear to have any impact in the current scenario.

The effect of section 16(2) of the Main Roads Act is that the Commissioner may control and direct the powers of Local Governments in respect of highways and main roads but the provision does not otherwise prohibit the exercise of such powers. The power of local governments to regulate parking on Main Roads or Highways is one of those powers.

There has been some confusion between some Metropolitan Local Governments and Main Roads about whether a delegation is actually required under 16(2) of the Main Roads Act. Main Roads officers have discussed this issue with WALGA with a view to resolving the confusion in so far as section 16(2) relates to parking.

Don Aitken Centre, Waterloo Crescent, East Perth or PO Box 6202 EAST PERTH Western Australia 6892
Telephone: (08) 9323 4111 Facsimile: (08) 9323 4136 TTY: (08) 9428 2230
Email: dao@mainroads.wa.gov.au Website: www.mainroads.wa.gov.au

Part 5 Statutory Delegations and Authorisations from External Agencies

In order to clarify the powers of your Local Government in relation to regulating parking on Main Roads or Highways and to avoid the need for amendment of each metropolitan local government's local laws on parking, a direction under section 16(2) of the Main Roads Act is warranted.

Please accept this as a direction under section 16(2) of the Main Roads Act that:

- a) Council may control parking on the verges of any Main Roads and Highways in your district (where these verges form part of the Main Road or Highway) other than those mentioned in paragraph "b" below but only for the purposes of:
 - i) prohibiting parking on those verges including any parked vehicles offered for sale on those verges; and
 - ii) enforcing any such prohibition.
- b) Council may not control parking on any part of any freeways in your district.

This direction is not intended to affect any existing arrangements Council has for the regulation of parking on the carriageway of any Main Roads or Highways in your district.

Please note that I do not mean to suggest that any Local Government is required to exercise any relevant powers.

If you require any further information please contact Theo Hazebroek on 9323 4545. In reply please quote file reference 04/9019 (D04#23029).

Yours faithfully

M Henneveld
COMMISSIONER OF MAIN ROADS

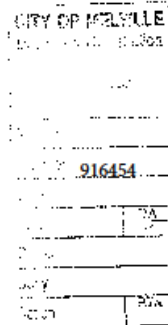
Page 2 of 2

5.3.2 Traffic Management Signs – Road Works



Enquiries: Karmel Wasaratunga on (08) 8329 4504
Our Ref: 04/1706-02
Your Ref:

Chief Executive Officer
City of Melville
Locked Bag 1
BOORAGOON WA 6954



ARN: 40 863 676 021

13 October 2004

Dear Sir/Madam,

AUTHORITY TO USE TRAFFIC SIGNS AND DEVICES AT ROADWORKS NEW INSTRUMENT OF AUTHORISATION

Please find herewith enclosed an Instrument of Authorisation executed by the Commissioner of Main Roads, for your retention. This Instrument of Authorisation enables the City of Melville and its Representatives to use traffic signs and devices for works on roads within its jurisdiction, subject to the conditions attached to the Instrument of Authorisation, without further approval from Main Roads. The City of Melville will be added to the list of Authorised Bodies on Main Roads' website at www.mainroads.wa.gov.au (Traffic < Roadworks < Administration).

I thank you for taking the opportunity to become an Authorised Body by signing the Instrument of Authorisation and trust that the City of Melville will use traffic signs and devices for works on roads in a safe and appropriate manner as per the Main Roads' Traffic Management for Works on Roads Code of Practice.

If you require any further information please contact Kamal Weerasingha on (08) 9323 4604.
In reply please quote file reference 04/1706-02.

Yours faithfully

the over-fulfillment of his

Kamat Weeratunga
ROAD SAFETY ENGINEER

Enc - Instrument of Authorisation executed by the Commissioner of Main Roads

Don Atkin Centre, Waterloo Crescent, East Perth PO Box 6292 EAST PERTH Western Australia 6152
Telephone: (08) 9325 4111 Facsimile: (08) 9323 4182 TTY: (08) 9328 2230
Email: dac@mainroads.wa.gov.au Website: www.mainroads.wa.gov.au
XAR6E-Latin/Latino Doc 2004JHS-118_Celmei.doc

**WESTERN AUSTRALIA
ROAD TRAFFIC CODE 2000
REGULATION 297(2)
INSTRUMENT OF AUTHORISATION**

Pursuant to Regulation 297(2) of the Road Traffic Code 2000 the Commissioner of Main Roads ("the Commissioner") hereby authorises City of Melville ("Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such traffic signs and traffic control devices of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any works, survey or inspection, associated with the construction, maintenance or repair on a road (other than a main road or highway), any adjoining land or any portion thereof within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Works on Roads Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Roadworks Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the relevant works, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

This Instrument of Authorisation replaces any prior Instrument of Authorisation under Regulation 297(2) of the Road Traffic Code 2000 between the Commissioner and the Authorised Body. The Commissioner's delegation dated 17 July 1975 to a number of Local Governments outside the Perth metropolitan area, is not affected by this Instrument of Authorisation except that this Instrument of Authorisation prevails wherever roadworks are concerned. That 1975 delegation was made under Regulation 301 of the Road Traffic Code 1975 and related to non-regulatory signage.

File No. CU/1706
Document No. DOH# 25147
Date Recd. NA
Action Officer NA

Dated: 24/9/04

THE COMMON SEAL OF THE
COMMISSIONER OF MAIN ROADS
WAS AFFIXED BY



COMMISSIONER OF MAIN ROADS
FOR THE TIME BEING IN THE PRESENCE OF:




Signature of Witness

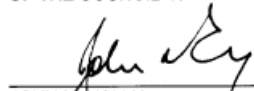
Neville Binning M/EDFS
Name of Witness


ACKNOWLEDGMENT BY AUTHORISED BODY

City of Melville agrees to observe, perform and be bound by the above conditions.

THE COMMON SEAL OF THE
CITY OF MELVILLE
WAS AFFIXED PURSUANT TO A RESOLUTION
OF THE COUNCIL IN THE PRESENCE OF




JOHN McNALLY
Chief Executive Officer


KATHERINE JACKSON JP
MAYOR


Witness

EXERCISE OF THIS AUTHORISATION WITHIN THE CITY OF MELVILLE

The powers delegated in this Instrument of Authorisation dated 24 September 2004 may only be exercised by the Chief Executive Officer and the officers from time to time holding the following positions:

- Director Environment and Infrastructure
- Manager Engineering

5.3.3 Traffic Management Signs – Events on Roads



Government of
Western
Australia

Enquiries: John Moore on 9323 4604
Our Ref: 06/7845 (007#11342)
Your Ref: 1596009



ABN: 50 860 675 021

10 April 2007

Mr R Willis
Director Technical and Development Services
City of Melville
Locked Bag 1
BOORAGOON WA 6954

Dear Sir

AUTHORITY TO USE TRAFFIC SIGNS AND DEVICES AT EVENTS INSTRUMENT OF AUTHORISATION

I refer to your letter of 19 January 2007 regarding the above.

Please find enclosed an Instrument of Authorisation executed by the Commissioner of Main Roads, for your retention. This Instrument of Authorisation enables the City of Melville and its Representatives to use traffic signs and devices on roads within its jurisdiction for the purposes of managing traffic for events, subject to the conditions attached to the Instrument of Authorisation, without further approval from Main Roads. The City of Melville will be added to the list of Authorised Bodies on Main Roads' website at www.mainroads.wa.gov.au (go to 'Traffic' > 'Events').

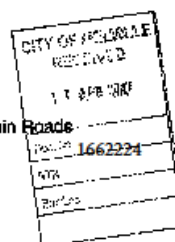
I thank you for taking the opportunity to become an Authorised Body relating to traffic management for events by signing the Instrument of Authorisation and trust that the City of Melville will use traffic signs and devices in a safe and appropriate manner as per Main Roads' Traffic Management for Events Code of Practice.

If you require any further information please contact me on 9323 4604. In reply please quote file reference 06/7845.

Yours faithfully

J A Moore
ROAD SAFETY OFFICER

Enc – Instrument of Authorisation executed by the Commissioner of Main Roads



Don Aiken Centre, Waterloo Crescent, East Perth or PO Box 6202 EAST PERTH Western Australia 6862
Telephone: (08) 9323 4111 Facsimile: (08) 9323 4174 TTY: (08) 9426 2290
Email: roadst@mainroads.wa.gov.au Website: www.mainroads.wa.gov.au
C:\Documents and Settings\1379\Local Settings\Application Data\POWER Software\TRIM\TEMP\CONTEXT 460\000VVL83.DOC

**WESTERN AUSTRALIA
ROAD TRAFFIC CODE 2000
REGULATION 297(2)
INSTRUMENT OF AUTHORISATION**

**RELATING TO
TRAFFIC MANAGEMENT FOR EVENTS**

Pursuant to Regulation 297(2) of the *Road Traffic Code 2000* the Commissioner of Main Roads ("the Commissioner") hereby authorisesCity of Melville..... (Authorised Body") by itself, its employees, consultants, agents and contractors (together "Representatives") to, from the date indicated below, erect, establish, display, alter or take down such road signs of whatsoever type or class (except for permanent traffic control signals) as may be required for the purpose and duration of any:

- i) "event" subject to an order from the Commissioner of Police pursuant to Part VA of the *Road Traffic Act 1974*;
- ii) race meeting or speed test for which the Minister referred to in section 83 of the *Road Traffic Act 1974* has, under that provision, temporarily suspended the operation of any provisions of the *Road Traffic Act 1974* or regulations made under that Act; or
- iii) public meeting or procession the subject of a permit granted by the Commissioner of Police under the *Public Order in Streets Act 1984*;

or as may be required for the purpose of controlling traffic on a road adjacent to, or in the vicinity of, any event or organised activity approved by the Authorised Body under its local laws, on a road (other than a main road or highway) within its jurisdiction, SUBJECT ALWAYS to the following terms and conditions:

- (a) the Authorised Body shall at all times observe, perform and comply with the provisions of the "Traffic Management for Events Code of Practice" (as amended or replaced from time to time in consultation with the Traffic Management for Events Advisory Group) issued by Main Roads Western Australia ("the Code") referring to the version which is current at the time of the event, a copy of which can be obtained from Main Roads Western Australia from www.mainroads.wa.gov.au or by contacting Main Roads by phone;
- (b) the Authorised Body shall develop and implement procedures that will satisfy the Commissioner that traffic management implemented by the Authorised Body, its employees, agents and contractors will in all respects conform to and comply with the requirements of the Code; and
- (c) the Authorised Body shall ensure that its Representatives comply with the terms and conditions identified above at paragraphs (a) and (b) as if they were named in those paragraphs in place of the Authorised Body.

By executing and returning the acknowledgment at the foot of this authorisation, the Authorised Body agrees to observe, perform and comply with the above terms and conditions.

The powers in this Instrument of Authorisation do not change or replace:

- 1) any prior Instrument of Authorisation from the Commissioner of Main Roads for the purposes of undertaking traffic management for works on roads; and
- 2) any powers and responsibilities of a local government provided in regulation 9 of the *Road Traffic (Events on Roads) Regulations 1991*.

Page 1 of 2

Part 5 Statutory Delegations and Authorisations from External Agencies

Dated: 27 MAR 2007

THE COMMON SEAL OF THE
COMMISSIONER OF MAIN ROADS

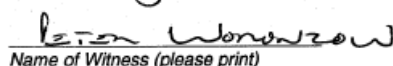
WAS AFFIXED BY


COMMISSIONER OF MAIN ROADS



FOR THE TIME BEING IN THE
PRESENCE OF:


Signature of Witness


Name of Witness (please print)

ACKNOWLEDGMENT BY AUTHORISED BODY

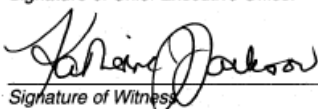
City of Melville agrees to unconditionally observe,
perform and be bound by the above conditions.

THE COMMON SEAL of

City of Melville
[Insert name of Local Government]

Was hereunto affixed pursuant to a
resolution of the Council in the
presence of:


Signature of Chief Executive Officer


Signature of Witness



KATHERINE J JACKSON
Name of Witness (please print)

Page 2 of 2

EXERCISE OF THIS AUTHORISATION WITHIN THE CITY OF MELVILLE

The powers delegated in this Instrument of Authorisation dated 27 March 2007 may only be exercised by the Chief Executive Officer and the officers from time to time holding the following positions:

- Director Environment and Infrastructure
- Manager Engineering

5.3.4 Removal of Unattended Animals and Unattended Vehicles from the Main Roads Network

WESTERN AUSTRALIA
Main Roads Act 1930
INSTRUMENT OF AUTHORISATION

As the Commissioner of Main Roads ("Main Roads") I hereby authorise the City of Melville (the "City of Melville") by itself, its employees, consultants, agents and contractors to, from the date indicated below, remove any Unattended Vehicles or Unattended Animals from the State Road Network, and store and dispose of those vehicles and animals (when unclaimed), SUBJECT ALWAYS to the following terms and conditions:

- (a) In this Instrument of Authorisation:
 - (i) "Control of Access Highway" means any main road or highway within the district of the City of Melville which has been proclaimed as being subject to control of access under section 28A of the *Main Roads Act 1930*;
 - (ii) "State Road Network" means any road or portion of road proclaimed as either a main road or highway under the *Main Roads Act 1930* within the district of the City of Melville and including any Control of Access Highway and all adjoining road reserves which are under the care, control and management of Main Roads;
 - (iii) "Unattended Animal" means any live animal which is unattended on the State Road Network;
 - (iv) "TNC7" means Main Roads's Term Network contractor [Currently CSR Emoleum: Contact through our Customer Contact Centre on 138 138]
 - (v) "Unattended Vehicle" means a vehicle which is left unattended on the State Road Network and:
 - I) the presence of which has been reported to the Police; or
 - II) which any officer of Main Roads, the City of Melville or TNC7 reasonably considers to have been abandoned;
- (b) Subject to the terms of this Instrument (including the attached documents entitled "Annexure 'A'"), the City of Melville shall respond within a reasonable time to remove and store any Unattended Vehicles or Unattended Animals from the State Road Network whenever notified by either Main Roads, TNC7 or the Police as if the State Road Network was part of the road networks for which the City of Melville is responsible.
- (c) Main Roads shall provide assistance to the City of Melville for the management of traffic associated with the removal of any Unattended Vehicle or Unattended Animal from the State Road Network wherever requested by the City of Melville
- (d) In cases where the Police are not present, or alternatively the Police present are not in a position to manage traffic, the City of Melville shall contact TNC7 prior to attempting to remove any Unattended Vehicles or Unattended Animals from the land within the boundaries of any Control of Access Highway;
- (e) Nothing in this instrument shall be construed as requiring the City of Melville to monitor the State Road Network for the presence of Unattended Vehicles or Unattended Animals.
- (f) In the course of exercising its authority under this Instrument, the City of Melville shall comply with its own policies, procedures and practices for the removal, storage and disposal of any Unattended Vehicle or Unattended Animal and ensure that those policies, procedures and practices:
 - (i) comply with all applicable laws;
 - (ii) require the recording of the identifying features, serial numbers, name tags, animal implanted microchips and number plates (as applicable) of any relevant vehicle or animal prior to disposal including taking photographs of each animal or vehicle; and
 - (iii) require for the City of Melville to liaise with the Western Australia Police Service prior to removing or disposing of any relevant vehicle;
- (g) The City of Melville may claim reimbursement from Main Roads on an annual basis for the difference between:
 - (i) the reasonable collection storage and disposal costs incurred by the City of Melville in respect of;
 - and

MAIN ROADS Western Australia

Part 5 Statutory Delegations and Authorisations from External Agencies

(ii) any proceeds from the sale by the City of Melville of;
any Unattended Vehicles and Unattended Animals removed from the State Road Network by the
City of Melville in accordance with this Instrument.

- (h) Main Roads shall reimburse the City of Melville for a claim under paragraph "g" of this instrument within 30 days of the receipt of an invoice from the City of Melville for that claim together with suitable substantiating documentation showing the basis of the amount claimed. When the City of Melville is claiming reimbursement for the first time under paragraph "g" of this Instrument, Main Roads is required to reimburse within 45 days of the notice. The City of Melville shall comply with Main Roads's reasonable request for information regarding the subject matter of a claim under paragraph "g".
- (i) There is no requirement for the City of Melville to reimburse Main Roads for any surplus amount after offsetting their annual costs.
- (j) The right of reimbursement in paragraphs "g" and "h" of this Instrument only applies for claims for reimbursement made by the City of Melville within 3 months of the end of the calendar year to which the subject matter of the claims relate.
- (k) Either party may terminate the arrangements under this Instrument by 14 days notice in writing to the other party. Any obligations accrued under paragraphs "g", "h" and "j" survives the termination of this Instrument.
- (l) Any variation to the instrument must be agreed in writing by both parties.

By executing this Instrument both the Commissioner of Main Roads and the City of Melville respectively agree to observe, perform and comply with their respective obligations as set out in this Instrument.

Dated:

THE COMMON SEAL OF THE)
COMMISSIONER OF MAIN ROADS)
WAS AFFIXED BY)
)
COMMISSIONER OF MAIN ROADS)
FOR THE TIME BEING IN THE PRESENCE OF:

Signature of Witness

Name of Witness (please print)

THE COMMON SEAL of the)
City of Melville was affixed pursuant)
to a resolution of the Council)
in the presence of:)

Chief Executive Officer

Witness

Annexure "A"

Arrangements for the City of Melville Unattended Animals & Unattended Vehicles on State Road Network

Authority for Removal

Authority for the removal of unattended animals and unattended vehicles is contained within the Instrument of Authorisation.

Removal of Unattended Animals from Main Roads network:

Ordinary Main Roads & Highways

During ranger /pound hours – City to remove from network and admit animal/s to City pound and follow procedures that would be applied for animals on a local road.

Outside of ranger/pound hours – Main Roads may arrange for removal of animal/s where circumstances warrant the urgent removal of an animal from Main Roads network, and liaise to have the animal admitted to the pound during operating hours.

Main Roads Term Network Contractor (who is currently CSR Emoleum Roads Services can be contacted through our Customer Contact Centre on 138 138) may be contacted in any circumstances in which the City requires assistance for traffic management.

Control of Access Highways (including Freeways)

During ranger /pound hours – City to remove from network and admit animal/s to City pound, and follow procedures that would be applied for animals on a local road.

Outside of ranger/pound hours – Main Roads may arrange for removal of animal/s where circumstances warrant the urgent removal of an animal from Main Roads network, and liaise to have the animal admitted to the pound during operating hours.

Main Roads Term Network Contractor (who is currently CSR Emoleum Road Services can be contacted through our Customer Contact Centre on 138 138) may be contacted in any circumstances in which the City requires assistance for traffic management.

It is essential that Main Roads Term Network Contractor be contacted prior to access onto a control of access road where the Police are not in attendance or where the activities of any police in attendance prevents them from satisfactorily undertaking traffic management.

Removal of unattended vehicles from Main Roads network:

Timing of removal of unattended vehicles to be governed by requirements of local laws unless the unattended vehicle in question pose an urgent hazard to safety or the free movement of traffic. Queries on Day to Day operational issues with regard to this, can be made to the Traffic Operational Centre on 9 428 2222.

It is essential that Main Roads Term Network Contractor be contacted prior to access onto a control of access road where the Police are not in attendance or where the activities of any police in attendance prevents them from satisfactorily undertaking traffic management.

MAIN ROADS Western Australia
Summary of conditions (– animals abandoned vehicles for the City of Melville 04 08 2006.DOC



C07/5000 – COMMON SEAL REGISTER (REC)

Section 70A Notification	Chui Heng Yip	21 Tweeddale Road, Applecross	1594548
Deed of Licence	Minister for Education	Shared Use of Facilities for Melville Primary School	1479409
Instrument of Authorisation	Main Roads WA	West Australian Road Traffic Code Regulation 297(2) Instrument of Authorisation relation to Traffic Management for events. Lots 137-139 Brentwood	1596009
Section 70A Notification Withdrawal of Caveat	Starworld Holdings Pty Ltd	26 Kintail Road and 13 Tweeddale Road, Applecross	1604106
Instrument of Authorisation	Main Roads WA	Removal of unattended animals and unattended vehicles from the Main Roads Network	1593887

EXERCISE OF THIS AUTHORISATION WITHIN THE CITY OF MELVILLE

The powers delegated in this Instrument of Authorisation may only be exercised by the Chief Executive Officer and the officers from time to time holding the following positions:

- Coordinator Rangers and Emergency Management
- Senior Ranger
- Rangers

Part 6 - Guidance Notes for the Granting and Exercise of Delegations of Authority

In managing delegations and sub-delegations the following principles apply:

- (a) A statutory power, duty or function may only be delegated if the relevant legislation provides for its delegation and may only be delegated by the person or body on whom it is conferred or imposed by the legislation. -Delegated powers may only be sub-delegated if the legislation provides for sub-delegation.
- (b) Where an Act provides for a power of delegation, that power may only be exercised in relation to powers and duties provided for in that Act, unless otherwise specified in the provision.
- (c) Delegations cannot authorise anything to be done that could not be done by the person or body delegating the function.
- (d) Prior to making a delegation, consideration should be given to whether the power, duty or function is already included in the statutory functions or duties of the CEO, or whether it could be effectively undertaken by authorisation or by acting through, particularly where decision-making discretion is limited by rules or statutory requirements.
- (e) All delegations and sub-delegations must be made in writing and in accordance with the relevant legislation (including Acts, Regulations, Local Laws).
- (f) Delegations are to be worded so that they are exercisable by the holder of a position (or by a class of persons or positions), including anyone acting in that role, not by a specified individual. Delegations may be made to certain committees.
- (g) A delegator may at any time, regardless of their delegation:
 - (i) Exercise the delegated function; or
 - (ii) Revoke or vary the delegation, in writing, in accordance with the relevant legislation
- (h) A delegate exercises a delegated function in their own right, in accordance with section 58 of the *Interpretation Act 1984*, and is not expected to seek prior or retrospective approval for their decisions from the delegator or any other person or body.
- (i) The exercise of delegations and sub-delegations must be consistent with any conditions or limitations set by the delegator, including qualifications and exceptions, and with relevant City policies, procedures and work instructions.
- (j) A delegation authorising the expenditure of City funds is to be limited to authorising expenditure within the budget approved by the Council. A delegate who incurs expenditure beyond that listed in the budget or without an approved source of funds may be liable for that expenditure.
- (k) Sub-delegations should reflect the City's organisational structure, responsibility and accountability.

Part 6 Guidance Notes

- (l) Sub-delegation should only be made to roles that will regularly be expected to make that decision and that are occupied by personnel who are qualified to make that decision. Unless the function requires the significant exercise of discretion in non-standard circumstances, acting through is preferred to sub-delegation.
- (m) All conflicts of interest must be declared by delegates and sub-delegates in accordance with the Local Government Act and the “Local Government Operational Guidelines – Disclosure of Interests Affecting Impartiality” published by the Department of Local Government, Sport and Cultural Industries and managed in accordance with the document “Conflicts of Interest – Guidelines for the WA Public Sector” published by the WA Integrity Coordinating Group.

CONFIRMED

Revoked Delegations (from June 2020)

Number	Title	Date of Revocation	Notes
DA-009	Negotiation of community/sporting leases and licences	16/06/2020	Incorporated into DA-007
DA-011	Assignment of commercial leases	16/06/2020	Incorporated into DA-007
DA-012	Authority to sign documents	16/06/2020	Replaced with authorisation under s.9.49A of Local Government Act
DA-036	Release of confidential information	19/07/2022	Not required – part of CEO function
DA-039	Boundary review consultation	16/06/2020	Not required – part of CEO function
DA-047	Additional powers when notice is given	16/06/2020	Incorporated into DA-046
DA-048	Recovery of costs in performing unactioned notice requirements	16/06/2020	Incorporated into DA-046
DA-052	Authorise persons for removal and impoundment of goods	16/06/2020	Covered under DA-055
DA-055	Appointment of authorised persons under Local Government Act	14/06/2021	Superseded by amendments to s.9.10 of Local Government Act
DA-065	Establishment of offensive trades premises	16/06/2020	The Act does not contain delegation powers. -Replaced with the appointment of deputies under s.26 of the Health (Miscellaneous Provisions) Act
DA-067	Connection to sewer mains	16/06/2020	
DA-068	Prosecutions under the Health Act	16/06/2020	
DA-069	Health orders	16/06/2020	
DA-070	Health Act licences and registrations	16/06/2020	
DA-071	Public building occupancy	16/06/2020	Regulatory head of power ceased to have effect
DA-082	Revoke an order to close a thoroughfare	16/06/2020	
DA-084	Residential parking permits under local law	16/06/2020	Duplicates part of DA-016
DA-087	Commercial parking leases	16/06/2020	Incorporated into DA-007
DA-089	Grant of building permit	16/06/2020	Consolidated into DA-126
DA-090	Grant of demolition permit	16/06/2020	
DA-091	Refuse an application for a building or demolition permit	16/06/2020	
DA-092	Impose conditions on a building or demolition permit	16/06/2020	Consolidated into DA-127
DA-093	Seek further information	16/06/2020	
DA-094	Grant occupancy permit or building approval	16/06/2020	
DA-095	Impose conditions on occupancy permits and building approval	16/06/2020	
DA-096	Extend period of duration	16/06/2020	Incorporated into DA-126 and DA-128
DA-097	Finishes of walls close to boundaries	16/06/2020	
DA-099	Building orders	16/06/2020	Consolidated into DA-128
DA-100	Notice of proposed building orders	16/06/2020	
DA-101	Revocation of building orders	16/06/2020	
DA-102	Give effect to building orders	16/06/2020	

Number	Title	Date of Revocation	Notes
DA-104	Extend period of duration for building or demolition permit	16/06/2020	Incorporated into DA-126
DA-106	Authority to appoint authorised persons under the Cat Act	16/06/2020	Consolidated into DA-125, but delegation rendered invalid in 2021 by amendments to s.9.10 of the Local Government Act
DA-107	Authority to notify person of a decision in relation to breeding cats	16/06/2020	Consolidated into DA-125
DA-108	Authority to recover costs of having a cat destroyed	16/06/2020	
DA-109	Authority to require an applicant to submit information re cat registration	16/06/2020	
DA-110	Authority to cancel registration of a cat	16/06/2020	
DA-111	Authority to refuse application to breed cats if applicant has had an infringement	16/06/2020	
DA-112	Authority to grant, renew or refuse application to breed cats	16/06/2020	
DA-113	Authority to issue a cat control notice	16/06/2020	
DA-114	Authority to approve an operator of a cat management facility	16/06/2020	Not a delegable power: replaced by authorisation in accordance with s.9.49A of Local Government Act
DA-117	Authority to sign documents	16/06/2020	
DA-123	Appointment of authorised and approved officers for the purpose of the Criminal Procedure Act	16/06/2020	Incorporated into DA-098

Index of Council Delegations

Index of Council Delegations

Control+Click link to follow link.

[DA-006 Unvested Facilities in Two or More Districts](#)

[DA-007 Leasing/Licensing of Property](#)

[DA-008 Disposition of Land and Other Assets](#)

[DA-015 Bonds for Works](#)

[DA-016 Administration of Local Laws](#)

[DA-020 Planning and Related Matters](#)

[DA-022 Legal Proceedings — Bush Fires](#)

[DA-023 Performance of Functions Under the Bush Fires Act 1954](#)

[DA-024 Senior Employees](#)

[DA-026 Determination of Criteria for Acceptance of Tenders and Pre-Qualified Supplier Panels](#)

[DA-027 Rejecting and Accepting Tenders and/or Applications for Pre-Qualified Supplier Panels](#)

[DA-028 Contract Variations and Selection of Next Successful Tenderer](#)

[DA-030 Consideration of Expressions of Interest to Supply Products or Services](#)

[DA-031 Reimbursement of Expenses and Payment of Cash Advances](#)

[DA-032 Granting of a Concession or Writing off Debts Owed to the Council](#)

[DA-033 Power to Invest](#)

[DA-035 Payment of Accounts from Municipal or Trust Funds](#)

[DA-038 District Boundary Adjustment](#)

[DA-044 Disputes between Local Governments](#)

[DA-046 Notice to Owner or Occupier Requiring Certain Actions to be Undertaken](#)

[DA-049 Power to Carry Out Works on Private Land](#)

[DA-050 Entry on to Private Land](#)

[DA-051 Making an Opening in a Fence](#)

[DA-053 Declare Abandoned Vehicle Wrecks](#)

[DA-054 Sale and Disposal of Impounded and Confiscated Goods](#)

[DA-061 Enforcement and Legal Proceedings — Urban Planning Matters](#)

[DA-062 Notices & Permissions](#)

[DA-063 Management of Vested Land](#)

[DA-073 Delegations Under the Food Act 2008](#)

[DA-074 Due Date of Rates and Service Charges](#)

Index of Council Delegations

DA-075 Actions Against Lessees of Land Where Rates or Service Charges Are Unpaid
DA-076 Lodgement of Caveats Against Land Where Rates or Service Charges Are Unpaid
DA-077 Actions in Respect to Land Where Rates or Service Charges are Unpaid After Three Years
DA-079 Compensation to the Owners of Property
DA-081 Closure of Thoroughfares
DA-083 Consultation Regarding Fixing, Altering or Realigning a Public Thoroughfare
DA-085 Parking Control
DA-088 Severance Payment to Employees
DA-098 Authorised Persons (Building Act)
DA-103 Inspection and Copies of Building Information
DA-105 Prosecutions and Legal Proceedings – Building Matters
DA-115 Non-Monetary Grants (Grant Concessions or Waive Fees) – Community Partnership Fund
DA-121 Graffiti Vandalism
DA-122 Delegation of Duties and Powers under the Dog Act 1976
DA-123 Authority to Appoint Approved and Authorised Officers for the Purposes of the Criminal Procedure Act
DA-124 Designation of Authorised Officers (Public Health Act)
DA-125 Delegation of Duties and Powers under the Cat Act 2011
DA-126 Building and Demolition Permits
DA-127 Occupancy Permits and Building Approval Certificates
DA-128 Building Orders
DA-129 Appoint Officer/s to Receive and Withdraw Complaints (Elected Members Code of Conduct)

LOCAL GOVERNMENT ACT 1995

CITY OF MELVILLE

PARKING LOCAL LAW 2023

CONFIRMED

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LOCAL GOVERNMENT ACT 1995

CITY OF MELVILLE

PARKING LOCAL LAW 2023

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LOCAL GOVERNMENT ACT 1995

CITY OF MELVILLE

PARKING LOCAL LAW 2023

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Council of the City of Melville resolved on **DATE** to make the following local law.

PART 1 – PRELIMINARY

1.1 Citation

This local law shall be cited as the City of Melville Parking Local Law 2023.

1.2 Commencement

This local law comes into operation 14 days after the date of publication in the *Government Gazette*.

1.3 Repeal

The *City of Melville Parking Local Law* published in the *Government Gazette* on 3 November 2016 is repealed on the day this local law comes into operation.

1.4 Application

(1) Except as set out in this clause, this local law applies throughout the district.

(2) This local law does not apply to —

- (a) the approach and departure prohibition areas of all traffic control signal installations as determined by the Commissioner of Main Roads;
- (b) the prohibition areas that apply to all bridges as determined by the Commissioner of Main Roads; or
- (c) any road that comes under the control of the Commissioner of Main Roads unless the control of parking and parking facilities on that road is carried out subject to the control and direction of the Commissioner of Main Roads or has been delegated by the Commissioner to the local government;

(3) This local law does not apply to a parking facility or a parking station that is not owned, managed or controlled by the local government, unless the local government and the owner or occupier of that facility or station have agreed in writing that this local law will apply to that facility or station.

(4) An agreement referred to in subclause (3) may be made on such terms and conditions as the parties may agree.

1.5 Interpretation

In this local law unless the context requires otherwise —

Act means the *Local Government Act 1995*;

appropriate fee means the fee appropriate to the period for which a vehicle has been parked;

authorised person means a person appointed by the CEO under section 9.10(2) of the Act to perform any of the functions of an authorised person under this local law;

authorised vehicle means a vehicle —

- (a) authorised by the CEO or an authorised person, or by any written law, to stop or park in an area which is designated by signs for the parking of authorised vehicles only; or
- (b) owned or controlled by the local government and being used for the purpose of undertaking a function of the local government;

bank note means an Australian note that is legal tender under section 36(1) of the *Reserve Bank Act 1959* (Cth)

bay includes a stall or space;

bicycle has the meaning given to it by the Code;

bicycle lane has the meaning given to it by the Code;

bus has the meaning given to it by the Code;

bus lane has the meaning given to it by the Code;

bus stop has the meaning given to it by the Code;

bus zone has the meaning given to it by the Code;

caravan has the meaning given to it in the *Caravan Parks and Camping Grounds Act 1995*;

carriageway has the meaning given to it by the Code;

centre, in relation to a carriageway, has the meaning given to it by the Code;

CEO means the Chief Executive Officer of the local government;

children's crossing has the meaning given to it by the Code;

Code means the *Road Traffic Code 2000*;

coin means a coin that is legal tender under the *Currency Act 1965* (Cth);

commercial vehicle has the meaning given to it in the City of Melville local planning scheme;

disability parking permit has the meaning given to it in the *Local Government (Parking for People with Disabilities) Regulations 2014*;

district means the district of the local government;

driver means any person driving, or in control of, a vehicle;

detection device means an electronic device placed in any position to detect or record the parking time of a vehicle on any road, parking facility or other public place and

includes any instruments, display panels or transmitting apparatus associated with the device;

edge line has the meaning given to it by the Code;

electronic parking ticket means a parking ticket issued in an electronic form;

emergency vehicle has the meaning given to it by the Code;

entrance ticket means a ticket or token issued by a machine —

- (a) installed at an entrance to a parking station; and
- (b) which authorises the parking of a vehicle in a parking station, parking space or part of a parking station;

fee, or parking fee, means the prescribed amount of legal tender that the local government may, from time to time, determine and impose for the stopping or parking of a vehicle, under and in accordance with sections 6.16 to 6.19 of the Act;

footpath has the meaning given to it by the Code;

intersection has the meaning given to it by the Code;

keep clear marking has the meaning given to it by the Code;

kerb means the raised edge marking the boundary between a carriageway and the median strip or adjoining verge, whether any footpath has been constructed or not;

loading zone has the meaning given to it by the Code;

local government means the City of Melville;

local planning scheme means the local planning scheme, or each of the local planning schemes, made by the local government and in force from time to time under the *Planning and Development Act 2005*;

lot has the meaning given to it in the *Planning and Development Act 2005* or the *Strata Titles Act 1985*, according to context;

mail zone has the meaning given to it by the Code;

median strip has the meaning given to it by the Code;

metered space or metered bay means a section or part of a metered zone that is adjacent to a parking meter and that is marked or defined by painted lines or by metallic studs or similar devices for the purpose of indicating where a vehicle may be parked on payment of a fee or charge or otherwise;

metered zone means any thoroughfare or reserve or part of any thoroughfare or reserve in which parking meters or ticket issuing machines regulate parking of vehicles;

motorcycle has the meaning given to it by the Code;

motorised wheelchair has the meaning given to it by the Code;

motor vehicle has the meaning given to it by the *Road Traffic (Administration) Act 2008*, but does not include a motorised wheelchair, motorised scooter, electric rideable device or electric personal transporter;

no parking area has the meaning given to it by the Code;

no stopping area has the meaning given to it by the Code;

obstruction has the meaning given to it by the Code;

occupier, where used in relation to land, has the meaning given to it by the Act;

on-demand passenger transport service has the meaning given to it by the *Transport (Road Passenger Services) Act 2018*;

on-demand rank or hail passenger transport service has the meaning given to it by the *Transport (Road Passenger Services) Act 2018*;

on-demand vehicle has the meaning given to it by the *Transport (Road Passenger Services) Act 2018*;

one-way carriageway has the meaning given to it by the Code;

owner —

- (a) where used in relation to a vehicle licensed under the *Road Traffic (Vehicles) Act 2012*, means the person in whose name the vehicle has been registered under that Act;
- (b) where used in relation to any other vehicle, means the person who owns, or is entitled to possession of that vehicle; and
- (c) where used in relation to land, has the meaning given to it by the Act;

painted island has the meaning given to it by the Code;

park has the meaning given to it by the Code;

parking app means a mobile or web application commissioned by the local government for the purpose of purchasing or obtaining an electronic parking ticket;

parking area has the meaning given to it by the Code;

parking facilities includes —

- (a) land, thoroughfares, reserves, buildings, shelters, parking stations, parking spaces or bays, metered zones, metered bays or spaces, and other facilities open to the public generally for the parking of vehicles, with or without charge; and
- (b) signs, notices, ticket issuing machines, parking meters, detection devices and other facilities or instruments used in connection with the parking of vehicles;

parking meter means a machine or device that, as a result of payment by any permitted means, indicates (with or without the issue of a parking ticket) the period during which it is lawful for a vehicle to remain parked in a metered space or bay to which the machine or device relates;

parking permit, or permit, means —

- (a) a parking permit issued under this local law; or
- (b) a parking permit issued under a repealed parking local law of the local government where the permit is in force immediately prior to the commencement of this local law under clause 1.3,

but does not include a permit where any of the particulars recorded upon it have been altered, added to or defaced in any way;

parking region means the area to which this local law applies, as described in clause 1.4;

parking session means a transaction by which a person purchases or obtains an electronic parking ticket;

parking space means a section or part of a thoroughfare, reserve or parking station which is marked or defined by painted lines, metallic studs, coloured bricks or pavers or similar devices for the purpose of indicating where a vehicle may stop or be parked, whether on payment of a fee or charge or otherwise, but does not include a metered bay or space;

parking station means any land, building or other structure provided for the purpose of accommodating parked vehicles, but does not include a metered zone or a metered bay or space;

parking ticket means a ticket, whether printed or electronic, that —

- (a) is issued from a ticket issuing machine;
- (b) authorises the parking of a vehicle in a parking space, parking station or part of a parking station; and
- (c) includes the date and time that the authorisation expires, whether or not the payment of a fee is required,

but does not include a ticket where any of the particulars recorded upon it have been altered, added to or defaced in any way;

path has the meaning given to it in the Code;

pay station means a machine or device that, after receipt of a payment of a parking fee in respect of a vehicle, either —

- (a) issues a ticket to activate an exit barrier in the parking station; or
- (b) otherwise enables the exit barrier of the parking station to be activated, so as to enable egress of the vehicle from the parking station;

pedestrian has the meaning given to it by the Code;

pedestrian crossing has the meaning given to it by the Code;

permitted payment means payment by Australian coins or bank notes, credit or debit card or any other method of payment approved by the local government as indicated on the parking meter or ticket issuing machine;

place of refuge for pedestrians includes any area or place which is open to or used by the public and not ordinarily intended for the stopping, parking or movement of vehicles, and also includes any physical provision or area demarcated by the marking of lines or otherwise identified by a sign;

property line means the boundary between the land comprising a thoroughfare, and the land that abuts the thoroughfare, whether that land is publicly or privately owned;

public bus has the meaning given to it by the Code;

public place includes —

- (a) any thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property; and
- (b) a reserve;

regular passenger transport service has the meaning given to it in the *Transport (Road Passenger Services) Act 2018*;

reserve means any land —

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an 'otherwise unvested facility' within section 3.53 of the Act;

residential parking permit means a permit issued by the local government pursuant to the provisions of clause 4.4;

right of way means a portion of land that is —

- (a) shown and marked 'Right of Way' or 'R.O.W', or coloured or marked in any other way to signify that the portion of land is a right of way on any plan or diagram deposited with the Registrar of Titles that is subject to the provisions of section 167A of the *Transfer of Land Act 1893*;
- (b) shown on a diagram or plan of survey relating to a subdivision that is created as a right of way and vested in the Crown under section 152 of the *Planning and Development Act 2005*; or
- (c) shown and marked as a right of way on a map or plan deposited with the Registrar of Titles and transferred to the Crown under the *Transfer of Land Act 1893*,

but does not include —

- (d) a private driveway; or
- (e) a right of way created by easement between two parties;

road has the meaning given to it in the *Road Traffic (Administration) Act 2008*;

road marking has the meaning given to it by the Code;

Schedule means a Schedule to this local law;

shared path has the meaning given to it by the Code;

shared zone has the meaning given to it by the Code;

sign includes a traffic sign, inscription, road marking, mark, structure or device on which may be shown words, numbers, expressions or symbols, that is —

- (a) approved by the local government; and
- (b) placed, marked or erected on, near or within a thoroughfare, reserve or parking station for the purpose of prohibiting, regulating, guiding, directing or restricting stopping or parking of vehicles;

special purpose vehicle has the meaning given to it by the Code;

stop, in relation to a vehicle, has the meaning given to it by the Code;

street has the same meaning as **thoroughfare**;

symbol includes any symbol specified by the *Road Traffic Code 2000* for use in the regulation of parking;

taxi has the meaning given to it by the Code

taxi zone has the meaning given to it by the Code;

thoroughfare has the meaning given to it by section 1.4 of the Act; and includes any carriageway, median strip, verge and path within the area bounded by the property lines of the lots abutting the thoroughfare;

ticket issuing machine in relation to a parking station or parking space, means a machine or device that issues a parking ticket, whether or not for payment of a fee, showing the period of time during which, or the expiry time before which, a vehicle may lawfully be parked in a parking space;

tour coach means a bus which is —

- (a) used to provide a tourism passenger transport service; or
- (b) hired or chartered for the specific purpose of sightseeing or tourism;

tourism passenger transport service has the meaning given to it in the *Transport (Road Passenger Services) Act 2018*;

trailer has the meaning given to it by the Code;

transit lane has the meaning given to it by the Code;

unattended, in relation to a vehicle, means that the driver has left the vehicle and is more than 3 metres from the closest point of the vehicle;

unexpired parking ticket means a ticket, whether paper or electronic, on which a date and expiry time is printed or displayed, and that time has not expired;

vehicle has the meaning given to it by the *Road Traffic (Administration) Act 2008*;

verge means the portion of a thoroughfare which lies between the boundary of a carriageway and the adjacent property line, but does not include a footpath;

Veteran Gold Card means a Gold Card, Veteran Gold Card or Repatriation Health Card issued by the Department of Veterans' Affairs.

visitor's parking permit means a permit issued by the local government pursuant to clause 4.4; and

wheeled recreational device has the meaning given to it in the Code.

1.6 Application of particular definitions

- (1) In this local law, unless the context requires otherwise, a reference to a thoroughfare, 'parking station', 'metered zone', 'parking facility' or 'reserve' includes a reference to, as the case may be, any part of a thoroughfare, parking station, metered zone, parking facility or reserve.
- (2) For the purpose of the application of the definitions 'bus zone', 'loading zone', 'mail zone', 'taxi zone', 'no parking area', 'no stopping area', 'parking area' and similar definitions, an arrow inscribed on a traffic sign erected at an angle to the boundary of the carriageway is deemed to be pointing in the direction in which it would point, if the sign were turned at an angle of less than 90 degrees until parallel with the boundary.
- (3) A reference to the wording of any sign in this local law shall also be deemed to include a reference to the corresponding symbol.
- (4) Unless the context otherwise requires, where a term is used, but not defined, in this local law, and that term is defined in the Act, the *Transport (Road Passenger Services)*

Act 2018, the Road Traffic Act 1974, the Road Traffic (Administration) Act 2008, the Road Traffic (Vehicles) Act 2012 or in the Code, then the terms shall have the meaning as in those Acts or the Code.

1.7 Part of thoroughfare to which a sign applies

- (1) Where under this local law the use, driving, stopping, parking or leaving of vehicles in a thoroughfare is controlled by a sign, the sign shall be read as applying to that part of the thoroughfare which —
- (a) lies beyond the sign;
 - (b) lies between the sign and the next sign; and
 - (c) is on that side of the thoroughfare nearest to the sign

1.8 Pre-existing signs

- (1) A sign that —
- (a) was erected by the local government or the Commissioner of Main Roads before the commencement of this local law; and
 - (b) relates to the parking of vehicles within the parking region,
- shall be deemed for the purpose of this local law to have been erected by the local government under the authority of this local law.
- (2) This local law applies to pre-existing signs as if they had been erected by the local government under the authority of this local law.

1.9 Vehicle and driver classification

- (1) For the purposes of this local law vehicles are divided into the following classes—
- (a) buses;
 - (b) caravans and trailers;
 - (c) motorcycles;
 - (d) taxis and other on-demand passenger transport vehicles;
 - (e) commercial vehicles;
 - (f) tour coaches;
 - (g) bicycles;
 - (h) authorised, emergency and special purpose vehicles;
 - (i) plug-in electric vehicles as defined in clause 7.1; and
 - (j) all other vehicles not otherwise classified.
- (2) For the purposes of this local law, drivers are divided into the following classes —
- (a) authorised persons;
 - (b) employees of the local government;
 - (c) customers or patrons of a shop, shopping centre, premises in which personal services are provided, facility or event;
 - (d) persons who work in a shop, shopping centre or premises in which personal services are provided;
 - (e) persons with special needs, including those relating to disability, age or care of infants; and
 - (f) all other persons not otherwise classified.

1.10 Alternative methods of payment

- (1) In this clause, **alternative method of payment** means a permit, invoice, ticket or pass issued electronically or otherwise by the local government in return for payment, authorising a person to park according to the terms and conditions of the authorisation.

- (2) A person who has been authorised by the local government to use an alternative method of payment for parking is exempt from paying fees at the relevant parking facility providing that he or she complies with the terms of the Alternative Method of Payment.
- (3) An alternative method of payment may not be used by any person other than the person who received authorisation by the local government.

PART 2 – PARKING STATIONS

2.1. Determination of parking spaces and parking stations

- (1) The local government may, by resolution, constitute, determine and vary —
 - (a) parking stations;
 - (b) parking spaces;
 - (c) permitted time and conditions of stopping or parking in parking spaces and parking stations, which may vary by locality;
 - (d) permitted classes of vehicles which may stop or park in parking spaces and parking stations;
 - (e) permitted classes of persons who may stop or park in parking spaces and parking stations; and
 - (f) the manner of stopping or parking in parking spaces and parking stations.
- (2) Where the local government makes a determination under subsection (1) it must erect signs to give effect to that determination.

2.2. Determination of parking fees for parking in a parking station

- (1) The local government may determine and impose a fee for the stopping or parking of a vehicle in a parking station, under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) A reference in this Part to a 'fee' means a fee imposed in accordance with subclause (1).
- (3) The local government may, by resolution, waive the parking fee in a specified parking station —
 - (a) at certain days and times;
 - (b) for specified classes of person or vehicle; or
 - (c) for a specified period of time after the vehicle first enters the parking station (**'fee free period'**).

2.3 Payment of fee to park in a parking station

- (1) Subject to clause 2.2(3), a person must not stop, park or permit a vehicle to remain parked in a parking station during any period for which a fee is payable unless —
 - (a) in the case of a parking station having an attendant on duty, the person pays the appropriate fee when demanded;
 - (b) in the case of a parking station equipped with a ticket issuing machine, the person —
 - (i) immediately pays, by any form of permitted payment, the appropriate fee to the ticket issuing machine, and

- (ii) obtains a parking ticket from the machine;
 - (c) in the case of a parking station equipped with a pay station, the person —
 - (i) immediately obtains an entrance ticket; and
 - (ii) immediately before the vehicle departs the parking station, pays, by any form of permitted payment, the appropriate fee to the pay station; or
 - (d) in the case of a parking station where payment via parking app is permitted, the person —
 - (i) immediately commences a parking session via the parking app;
 - (ii) receives confirmation from the parking app that parking session has commenced;
 - (iii) ensures the parking session remains active at all times while the vehicle is stopped or parked; and
 - (iv) immediately before the vehicle is driven from where it has been stopped or parked, finishes the parking session and receives confirmation that the appropriate fee has been paid.
- (2) The payment of a fee referred to in subclause (1) entitles a person to stop or park a vehicle in a parking space in a parking station for —
- (a) in the case in which payment is made to an attendant or to a ticket issuing machine — the period stated on the parking ticket; or
 - (b) in the case in which payment is made by a parking app — the period specified on the electronic ticket.
- (3) Where a parking fee is waived under clause 2.2(3)(c), a person must not, when the initial fee free period expires —
- (a) immediately obtain another parking ticket or commence another parking session for the purpose of extending the total free time of parking; or
 - (b) move the vehicle within, or exit and return to the parking station, for the purpose of extending the total free time of parking, unless the vehicle has been removed from the parking station for a minimum of twelve hours.

2.4 Payment of fee does not authorise otherwise prohibited conduct

- (1) The payment of a fee referred to in clause 2.2 does not authorise the stopping or parking of a vehicle in a parking station where it is otherwise prohibited —
- (a) under this local law;
 - (b) by a sign on a ticket issuing machine referable to the parking station; or
 - (c) by a sign referable to the parking space.

2.5 Time restrictions for stopping or parking in a parking station

- (1) A person must not stop, park or permit a vehicle to remain parked in a parking station for longer than the maximum period, if any, stated on a sign or a ticket issuing machine referable to the parking station.
- (2) Where the stopping or parking of vehicles in a parking station is permitted for a limited period of time, and a vehicle has been stopped or parked in that parking station for that length of time, a person must not stop or park that vehicle again in the parking station unless it has been removed from the parking station for at least one hour.

2.6 General prohibitions on stopping or parking in a parking station

(1) A person must not stop, park or permit a vehicle to remain parked in a parking station —

- (a) if the stopping or parking of vehicles is prohibited by a sign;
- (b) during a period in which the stopping or parking of vehicles is prohibited by a sign; or
- (c) if a sign specifies that a parking space within the parking station is for the stopping or parking of vehicles —
 - (i) of a different class; or
 - (ii) driven by a person of a different class.

(2) A person must not stop, park or permit a vehicle to remain parked in a parking station —

- (a) so as to obstruct an entrance to, or exit from, a parking station, or an access way within a parking station;
- (b) so that any portion of the vehicle is on or over a footpath or place of refuge for pedestrians; or
- (c) otherwise than wholly within a parking space.

2.7 Display of tickets in parking stations

(1) A person must not stop, park or permit a vehicle to remain parked in a parking station during any period for which a fee is payable unless —

- (a) an unexpired parking ticket issued by a ticket issuing machine referable to the parking station is —
 - (i) displayed inside the vehicle; and
 - (ii) the date, expiry time and number (if any) on the ticket is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in the parking station.

(2) Clause 2.7(1) only applies to payment made in accordance with clause 2.3(1)(b), where a hard copy parking ticket is issued.

2.8 Behaviour in parking stations

(1) A person must not —

- (a) drive in a parking station in a direction other than the direction indicated by a sign;
- (b) unless otherwise authorised by a sign referable to the parking space — stop, park or permit a vehicle to remain parked in a parking space within a parking station if that parking space is occupied by another vehicle; or
- (c) sell, hire, give away, offer or expose for sale or hire anything of any nature, unless that person has the prior written permission of the local government to do so.

PART 3 – METERED ZONES

3.1 Determination of metered spaces and metered zones

(1) The local government may, by resolution, constitute, determine and vary —

- (a) metered zones;
- (b) metered spaces;
- (c) permitted time and conditions of stopping or parking in metered spaces and metered zones, which may vary by locality;
- (d) permitted classes of vehicles which may stop or park in metered spaces and metered zones;

- (e) permitted classes of persons who may stop or park in metered spaces and metered zones; and
 - (f) the manner of stopping or parking in metered spaces and metered zones
- (2) Where the local government makes a determination under subsection (1) it must erect signs to give effect to that determination.

3.2 Determination of parking fees for parking in a metered zone

- (1) The local government may determine and impose a fee for the stopping or parking of a vehicle in a metered zone, under and in accordance with sections 6.16 to 6.19 of the Act.
- (2) A reference in this Part to a 'fee' means a fee imposed in accordance with subclause (1).
- (3) The local government may, by resolution, waive the parking fee in a specified metered zone—
- (a) at certain days and times;
 - (b) for specified classes of person or vehicle; or
 - (c) for a specified period of time after the vehicle first enters the metered zone ('**fee free period**').

3.3 Payment of fee to park in a metered zone

- (1) Subject to clause 3.2(3), a person must not stop, park or permit a vehicle to remain parked in a metered zone during any period for which a fee is payable unless —
- (a) in the case of a metered zone equipped with a parking meter, the person immediately pays, by any form of permitted payment, the appropriate fee to the parking meter.
 - (b) in the case of a metered zone equipped with a ticket issuing machine, the person —
 - (i) immediately pays, by any form of permitted payment, the appropriate fee to the ticket issuing machine, and
 - (ii) obtains a parking ticket from the machine; or
 - (c) in the case of a metered zone where payment via parking app is permitted, the person —
 - (i) immediately commences a parking session via the parking app;
 - (ii) receives confirmation from the parking app that parking session has commenced;
 - (iii) ensures the parking session remains active at all times while the vehicle is stopped or parked; and
 - (iv) immediately before the vehicle is driven from where it has been stopped or parked, finishes the parking session and receives confirmation that the appropriate fee has been paid.
- (2) The payment of a fee referred to in subclause (1) entitles a person to stop or park a vehicle in a metered space in a metered zone for —
- (a) in the case in which payment is made to a parking meter — the period indicated on the meter;
 - (b) in the case in which payment is made to a ticket issuing machine — the period stated on the parking ticket; or
 - (c) in the case in which payment is made by a parking app — the period

specified on the electronic ticket.

- (3) Where a parking fee is waived under clause 3.2(3)(c), a person must not, when the initial fee free period expires —
 - (a) immediately obtain another parking ticket or commence another parking session for the purpose of extending the total free time of parking; or
 - (b) move the vehicle within, or exit and return to the metered zone, for the purpose of extending the total free time of parking, unless the vehicle has been removed from the metered zone for a minimum of twelve hours.

3.4 Payment of fee does not authorise otherwise prohibited conduct

- (1) The payment of a fee referred to in clause 3.2 does not authorise the stopping or parking of a vehicle in a metered zone where it is otherwise prohibited —
 - (a) under this local law;
 - (b) by a sign on a parking meter or ticket issuing machine referable to the metered zone; or
 - (c) by a sign referable to the metered space.

3.5 Time restrictions for stopping or parking in a metered zone

- (1) A person must not stop, park or permit a vehicle to remain parked in a metered zone for longer than the maximum period, if any, stated on a sign, parking meter or a ticket issuing machine referable to the metered zone.
- (2) Where the stopping or parking of vehicles in a metered zone is permitted for a limited period of time, and a vehicle has been stopped or parked in the metered zone for that length of time, a person must not stop or park that vehicle again in the metered zone unless it has been removed from the metered zone for at least one hour.

3.6 General prohibitions on stopping or parking in a metered zone

- (1) A person must not stop, park or permit a vehicle to remain parked in a metered zone —
 - (a) if the stopping or parking of vehicles is prohibited by a sign;
 - (b) during a period in which the stopping or parking of vehicles is prohibited by a sign; or
 - (c) if a sign specifies that a metered space within the metered zone is for the stopping or parking of vehicles —
 - (i) of a different class; or
 - (ii) driven by a person of a different class.
- (2) Unless otherwise authorised by a sign referable to the metered space, a person must not stop, park or permit a vehicle to remain parked within a metered space in a metered zone if that metered space is occupied by another vehicle.
- (3) Subject to subclause (4) a person must not stop, park or permit a vehicle to remain parked in a metered bay in a thoroughfare otherwise than —
 - (a) parallel to and as close to the kerb as practicable; and
 - (b) wholly within the metered space.
- (4) Where a vehicle is too long or too wide to fit completely within a single metered bay and the bay is parallel to the kerb, then the person parking the vehicle may park across the minimum number of metered spaces needed to park the vehicle.
- (5) Where subclause (4) applies, the person must pay the appropriate fee for each

metered bay occupied and, where applicable, display each parking ticket in accordance with clause 3.7.

3.7 Display of tickets in metered zones

- (1) A person must not stop, park or permit a vehicle to remain parked in a metered zone during any period for which a fee is payable unless —
 - (a) an unexpired parking ticket issued by a ticket issuing machine referable to the parking station is —
 - (i) displayed inside the vehicle; and
 - (ii) the date, expiry time and number (if any) on the ticket is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in the metered zone.
- (2) Clause 3.7(1) only applies to payment made in accordance with clause 3.3(1)(b), where a hard copy parking ticket is issued.

PART 4 – PARKING PERMITS

4.1 Application of Part

- (1) This Part applies to —
 - (a) Residential parking permits;
 - (b) Visitor parking permits; and
 - (c) Veteran Total and Permanently Incapacitated (TPI) permits.

4.2 Eligibility for a parking permit

Residential parking permits

- (1) A person who is the owner or occupier of a dwelling in the district and who resides in the dwelling may apply in writing to the local government for the issue of a —
 - (a) residential permit in relation to a registered vehicle for which that person is the owner.

Visitor parking permits

- (2) A person who is the owner or occupier of a dwelling in the district and who resides in the dwelling may apply in writing to the local government for the issue of a —
 - (a) visitor's permit.

Veteran Total and Permanently Incapacitated (TPI) permits

- (3) A person who resides in the district and who holds a valid Veteran Gold Card marked with the letters 'TPI' or words 'Totally & Permanently Incapacitated' may apply in writing to the local government for the issue of a —
 - (a) Veteran Total and Permanently Incapacitated (TPI) permit.

4.3 Application for a parking permit

- (1) An application for a parking permit must —
 - (a) be made in the form prescribed by the local government;
 - (b) be signed by the applicant;
 - (c) provide the information required by the form; and
 - (d) be accompanied by any fee determined and imposed by the local

government under and in accordance with sections 6.16 to 6.19 of the Act.

- (2) The local government may require an applicant to, within 7 days, provide additional information reasonably related to an application before determining an application for a permit.
- (3) The local government may refuse to consider an application of a permit —
 - (a) which is not made in accordance with subclause (1); or
 - (b) where the applicant has not provided any additional information required under subclause (2).

4.4 Decision on application for permit

- (1) The local government may, in respect of an application made under clause 4.3, —
 - (a) approve it, whether unconditionally or subject to any conditions the local government considers appropriate; or
 - (b) refuse to approve it.
- (2) The local government must decide whether or not to grant a permit within 21 days.
- (3) Where the local government approves an application for a permit, it must issue the applicant a permit in the form prescribed by the local government.
- (4) Where the local government refuses to approve an application for a permit, it must give written notice of the decision, together with the grounds and reasons, to the applicant.
- (5) Where the local government has not made a decision within the time mentioned in subclause (2), it is taken to have refused to grant a permit, and any fee payable under clause 4.3(1)(d) is to be refunded to the applicant.
- (6) The local government may, at any time, amend a condition of approval, and the amended condition takes effect 14 days after written notice of it is given to the permit holder.

4.5 Form and content of parking permit

- (1) A parking permit issued under this Part must set out —
 - (a) the permit number;
 - (b) the name of the thoroughfare to which the permit applies; and
 - (c) the date on which the permit expires.
- (2) Residential and Total and Permanently Incapacitated permits must also set —
 - (a) the registration of the vehicle.

4.6 Validity of a permit

- (1) A parking permit issued under this Part ceases to be valid upon —
 - (a) the expiry date, if any, specified in the permit;
 - (b) the holder of the permit ceasing to be eligible for a permit;
 - (c) the revocation of the permit by the local government under clause 4.8; or
 - (d) the replacement of the permit by a new permit issued under clause 4.9.
- (2) Where a permit ceases to be valid, the permit holder must immediately —
 - (a) cease to use and display the permit; and
 - (b) in the case where the permit holder has ceased to be eligible — notify

the local government in writing that they have ceased to be eligible.

- (3) Where a parking permit becomes invalid under subclause (1)(a), the permit holder may apply for a renewal of their permit.
- (4) An application for a renewal of a parking permit under subclause (3) must —
 - (a) be made in the form prescribed by the local government; and
 - (b) be signed by the applicant;
 - (c) provide the information required by the form; and
 - (d) be accompanied by any fee determined and imposed by the local government under and in accordance with sections 6.16 to 6.19 of the Act.

4.7 Effect of parking permit

Residential and visitors parking permits

- (1) The holder of a residential or visitors parking permit issued under this Part is exempt from —
 - (a) a prohibition against the stopping or parking of vehicles on a thoroughfare for more than a specified period of time; and
 - (b) the requirement to pay a fee to stop or park a vehicle in a metered zone.
- (2) The exemption under subclause (1) applies only —
 - (a) to a thoroughfare or metered zone specified in the permit, except where it is adjacent to retail premises where the parking of all vehicles is subject to time restrictions;
 - (b) where the permit specifies a particular vehicle — to the vehicle specified in the permit;
 - (c) where the approval of the permit is subject to conditions — where those conditions are met;
 - (d) if the permit is displayed in the vehicle and is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in an area to which the permit relates; and
 - (e) if the permit is valid.

Total and Permanently Incapacitated (TPI) permits

- (3) The holder of a Total and Permanently Incapacitated (TPI) permit is exempt from the requirement to pay a fee to stop or park a vehicle in a metered zone or parking station.
- (4) The exemption under subclause (3) applies only —
 - (a) where the approval of the permit is subject to conditions — where those conditions are met;
 - (b) if the permit is displayed in the vehicle and is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in an area to which the permit relates; and
 - (c) if the permit is valid.

4.8 Revocation of a parking permit

- (1) The local government may, at any time, revoke a parking permit which has been issued under this Part if the permit holder breaches any of the conditions for its use or when the permit holder ceases to be eligible for a permit.
- (2) Where the local government determines to revoke a parking permit under subclause

(1), it must give written notice of the decision, together with the grounds and reasons, to the permit holder.

- (3) A revocation under subclause (1) takes effect 14 days after the written notice in subclause (2) is given to the permit holder.

4.9 Replacement of a permit

- (1) The local government may, upon written application by the permit holder, issue a replacement permit for parking permits which are lost, misplaced, destroyed or stolen.
- (2) The written application must —
- (a) be made in the form prescribed by the local government;
 - (b) be signed by the applicant;
 - (c) provide the information required by the form; and
 - (d) be accompanied by any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (3) The local government may require an applicant to, within 7 days, provide additional information reasonably related to the application before determining an application for a permit
- (4) The local government may refuse to consider an application —
- (a) which is not made in accordance with subclause (2); or
 - (b) where the applicant has not provided any additional information required under subclause (3)

PART 5 – STOPPING AND PARKING GENERALLY

5.1 Power to prohibit and regulate

The local government may, by resolution, prohibit, restrict or regulate, by signs of otherwise, the stopping or parking of any vehicle, class of vehicle, or of any class of person or vehicle, or both, but must do so consistently with the provisions of this local law.

5.2 Authorised vehicle zones

- (1) The local government may, by the use of signs, set aside any parking station, parking space, metered zone or metered bay, for the parking of authorised vehicles only.
- (2) A person must not stop, park or permit a vehicle to remain parked in an area designated by a sign for the parking of 'Authorised Vehicles Only', unless —
- (a) the vehicle is an authorised vehicle;
 - (b) a valid permit is displayed inside the vehicle; and
 - (c) the permit is clearly visible to, and able to be read by, an authorised person from outside the vehicle at all times while the vehicle is stopped or parked in the designated area.
- (3) Clause 5.2 has effect notwithstanding any other provision under this local law or any sign referable to the area.

5.3 Construction site work zones

- (1) In this clause, unless the context otherwise requires —

builder has the same meaning given to it in the *Building Services (Complaint Resolution and Administration) Act 2011*;

construction site means any land subject to development;

construction site vehicle means a commercial vehicle or heavy vehicle used on a construction site to facilitate development of the site;

development means the demolition, erection, construction, alteration of or addition to any building or structure on land or the carrying out on the land of any excavation or other works;

eligible person means an owner or occupier of a construction site or any builder carrying out work on a construction site;

heavy vehicle has the meaning given to it in the Code; and

work zone means any road or part of a road, whether or not marked as a metered space or parking space, set aside by the local government by the use of a sign, for a period specified on the sign, for the parking of construction site vehicles.

- (2) An eligible person seeking to establish a work zone adjacent to a construction site may apply in writing to the local government for approval.
- (3) The local government may, in respect of an application made under subclause (2)—
 - (a) approve it, whether unconditionally or subject to any conditions as the local government considers appropriate; or
 - (b) refuse to approve it
- (4) The local government must decide whether or not to grant approval within 21 days.
- (5) Where the local government approves an application made under subclause (2), it must give the applicant written notice specifying —
 - (a) the portion of road approved for uses as a work zone;
 - (b) the terms of the approval and the times during which the parking of construction site vehicles in the work zone is permitted;
 - (c) any conditions applicable to the approval;
 - (d) the amount of any establishment fee determined and imposed by the local government under and in accordance with sections 6.16 to 6.19 of the Act; and
 - (e) the amount of any daily fee determined and imposed by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (6) Within 14 days from the date of the payment of any establishment fee, or from the date of the written notice when no establishment fee is to be paid, the local government is to set aside a work zone in accordance with the notice referred to in subclause (3).
- (7) The applicant must, in addition to the establishment fee, pay to the local government a daily fee for each day that a work zone is set aside.
- (8) The daily fee is payable in arrears, on the first day of each month.
- (9) Where the local government approves an application made under subclause (2), the local government may cancel its approval by written notice to the applicant if —
 - (a) the applicant, or any person authorised by the applicant to use the work

- zone, stops or parks a vehicle otherwise than in accordance with a term of approval or condition of approval specified in the notice issued to the applicant under subclause (5);
 - (b) the applicant fails to pay the daily fee as required under subclause (5); or
 - (c) the local government or an authorised person requires access to or near the place where the work zone is situated, for the purposes of carrying out works in or near that place.
- (10) A revocation under subclause (9) takes effect 3 days after the written notice in subclause (9) is given to the permit holder.
- (11) A person must not park a vehicle in a work zone unless —
- (a) the vehicle is a construction site vehicle;
 - (b) the vehicle is parked during a time in which the parking of a construction site vehicle on that zone is permitted by a sign; and
 - (c) a person is continuously engaged in loading or unloading goods —
 - (i) to or from the construction site vehicle; and
 - (ii) to or from the construction site.

5.4 Temporary event parking

- (1) A community or sporting organisation organising an event on a reserve may apply in writing to the local government for approval to allow patrons of the event to park in a specified part of that reserve.
- (2) An application for temporary event parking approval must —
- (a) be made in the form prescribed by the local government; and
 - (b) provide the information required by the form;
- (3) The local government may, in respect of an application made under subclause (1) —
- (a) approve it, whether unconditionally or subject to any conditions as the local government considers appropriate; or
 - (b) refuse to approve it.
- (4) The local government must decide whether or not to grant approval within 21 days.
- (5) Where the local government approves an application made under subclause (1), it must give the applicant written notice specifying —
- (a) the area within the reserve that may be used for the event parking,
 - (b) the day and time period for which the approval is valid, and
 - (c) conditions applying to the management of public parking at the event, including but not limited to —
 - (i) signage;
 - (ii) maximum number of vehicles allowed to park in the reserve;
 - (iii) pedestrian safety measures; and
 - (iv) requirements for managing the movement of vehicles between the event parking area and the nearest public road.
- (6) An organisation granted approval to use part of a reserve for the purposes of event parking must not charge patrons a fee to park in the reserve.

5.5 Temporary parking restrictions

- (1) The local government may, by the use of signs or other means, temporarily restrict or prohibit parking in any parking station, parking space, metered zone or metered bay for the purpose of carrying out urgent, essential or official functions of the local

government.

- (2) Unless authorised by the local government, a person must not stop, park or permit a vehicle to remain parked in an area where temporary parking restrictions apply.
- (3) Clause 5.5 has effect notwithstanding any other provision under this local law or any sign referable to the area.

5.6 Parking in a parking space designated for the use of persons with disabilities

Unauthorised parking in a space designated for the use of persons with disabilities is dealt with in the *Local Government (Parking for People with Disabilities) Regulations 2014*.

5.7 Parking on private land

- (1) In this clause, a reference to 'land' does not include land which is —
 - (a) a reserve;
 - (b) the subject of an agreement referred to in clause 1.4(3); or
 - (c) a parking station or a metered zone.
- (2) A person must not stop, park or permit a vehicle to remain parked on land without the consent of the owner or occupier of the land on which the vehicle is parked.
- (3) Where the owner or occupier of the land, by a sign referable to that land or otherwise, consents to the parking of vehicles or drivers of a specified class or classes on the land for a limited period, a person must not park a vehicle on the land otherwise than in accordance with that consent.

5.8 Parking on reserves

- (1) A person must not stop, park or permit a vehicle to remain parked on a reserve, otherwise than within a parking station, unless the person —
 - (a) is an employee of the local government in the course of their duties, or
 - (b) has obtained prior written permission from the local government; or
 - (c) clause 5.4 applies.

5.9 Heavy and bulky vehicle parking

- (1) A person must not stop, park or permit a vehicle or any combination of vehicles that, together with anything in or on that vehicle or vehicles, exceeds a GVM of 4.5 tonnes —
 - (a) on a thoroughfare for more than 4 hours consecutively; or
 - (b) on a thoroughfare for the purpose of repairing, servicing or cleaning that vehicle.

5.10 Over-length vehicle parking

- (1) A person must not stop, park or permit a vehicle or any combination of vehicles that, together with anything in or on that vehicle or vehicles, is more than 10 metres in length, on a carriageway for any period exceeding 1 hour during any 24-hour period.

5.11 Stopping in a taxi zone or bus zone

- (1) A driver must not stop, park or permit a vehicle to remain parked in a taxi zone unless the driver is driving an on-demand vehicle engaged in providing an on-demand rank or hail passenger transport service.

(2) A driver must not stop, park or permit a vehicle to remain parked in a bus zone unless the driver is driving a public bus, or a bus of a type that is permitted to stop at the bus zone by information on or with the 'bus zone' sign applying to the bus zone.

(3) In subclause (1), the driver of the vehicle must not leave the vehicle unattended.

5.12 Stopping in a bus lane, transit lane or bicycle lane

(1) A driver must not stop, park or permit a vehicle to remain parked in —

- (a) a bus lane;
- (b) a transit lane; or
- (c) a bicycle lane,

unless the driver is driving a public bus or on-demand vehicle providing an on-demand rank or hail passenger transport service, and is dropping off, or picking up, passengers.

5.13 Stopping in a shared zone

(1) A driver must not stop, park or permit a vehicle to remain parked in a shared zone unless —

- (a) the driver stops at a place on a length of carriageway, or in an area, to which a sign applies, and the driver is permitted to stop at that place under this local law;
- (b) the driver stops in a parking space and the driver is permitted to stop in the parking space under this local law;
- (c) the driver is dropping off, or picking up, passengers or goods; or
- (d) the driver is engaged in door-to-door delivery or collection of goods, or in the collection of waste or garbage.

5.14 Stopping in a loading zone

(1) A person must not stop, park or permit a vehicle to remain parked in a loading zone unless it is —

- (a) a motor vehicle used for commercial or trade purposes engaged in the delivery or collection of goods to commercial premises reasonably adjacent to the loading zone in which the vehicle is stopped or parked; or
- (b) a motor vehicle used for commercial or trade purposes engaged in the delivery of goods to residential premises reasonably adjacent to the loading zone in which the vehicle is stopped or parked, but, in any event, must not remain in that loading zone —
- (c) for longer than a time indicated on the 'loading zone' sign; or
- (d) longer than 30 minutes (if no time is indicated on the sign).

5.15 Other limitations in zones

A person must not stop a vehicle in a zone to which a sign applies if stopping the vehicle would be contrary to any limitations with respect to the class of persons or vehicles, or the specific activity allowed, as indicated by additional words on the sign that applies to the zone.

5.16 Vehicles not to obstruct a public place

(1) A person must not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the lawful use of any part of that public place, unless that person has the prior written permission of the local government or is otherwise authorised under any written law.

- (2) An authorised person may deem a vehicle to be obstructing the use of a public place where —
- (a) the vehicle is stopped or parked in a public place for a continuous period exceeding 72 hours.

PART 6 – STOPPING AND PARKING ON THOROUGHFARES

6.1 Restrictions on parking in thoroughfares

- (1) A person must not stop, park or permit a vehicle to remain parked on a thoroughfare —
- (a) if the stopping or parking of vehicles is prohibited by a sign;
 - (b) during a period in which the stopping or parking of vehicles is prohibited by a sign;
 - (c) if a sign specifies that the thoroughfare is for the stopping or parking of vehicles —
 - (i) of a different class; or
 - (ii) driven by a person of a different class;
 - (d) the side of which is marked with a continuous yellow edge line; or
 - (e) where the thoroughfare upon which the vehicle is stopped or parked is provided with parking spaces — other than wholly within a parking space.
- (2) Unless otherwise authorised by a sign referable to the thoroughfare, a person must not stop, park or permit a vehicle to remain parked within a parking space if that space is occupied by another vehicle.

6.2 Time restrictions for stopping or parking on a thoroughfare

- (1) A person must not stop, park or permit a vehicle to remain parked on a thoroughfare for longer than the maximum period, if any, stated on a sign referable to the thoroughfare, unless —
- (a) Clause 4.7 applies; or
 - (b) Regulation 174 of the Code applies.

6.3 Vehicles in motorcycle stalls

- (1) A person must not stop, park or permit a vehicle to remain parked in a parking space marked 'M/C' unless it is a motorcycle without a sidecar or trailer.

6.4 Parking a vehicle on a thoroughfare provided with marked parking spaces

- (1) A person must not stop, park or permit a vehicle to remain parked on a thoroughfare where parking spaces are marked otherwise than —
- (a) parallel to the kerb and as close to the kerb as practical; and
 - (b) headed in the direction of the movement of traffic on the part of the thoroughfare on which the vehicle is parked,
- unless otherwise exempted by the local government.
- (2) This clause does not apply to angled parking spaces.

6.5 Parking a vehicle on a carriageway where there are no marked parking spaces

- (1) Unless a sign referable to the parking area indicates otherwise, a person must not stop, park or permit a vehicle to remain parked on a carriageway not provided with marked parking space unless —
- (a) in the case of a two-way carriageway — the vehicle is as near as

- practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (b) in the case of a one-way carriageway — the vehicle is as near as practicable to and parallel with either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the thoroughfare on which the vehicle is parked;
 - (c) at least 3 metres of the width of the carriageway lies between the vehicle and the farther boundary of the carriageway, or any continuous dividing line, or dividing strip, or median strip, or between the vehicle and a vehicle parked on the farther side of the carriageway;
 - (d) the front or the rear of the vehicle respectively are not less than one metre from any other vehicle, except a motorcycle without a trailer, or a bicycle parked in accordance with this local law;
 - (e) the vehicle does not obstruct any vehicle on the carriageway; and
 - (f) no portion of the vehicle is on a median strip or painted island.
- (2) In this clause 'continuous dividing line' means —
- (a) a single continuous dividing line only;
 - (b) a single continuous dividing line to the left or right of a broken dividing line; or
 - (c) 2 parallel continuous dividing lines.

6.6 Parking a vehicle on a carriageway where angle parking applies

- (1) Subject to subclause (2), where a sign referable to a parking area is inscribed with the words 'angle parking' (or with an equivalent symbol depicting this purpose), a person stopping or parking a vehicle in the area must park the vehicle at an angle of approximately 45 degrees to the centre of the carriageway unless otherwise indicated by an inscription on the parking sign or by the marks on the carriageway.
- (2) This clause does not apply to —
- (a) a passenger vehicle or a commercial vehicle with a mass including any load, of more than 3 tonnes; or
 - (b) a person parking either a motorcycle without a trailer or a bicycle.

6.7 Parking near a fire hydrant or public post box

- (1) A person must not stop, park or permit a vehicle to remain parked on a thoroughfare so that any portion of the vehicle is within 1 metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug, unless —
- (a) the driver is driving a public bus, and the driver stops in a bus zone or at a bus stop and does not leave the bus unattended; or
 - (b) the driver is driving an on-demand vehicle engaged in providing an on-demand rank or hail passenger transport service, and the driver stops in a taxi zone and does not leave the vehicle unattended.
- (2) A person must not stop, park or permit a vehicle to remain parked on a thoroughfare so that any portion of the vehicle is within 3 metres of a public post box or within a mail zone, unless the vehicle is being used for the purpose of collecting postal articles from the post box.

6.8 Verge parking

- (1) A person must not stop, park or permit a vehicle to remain parked on a verge where a sign referable to that area prohibits the stopping or parking of vehicles on that verge.

- (2) A person must not drive, stop, park or permit a vehicle to remain parked on a verge in the absence of signs described in subclause (1) unless —
- (a) the person is the owner or the occupier of the lot abutting that portion of the verge;
 - (b) the person has the permission of the owner or the occupier of the lot abutting that portion of the verge;
 - (c) the person is an authorised person undertaking the duties for which they are authorised by the local government; or
 - (d) the person is acting under the authority of any written law.

6.9. Double parking

- (1) A person must not stop, park or permit a vehicle to remain parked on a carriageway so that any portion of the vehicle is between any stopped or parked vehicle and the centre of the carriageway.
- (2) This clause does not apply to —
- (a) a driver stopped in traffic; or
 - (b) a driver angle parking on the side of the carriageway in accordance with this local law.

6.10 Bus stops, pedestrian and children's crossing

- (1) A person must not stop or park a vehicle on a thoroughfare so that any portion of the vehicle is within 20 m of the approach side of a bus stop, or within 10 m of the departure side of a bus stop, unless the vehicle is a public bus stopped to take up or set down passengers.
- (2) A person must not stop, park or permit a vehicle to remain parked in a bus stop except for the purpose of taking up or setting down passengers to or from such vehicle.
- (3) A person must not stop or park a vehicle on a thoroughfare so that any portion of the vehicle is —
- (a) within 20 m of the approach side of pedestrian or children's crossing; or
 - (b) within 10 m of the departure side of pedestrian or children's crossing.
- (4) In this clause, distances are measured in the direction in which the driver is driving.

6.11 Keep clear markings

A driver must not stop on an area of a carriageway marked with a keep clear marking.

6.12 Movement of vehicles to avoid time limitation

Where the stopping or parking of vehicles on a thoroughfare is permitted for a limited period of time, and a vehicle has been stopped or parked on that thoroughfare for that length of time, a person must not stop or park that vehicle again on the thoroughfare unless it has been removed from the thoroughfare for at least one hour.

6.13 No parking of vehicles exposed for sale and other circumstances

- (1) A person must not park a vehicle on a thoroughfare —
- (a) for the purpose of exposing it for sale;
 - (b) if that vehicle is not licensed under the *Road Traffic Act 1974*;
 - (c) if that vehicle is a trailer or caravan unattached to a motor vehicle; or
 - (d) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a

thoroughfare.

- (2) Subclause (1)(c) does not apply –
- (a) where the trailer or caravan is parked within the property abutting the verge and protrudes on to the verge in such a way that the part of the trailer or caravan located on the verge —
 - (i) protrudes no further than 2.5 metres beyond the property line;
 - (ii) no part of the trailer or caravan encroaches on to a path; and
 - (iii) no part of the trailer or caravan is closer to the kerb than 3 metres; or
 - (b) if the trailer or caravan is parked on the verge for the sole purpose of unloading or loading of the caravan or trailer, but, in any event for no longer than 72 hours.
- (3) In subclause (2), measurements are taken to apply from the outer edge of the contents of a trailer or of accessories attached to the trailer or caravan where those contents or accessories protrude beyond the dimensions of the trailer or caravan itself.

6.14 Traffic obstructions

- (1) Subject to any law relating to intersections with traffic control signals, a person must not stop, park or permit a vehicle to remain parked so that any portion of the vehicle is —
- (a) in front of a right of way, crossover, passage or driveway, or so close to one as to deny vehicles reasonable access to, or egress from, the right of way, crossover, passage or driveway;
 - (b) upon an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
 - (c) within 20 metres of the nearest kerb line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is stopped or parked where the intersection has traffic control signals installed;
 - (d) within 10 metres of the nearest kerb line of any thoroughfare intersecting the thoroughfare on the side on which the vehicle is stopped or parked, where the intersection does not have traffic-control signals installed;
 - (e) alongside any excavation, works, hoarding, scaffolding, obstacle or impediment to traffic, if the vehicle would obstruct traffic;
 - (f) on or over a footpath, or a place of refuge for pedestrians;
 - (g) in front of a crossing used by pedestrians to gain access to or from a path; or
 - (h) at the side of a carriageway marked with a continuous yellow edge line.
- (2) Clause (1) does not apply where —
- (a) stopping in that place is necessary due to stopped traffic or in the interests of safety, provided the vehicle is moved as soon as it is safe to do so; or
 - (b) the vehicle is stopped or parked in a parking space or metered bay.

PART 7 – ELECTRIC VEHICLE CHARGING STATIONS

7.1 Interpretation

In this Part —

battery electric vehicle means a plug-in electric vehicle that runs on an electric drive train powered exclusively by a battery.

electric vehicle charging station means a publicly available parking space served by electric vehicle supply equipment designed specifically to charge batteries within plug-in electric vehicles by permitting the transfer of electrical energy from an external source to a battery within the electric vehicle;

electric vehicle supply equipment means equipment installed at a premises specifically for the purpose of transferring electrical energy between the premises and a plug-in electric vehicle.

plug-in electric vehicle means a vehicle registered for use on public roads that is propelled by 1 or more motors driven by electrical energy stored in 1 or more batteries installed in the vehicle, and that is primarily recharged by connection to an external stationary electricity supply, and includes battery electric vehicles and plug-in hybrid electric vehicles.

plug-in hybrid electric vehicle means a plug-in electric vehicle that runs on an electric drive train powered by both a battery and an internal combustion engine.

7.2 Determination of electric vehicle charging stations

- (1) The local government may, by resolution, designate as an electric vehicle charging station a parking space or metered bay that is owned by or under the control of the local government and at which is installed electric vehicle supply equipment.
- (2) Where the local government makes a determination under subsection (1) it must erect signs to give effect to that determination.

7.3 Electric vehicle charging stations for exclusive use of plug-in electric vehicles while charging

- (1) A person must not park a vehicle in a designated electric vehicle charging station at any time unless that vehicle —
 - (a) is a plug-in electric vehicle registered for use on public roads, and
 - (b) is physically connected to the electric vehicle supply equipment for the purposes of charging the vehicle.

7.4 Other conditions of using an electric vehicle charging station

- (1) Use of an electric vehicle charging station located within a parking station is, in addition to the provisions of clause 7.3, subject to the provisions of Part 2 of this local law, including payment of an appropriate fee, unless otherwise signed.
- (2) Use of an electric vehicle charging station that is in a metered zone is, in addition to the provisions of clause 7.3, subject to the provisions of Part 3, including payment of an appropriate fee, unless otherwise signed.
- (3) Unless otherwise signed, a person may not park in a designated electric vehicle parking station for longer than 2 continuous hours.

PART 8 – MISCELLANEOUS

8.1 Impersonation of authorised person

A person who is not an authorised person must not impersonate or purport to exercise the functions of an authorised person.

8.2 Authorised person may order vehicle to be moved

A driver of a vehicle stopped or parked in a parking station, metered zone, thoroughfare or reserve must immediately move the vehicle if any authorised person or police officer directs the driver to move it.

8.3 Authorised person may mark of tyres

- (1) An authorised person may mark the tyres of a vehicle with chalk or any other non-indelible substance for any purpose connected with or arising out of their duties and powers.
- (2) A person must not remove a mark made by an authorised person so the purpose of the affixing of such mark is defeated or likely to be defeated.

8.4 Interference and damage to parking facilities and associated infrastructure

A person must not interfere with, alter, affix any thing to, damage, deface, remove, misuse or obstruct the operation of any parking facilities or any local government property used in, or in connection with, a parking facility, or attempt to do any such act.

8.5 Unauthorised signs

A person must not, without the permission of the local government, place, mark or erect a sign purporting to be or resembling a sign placed, marked or erected by the local government under this local law.

8.6 No contravention of sign

An inscription or symbol on a sign operates and has effect according to its tenor and a person contravening the direction on a sign commits an offence.

8.7 General provisions about signs

- (1) For the purposes of this local law a sign may prohibit or regulate parking or stopping by the use of any symbol.
- (2) A sign is presumed, in the absence of evidence to the contrary, to be a sign placed, marked or erected under the authority of this local law.
- (3) Where an inscription or symbol on a sign relates to the stopping of vehicles, it shall be deemed for the purposes of this local law to operate and have effect as if it also related to the parking of vehicles.
- (4) The first three letters of any day of the week when used on a sign indicate that day of the week.

8.8 Removal of notice from vehicle

- (1) A person, other than the driver of the vehicle or a person acting under the direction of the driver of the vehicle, must not remove from the vehicle any notice put on the vehicle by an authorised person.
- (2) In this clause 'notice' means a notice referred to in section 9.13 of the Act or an infringement notice referred to in section 9.17 of the Act.

8.9 Impounding of vehicles

The impounding of vehicles and other goods is dealt with in sections 3.37 to 3.48 of the Act and regulation 29 of the *Local Government (Functions and General) Regulations 1996*.

8.10 Person not to provide false information when using ticket machine or parking app

A person must not falsely represent the identity of a vehicle when submitting registration details via a parking app or when using a ticket issuing machine that requires the submission of that information.

8.11 Exemptions

- (1) A provision of Parts 2, 3, 5 and 6 of this local law does not apply to the driver of an emergency vehicle or a special purpose vehicle if, in the circumstances —
 - (a) the driver is taking reasonable care; and
 - (b) it is reasonable that the provision should not apply.
- (2) A provision of Parts 2, 3, 5 and 6 of this local law does not apply to a driver who is an authorised person appointed for the purposes of this or another written law applicable to the district who is driving a vehicle in the course of his or her duties if, in the circumstances —
 - (a) the driver is taking reasonable care; and
 - (b) It is reasonable that the provision should not apply.
- (3) A provision of Parts 2, 3, 5 and 6 of this local law does not apply to a person who is at the site of, and engaged in, roadworks or maintenance of the thoroughfare if, in the circumstances —
 - (a) it is not practical for the person to comply with the provision; and
 - (b) sufficient warning of the roadworks has been given to other road users.

PART 9 – ENFORCEMENT

9.1 Legal proceedings

Evidentiary provisions relating to offences involving vehicles are contained in Division 2 of Part 9 of the Act.

9.2 Offences and general penalty

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is be liable, upon conviction, to a penalty not exceeding \$5,000 and, if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.
- (3) The process for prosecutions is dealt with by Part 9, Division 2 of the Act.

9.3 Modified penalties

- (1) In accordance with section 9.16 of the Act, an authorised person who has reason to believe that a person has committed an offence against this local law may, within 28 days after the alleged offence is believed to have been committed, give a parking infringement notice to the alleged offender.

- (2) A person who does not contest an allegation that he or she has committed offence against this local law may, within the time specified in an infringement notice or within such further time as may, in any particular case, be allowed by the CEO, pay the modified penalty for that offence which, in accordance with section 9.21 of the Act, has the effect of preventing the local government from commencing a prosecution for the alleged offence.
- (3) The amount appearing in the final column on Schedule 2 directly opposite a clause specified in that Schedule is the modified penalty for an offence against that clause.
- (4) An offence against any provision of this local law is a prescribed offence for the purposes of section 9.16(1) of the Act.

9.4 Forms of notices

- (1) For the purposes of this local law-
 - (a) the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
 - (b) the form of infringement notice referred to in section 9.16 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*;
 - (c) the form of the infringement notice referred to in section 9.16 of the Act which incorporates the notice referred to in section 9.13 of the Act, is that shown in Schedule 3; and
 - (d) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

9.5 Objection and appeal rights

- (1) Division 1 of Part 9 of the Act applies to —
 - (a) a decision in relation to an application received —
 - (i) under clause 4.3 for a parking permit
 - (ii) under clause 5.3(2) for a construction site work zone; and
 - (iii) under clause 5.4(1) for event parking approval;
 - (b) a decision —
 - (i) under clause 4.8 to revoke a parking permit
 - (ii) under clause 4.9 to replace a parking permit; and
 - (iii) under clause 5.3(9) to revoke approval for a construction site work zone

Schedule 1 – Modified Penalties

Item	Clause	Nature of Offence	Modified Penalty \$
	1.10	Unauthorised use of alternative method of payment	\$90
	2.3(1)(a)	Failure to pay appropriate fee when demanded.	\$90
	2.3(1)(b)	Failure to obtain a parking ticket from a ticket issuing machine in a parking station.	\$90
	2.3(1)(c)	Failure to obtain an entrance ticket from a pay station or pay the appropriate fee prior to departure from a parking station.	\$90
	2.3(1)(d)	Failure to commence or keep active a parking session on a parking app in a parking station.	\$90
	2.3(3)(a)	Obtaining multiple parking tickets or commencing multiple parking sessions to extend initial fee free period.	\$100
	2.3(3)(b)	Moving a vehicle within a parking station to extend initial fee free period.	\$100
	2.3(3)(b)	Exiting and returning to a parking station to extend initial fee free period	\$100
	2.5(1)	Parking in a parking station for more than the maximum period.	\$90
	2.5(2)	Returning to a parking station within 1 hour.	\$90
	2.6(1)(a)	Stopping or parking in a no stopping or no parking area in a parking station.	\$110
	2.6(1)(b)	Stopping or parking in a parking station during a prohibited period.	\$90
	2.6(c)(i)	Parking in a parking space set aside for a different class of vehicle in a parking station.	\$90
	2.6(c)(ii)	Parking in a parking space set aside for a different class of person in a parking station.	\$90
	2.6(2)(a)	Obstructing an entrance, exit or access way in a parking station.	\$110
	2.6(2)(b)	Stopping or parking across a footpath or place of refuge for pedestrians in a parking station.	\$110
	2.6(2)(c)	Parking outside a parking space in a parking station.	\$100
	2.7(1)(a)	Failing to display unexpired parking ticket in a parking station.	\$90
	2.8(a)	Driving in the wrong direction in a parking station.	\$100
	2.8(b)	Stopping or parking in a parking space which is already occupied by another vehicle.	\$100
	2.8(c)	Engaging in unauthorised activities in a parking station.	\$90
	3.3(1)(a)	Failure to pay appropriate fee to a parking meter.	\$90
	3.3(1)(b)	Failure to obtain parking ticket from ticket issuing machine in metered zone.	\$90
	3.3(1)(c)	Failure to commence or keep active a parking session on a parking app in a metered zone.	\$90
	3.3(3)(a)	Obtaining multiple parking tickets or commencing multiple parking sessions in a	\$100

		metered zone to extend initial fee free period.	
	3.3(3)(b)	Moving a vehicle within a metered zone to extend initial fee free period.	\$100
	3.3(3)(b)	Exiting and returning to a parking station to extend initial fee free period.	\$100
	3.5(1)	Parking in a metered zone for more than the maximum period.	\$90
	3.5(2)	Returning to a metered zone within 1 hour.	\$90
	3.6(1)(a)	Stopping or parking in a no parking or no stopping area in a metered zone.	\$110
	3.6(1)(b)	Stopping or parking in a metered zone during a prohibited period.	\$90
	3.6(1)(c)(i)	Parking in a metered space set aside for a different class of vehicle in a metered zone.	\$90
	3.6(1)(c)(ii)	Parking in a metered space set aside for a different class of person in a metered zone.	\$90
	3.6(2)	Stopping or parking in a metered space which is already occupied by another vehicle.	\$100
	3.6(3)(a)	Failure to park parallel and as close to the kerb as practicable in a metered space in a metered zone.	\$90
	3.6(3)(b)	Parking outside a metered space in a metered zone.	\$100
	3.6(5)	Failure to pay appropriate fee for each metered space occupied.	\$90
	3.7(a)	Failing to display unexpired parking ticket in a metered zone.	\$90
	4.4(1)(a)	Failure to comply with conditions of approval for a parking permit.	\$90
	4.5(2)(a)	Continuing to use or display an invalid parking permit.	\$90
	4.5(2)(b)	Failure to notify local government in writing that person is no longer eligible for a permit.	\$90
	5.2(2)	Failure to display a valid permit in an area designated for 'Authorised Vehicles Only'.	\$90
	5.3(3)(a)	Failure to comply with conditions of approval for a work zone.	\$90
	5.3(11)	Unauthorised stopping or parking in a work zone.	\$90
	5.4(3)(a)	Failure to comply with conditions of approval for event parking approval.	\$90
	5.5(2)	Stopping or parking in an area subject to temporary parking restrictions.	\$90
	5.7(2)-(3)	Stopping or parking on private land without consent or contrary to consent.	\$110
	5.8(1)	Stopping or parking on a reserve.	\$110
	5.9(1)(a)	Stopping or parking a heavy or bulky vehicle on a thoroughfare for more than 4 hours.	\$100
	5.9(1)(b)	Stopping or parking a heavy or bulky vehicle on a thoroughfare for the purposes of repairing, servicing or cleaning that vehicle.	\$100
	5.10(1)	Stopping or parking an overlength vehicle on a carriageway for more than 1 hour during any 4-hour period.	\$100
	5.11(1)	Stopping or parking a vehicle, other than an on-demand vehicle, in a taxi zone.	\$90

	5.11(2)	Stopping or parking a vehicle, other than a public bus or permitted bus, bus in bus zone.	\$90
	5.12(1)	Stopping or parking a vehicle, other than a public bus or an on-demand vehicle, in a bus lane, transit lane or bicycle lane.	\$90
	5.13(1)	Unauthorised stopping or parking in a shared zone.	\$90
	5.14(1)	Unauthorised stopping or parking in a loading zone.	\$90
	5.15	Stopping or parking contrary to a sign in a parking zone.	\$90
	5.16(1)	Stopping or parking a vehicle so as to obstruct a public place.	\$110
	6.1(1)(a)	Stopping or parking in a no stopping or no parking area on a thoroughfare.	\$110
	6.1(1)(b)	Stopping or parking on a thoroughfare during a prohibited period.	\$90
	6.1(1)(c)(i)	Parking on a thoroughfare set aside for a different class of vehicle.	\$90
	6.1(1)(c)(ii)	Parking on a thoroughfare set aside for a different class of person.	\$90
	6.1(d)	Stopping or parking contrary to a continuous yellow edge line	\$110
	6.1(e)	Parking outside a parking space on a thoroughfare.	\$100
	6.1(2)	Stopping or parking in a parking space on a thoroughfare which is already occupied by another vehicle.	\$100
	6.2(1)	Parking on a thoroughfare for more than the maximum period.	\$90
	6.3(1)	Parking a vehicle, other than a motorcycle without a sidecar or trailer, in a motorcycle stall.	\$90
	6.4(1)(a)	Failure to park parallel and as close to the kerb as practicable on a thoroughfare marked with parking spaces.	\$90
	6.4(1)(b)	Parking facing oncoming traffic on a thoroughfare marked with parking spaces.	\$90
	6.5(1)(a)	Failure to park parallel and as close to the left boundary as practicable on a two-way carriageway not marked with parking spaces.	\$90
	6.5(1)(a)	Parking facing oncoming traffic on a two-way carriageway not marked with parking spaces.	\$90
	6.5(1)(b)	Failure to park parallel and as close to the left boundary as practicable on a one-way carriageway not marked with parking spaces.	\$90
	6.5(1)(b)	Parking facing oncoming traffic on a two-way carriageway not marked with parking spaces.	\$90
	6.5(1)(c)	Failure to leave at least 3 metres between the vehicle and the farther boundary of carriageway or a continuous dividing line, dividing strip, median strip or other vehicle.	\$90
	6.5(d)	Stopping or parking within one metre of another vehicle.	\$90
	6.5(e)	Stopping or parking in a way that obstructs another vehicle on the carriageway.	\$110

	6.5(f)	Stopping or parking on or across a median strip or painted island.	\$110
	6.6(1)	Failure to park at 45 degrees where angled parking applies.	\$100
	6.7(1)	Stopping or parking within 1 metre of a fire hydrant or fire plug.	\$110
	6.7(2)	Stopping or parking within 3 metres of a public post box or mail zone.	\$90
	6.8(1)	Stopping or parking on a verge contrary to a sign.	\$110
	6.8(2)	Stopping or parking on a verge without consent.	\$110
	6.9(1)	Double parking on a carriageway.	\$110
	6.10(1)	Stopping or parking within 20 metres of the approach side, or within 10 metres of the departure side, of a bus stop.	\$100
	6.10(2)	Unauthorised stopping or parking in a bus stop.	\$100
	6.10(3)	Stopping or parking within 20 metres of the approach side, or within 10 metres of the departure side, of a pedestrian or children's crossing.	\$100
	6.11	Stopping or parking contrary to keep clear marking.	\$110
	6.12	Returning to a thoroughfare within 1 hour.	\$90
	6.13(1)(a)	Exposing a vehicle for sale on a thoroughfare.	\$90
	6.13(1)(b)	Parking an unlicensed vehicle on a thoroughfare.	\$90
	6.13(1)(c)	Parking an unattached trailer or caravan on a thoroughfare.	\$90
	6.13(1)(d)	Stopping or parking on a thoroughfare for the purposes of repairing the vehicle.	\$90
	6.14(1)(a)	Stopping or parking in front of, or denying reasonable access to, or egress from, a right of way, crossover, passage or driveway.	\$110
	6.14(b)	Stopping or parking on an intersection.	\$110
	6.14(c)	Stopping or parking within 20 metres of an intersection with traffic control signals.	\$100
	6.14(d)	Stopping or parking within 10 metres of an intersection not controlled by traffic control signals.	\$100
	6.14(e)	Stopping or parking alongside a traffic obstruction.	\$100
	6.14(f)	Stopping or parking across a footpath or place of refuge for pedestrians.	\$110
	6.14(h)	Stopping or parking at the side of a carriageway marked with a continuous yellow edge line	\$110
	6.14(6)	Stopping or parking in front of a crossing used by pedestrians to gain access to or from a path	\$110
	7.3(1)(a)	Stopping or parking a vehicle, other than a registered plug-in electric vehicle, in an electric vehicle charging station.	\$90
	7.3(1)(b)	Stopping or parking a plug-in electric vehicle in an electric vehicle charging station when	\$90

		the vehicle is not in the process of charging.	
	7.4(3)	Parking for longer than 2 continuous hours in an electric vehicle parking station.	\$90
	8.1	Impersonating an authorised officer.	\$250
	8.2	Failure to remove vehicle when directed by authorised person to move it.	\$250
	8.3	Removing mark of authorised person.	\$250
	8.4	Affixing things to, altering, defacing or misusing parking facilities or associated infrastructure.	\$250
	8.4	Obstructing the operation of, interfering, damaging or removing parking facilities or associated infrastructure.	\$500
	8.5	Placing, marking or erecting unauthorised signs.	\$250
	8.6	Contravening a direction on a sign.	\$90
	8.8	Unlawfully removing a notice placed on a vehicle.	\$100
	8.10	Providing false information or details when using a ticket issuing machine or parking app.	\$100
		All other offences not specified.	\$90

Schedule 2 – Infringement Notice Forms

FORM 1 CITY OF MELVILLE PARKING LOCAL LAW 2016 INFRINGEMENT NOTICE

Serial No.

Date :/...../.....

To: (1)

of (2)

It is alleged that on/...../..... at (3)

at (4)

in respect your vehicle:

make:

model:

registration:

was involved in the following offence-

(5)

.....

contrary to clause of the City of Melville Parking Local Law 2023.

The modified penalty for the offence is: \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, you may pay the amount of the modified penalty within 28 days after the giving of this notice to you.

Unless within 28 days after the giving of this notice to you—

(a) the modified penalty is paid; or

(b) you:

(i) inform the Chief Executive Officer or an authorised person of the City of Melville as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time the offence is alleged to have been committed; or

(ii) satisfy the Chief Executive Officer of the City of Melville that the above vehicle had been stolen or was being unlawfully used at the time the offence is alleged to have been committed,

you will be deemed to have committed the above offence and court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount of the modified penalty to the Chief Executive Officer at the City of Melville or by delivering this form and paying the amount to an authorised person at the office of the City of Melville at Almondbury Road, Booragoon, WA, 6163.

If you take no action this matter may be registered with the Fines Enforcement Registry after which your driver's licence may be suspended, your vehicle licence may be suspended or cancelled; your details may be published on a website; your vehicle may be immobilised or have its number plates removed, and your property may be seized and sold. If the matter is registered with the registered with the Registry additional costs will also be payable.

.....
Name of authorised person giving the notice.

.....
Title of authorised person

.....
Signature of authorised person

Insert -

(1) Name of alleged offender [or "owner of (vehicle identification)" if given with a notice under section 9.13 of the Act].

(2) Address of alleged offender [not required if given with a notice under section 9.13 of the Act].

(3) Time at which offence allegedly committed.

(4) Place at which offence allegedly committed.

(5) Description of offence.

CONFIRMED

Dated x of x 2023

The Common Seal of the
City of Melville was
affixed by authority of a
resolution of
the Council in the presence of:

XX

Mayor

XX

Chief Executive Officer



The table below highlights the significant variations between the Parking Local Law 2016 and proposed Parking Local Law 2023, with rationale for each change.

Changes to wording, structure or formatting, where there is no intention to affect the substantive operation of the local law, are not included.

Clause (Proposed local law)	Clause (Current local law)	Change and rationale
1.4	1.4 and 1.7(2)-(3)	Amended to clarify that the local law does not apply to particular roads or areas under the control of the Commissioner of Main Roads. This is a standard exclusion. Further amended to clarify that the local law applies to private parking stations by agreement. This is contained in clause 1.7 of the current law.
1.5	1.5	The following definitions have been removed as they are not used: money, nature strip, no parking sign, no stopping sign, parking bay, permitted period, public reserve, Road Traffic Act, street verge. The following definitions have been introduced: bank note, coin, disability parking permit, electronic parking ticket, emergency vehicle, entrance ticket, local planning scheme, lot, motorised wheelchair, on-demand passenger transport service, on-demand rank or hail passenger transport service, on-demand vehicle, painted island, parking app, parking meter, parking permit, parking session, parking ticket, path, pay station, permitted payment, regular passenger transport service, reserve, shared path, special purpose vehicle, tourism passenger transport service, veteran gold card, wheeled recreational device. The following definitions have been amended: authorised person, authorised vehicle, caravan, centre, Chief Executive Officer, commercial vehicle, fee, footpath, kerb, metered space, motor vehicle, occupier, owner, parking facilities, parking region, parking space, parking station, property line, right of way, road, sign, stop, taxi, thoroughfare, ticket issuing machine, tour coach, unattended, unexpired parking ticket, visitor's parking permit
1.7	1.9	Subclauses (2) and (4) of the current law have been moved to Part 8 (clause 8.7(1) and clause 8.6) of the proposed law, to remove duplication.

1.8	1.7	<p>Subclause (1) of the current law has been removed as it is duplicative of clause 1.4 of the current law.</p> <p>Subclause (4) of the current law has been removed as section 9.47(3) of the <i>Local Government Act 1995</i> provides that evidence of a place being within a parking region is not required.</p> <p>Subclause (2) of the proposed law has been introduced to clarify that the local law applies to pre-existing signs as if they</p>
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		<p>had been erected by the local government under the authority of the local law.</p> <p>Note: Subclause (6) of the current law has been moved to Part 8 (clause 8.6 and 8.7(3)) of the proposed law, to remove duplication.</p>
1.9	1.8	<p>Subclause (1) has been amended to:</p> <ul style="list-style-type: none"> • introduce 'trailers' as a with 'caravans' • separate 'bicycles' from 'motorcycles' • introduce 'on-demand passenger transport vehicles' as a class with 'taxis' • introduce 'authorised, emergency and special purpose vehicles' as a class; and • introduce 'plug-in electric vehicles' as a class. <p>Subclause (2) has been amended to:</p> <ul style="list-style-type: none"> • introduce 'customers or patrons of a premises in which personal services are provided' as a class with 'customers or patrons of a shop, shopping centre, facility or event' • introduce 'persons who work in a premises in which personal services are provided' as a class with 'persons who work in a shop or shopping centre'; and • introduce 'persons with special needs, including those relating to disability, age or care of infants' as a class.
1.10	-	This clause is new and has been introduced to provide the City with the option to introduce an alternative method of payment in paid parking areas.
2.1	2.1	This clause has been re-written to align with the wording in the model local law. It now provides that any determination made under this section must be communicated via on-site signage.
2.2	2.2, 2.3(2)	Clause 2.3(2) of the current law is now clause 2.2(3) of the proposed law, but re-worded to allow for an initial 'fee free period'.

2.3	2.3	<p>This clause has been amended to:</p> <ul style="list-style-type: none"> allow for payment via a pay station or parking app (subclause (1)(c) and (1)(d)); make clear that payment of a fee only allows payment for the period of time stated on the ticket (subclause (2)); and create an offence for when a person obtains multiple tickets to extend an initial fee free period in a parking station or metered zone (subclause (3)). <p>It has also been re-titled to make it clearer what the clause is about.</p>
2.4	-	<p>This clause is new and has been introduced to make clear that the payment of a fee does not entitle the payer to otherwise contravene the parking local law (e.g., parking a car in a bay for cars with trailer bay only – which is something that happens quite often at Deep Water Point).</p>
2.5	2.11(2)(d), (3) and 3.16	<p>This clause is new and incorporates clause 2.11(d) and 3.16 of the current law, but specific to parking stations. This change was made to make it easier to locate in this context.</p>
		<p>Clause 2.11(3) of the current law has been removed as it is duplicitious of clause 2.11(d).</p>
2.6	2.8, 2.10, 2.11	<p>This clause is based on clause 2.11 of the current law but re-written to make it easier to read. It also now incorporates clauses 2.8 and 2.10 of the current law, as they do not need to stand on their own.</p> <p>Note: Clause 2.11(2)(d) and (3) of the current law is now incorporated in clause 2.5 (and are duplicitious).</p>
2.7	2.4	<p>Subclause (2) has been introduced to clarify that a ticket only needs to be displayed where payment is made by a ticket issuing machine, and a hard copy parking ticket is issued.</p>
2.8	2.12, 2.14	<p>This clause is based on clause 2.12 of the current law but re-written to make it easier to read. It also now incorporates clause 2.14 of the current law, as it does not need to stand on its own.</p> <p>Clause 2.12(3) of the current law has been removed as it is not enforced. Clause 2.12(4) has been removed as it is duplicitious of clause 2.12(1).</p> <p>Note: Clause 2.12(1) of the current law has been moved to Part 8 (clause 8.2) of the proposed law.</p>
-	2.5	<p>This clause has been removed as it can be dealt with contractually (by signage).</p>
-	2.6	<p>This clause has been removed as it is not enforced and is dealt with by clause 2.3.</p>
-	2.7	<p>This clause has been removed as it is duplicitious of clause 2.11(2)(e) of the current law.</p>
-	2.9	<p>This clause has been removed as it isn't required in a local law.</p>
-	2.13	<p>This clause has been removed as it can be dealt with contractually (by signage).</p>

3.1	6.1, 6.4	This clause has been re-written to align with the wording in the model local law. It now provides that any determination made under this section must be communicated via on-site signage.
3.2	6.4	This clause has been re-written to align with the equivalent clause in Part 2. See notes above for the relevant clause.
3.3	6.2, 6.3 (part)	This clause has been re-written to align with the equivalent clause in Part 2. See notes above for the relevant clause.
3.4	6.3 (part)	This clause has been re-written to align with the equivalent clause in Part 2. See notes above for relevant clause.
3.5		This clause has is new and has been introduced to align with the equivalent clause in Part 2. See notes above for relevant clause.
3.6	6.5, 6.8	<p>This clause is new and has been introduced to align with the equivalent clause in Part 2. See notes above for relevant clause. It also incorporates clauses 6.5 and 6.8 of the current local law, as they do not need to stand on their own.</p> <p>Subclause (5) has been introduced to clarify that where a vehicle is parked across multiple bays, a ticket needs to be purchased for each bay occupied.</p>
3.7	6.7	This clause has been re-written to align with the equivalent clause in Part 2. See notes above for relevant clause.
-	6.6	This clause has been removed as interference and damage to parking facilities is covered by clause 8.4 of the proposed law. Subclause (2) of the current law is also duplicitous of clause 7.1 of the current law.
4.1	-	This clause is new and clarifies that this Part of the local law only applies to residential, visitor and TPI parking permits.
4.2	5.1(1)	<p>This clause has been re-written to make it easier to read.</p> <p>Subclause (3) has been introduced to define the eligibility criteria for TPI permits.</p>
4.3	5.1(2), 5.4(1),(4)	This clause is new and expands on clause 5.1(2) of the current law by prescribing that the application must be signed and provide the information required by the form. It also introduces new subclauses (2) and (3) which provide that the City can request additional information and may refuse to deal with an application if it doesn't comply with subclause (1). It also incorporates clause 5.4(1) and (4) of the current law, as they do not need to stand on their own.
4.4	5.1(3)-(4)	<p>This clause is new and expands on subclauses (3) and (4) of the current law. Substantial additions include:</p> <ul style="list-style-type: none"> • subclause (2) which sets out timeframes for how long a decision will take; • subclause (4) which sets out that reasons have to be given if an application is rejected; • subclause (5) which sets out when an application is deemed to be rejected; and • subclause (6) that provides that any conditions of approval can be amending with written notice. <p>The rationale behind these changes is to provide greater clarity on the decision-making process, and to facilitate any objection and appeal rights under Division 1 of Part 9 of the Act.</p>

4.5	5.1(6)	<p>This clause is new but contains the same content as subclause (6) in the current law.</p> <p>Subclause (2) has been added to clarify that only residential and Veteran Total and Permanently Incapacitated (TPI) permits are required to include the registration number of the vehicle.</p>
4.6	5.1(5), 5.3, 5.4(2), 5.6	<p>This clause is new and expands on clause 5.1(5) and 5.3 of the current law by prescribing all the instances when a permit may become invalid. Subclause (2) incorporates clause 5.6 of the current law, as it does not need to stand on its own. Subclause (4) incorporates clause 5.4(2) of the current law, as it makes sense for it to be contained here.</p> <p>Subclauses (3) and (4) have been introduced to clarify the process for the renewal of a parking permit.</p>
4.7	5.2	<p>This clause has been re-written to make it easier to read. It has also been amended to provide that a residential or visitors parking permit is only effective if it is displayed in the vehicle which is registered on the permit (subclause (2)(b)) and where any conditions of approval are met (subclause (2)(c)).</p> <p>Subclause (3) has been added to clarify that a parking permit</p>
		<p>only needs to be displayed when issued in hard copy.</p> <p>Subclauses (4) has also been introduced to explain the effect of a TPI permit, and subclause (5) has been introduced to provide that a permit is only effective where any conditions of approval are met, where the permit is displayed in the vehicle, and when the permit is valid.</p>
4.8	5.5	This clause has been simplified.
4.9	5.4(3)	This clause is new and outlines the process for applying for a replacement parking permit. It incorporates subclause (3) of the current law, as it makes sense for it to be contained here.
5.1	1.10, 3.1	This clause has been moved to this Part as it is logical for it to be here. Note: clause 1.10 and 3.1 of the current law are duplicitous.
5.2	4.1, 2.15	<p>This clause incorporates clauses 4.1 and 2.15 of the current local law. It has been moved to this Part as it is logical for it to be here.</p> <p>Clauses 2.15(2) and (4) of the current law have been removed as they are not needed.</p>

5.3	5.7	<p>This clause has been moved to this Part as it is logical for it to be here. It has also been amended and new additions include:</p> <ul style="list-style-type: none"> • subclause (3) which clarifies that a local government may approve or reject an application; • subclause (4) which sets out timeframes for how long a decision will take; and • subclause (10) which sets out the process for the cancelling of an approval. <p>Subclause (7) of the current law has also been expanded to provide for additional reasons an approval may be cancelled</p> <p>The rationale behind these changes is to, where appropriate, align it with the process for parking permits under Part 5 and to provide greater clarity on the decision-making process and facilitate any objection and appeal rights under Division 1 of Part 9 of the Act.</p>
5.4	-	This clause is new and provides a process for community and sporting organisation to apply for temporary event parking approval. Where appropriate, it has been aligned with the process for parking permits under Part 5.
5.5	6.9	This clause is new and expands on clause 6.9 of the current law by providing a mechanism by which the City can temporarily restrict parking in parking stations, parking spaces, metered zones or metered bays for the purpose of carrying out urgent, essential or official functions. It has been moved to this Part as its operation is broader than just metered zones.
5.6	-	This clause is new and has been introduced to make clear the process for dealing with unauthorised parking in parking spaces designated for the use of people with disabilities.
5.8	4.10	This clause has been amended to reflect the addition of clause 5.4.
5.9	4.3	This heading of this clause has been amended to 'heavy and bulky vehicle parking' to better reflect the intent of the provision,
		which is to restrict the parking of these types of vehicles on thoroughfares. The clause has also been amended to reflect this intention.
5.10	4.8	This clause has been amended to increase the length of an overlength vehicle from 8m to 10m.
5.11	4.4	Subclause (1) has been amended to ensure on-demand vehicles (e.g., Uber) are captured.
5.12	4.6	Subclause (1) has been amended to ensure on-demand vehicles (e.g., Uber) are captured.
5.14	3.18	This clause has been moved to this Part as it is logical for it to be here. It has also been re-written to align more closely with the model local law and provide that a person may park in a loading zone if they are delivering goods to a residential premises located reasonably nearby. Subclause (3) of the current law has been removed as this power already comes from clause 5.1 of the proposed law.
5.16	4.11, 4.12, 4.13	This clause is new and incorporates clause 4.11, 4.12 or 4.13 of the current local law. It has been re-written to make it easier to read.

6.1	3.2(1), 3.3	This clause now includes clause 3.3 of the current law, as it does not need to stand on its own.
6.2	3.2(2)	This clause is new but contains similar content as subclause (2) of the current law, but with the addition of subclauses (a) and (b) which provides that a person with a parking permit or ACROD permit is exempted from the signposted time restrictions.
6.3	3.4	Subclauses (1)(b) and (c) of the current law have been removed as it is duplicitous of clause 6.1(1)(c)(i) and (1)(e).
6.4	3.5	Subclauses (1)(c) and (2) of the current law has been removed as they are duplicitous of clause 6.1(1)(e). The heading of this clause has also been amended to clarify its purpose.
6.5	3.6	This heading of this clause has been amended to clarify its purpose.
6.7	3.9	Subclause (1)(b) has been amended to ensure on-demand vehicles (e.g., Uber) are captured.
6.8	3.13	This clause has been re-written to make it easier to read. Subclauses (2)(c) and (d) have also been introduced to clarify that authorised persons of the City and other people acting under the authority of any written law do not need permission to park on a verge.
6.9	3.12	Subclause (2)(b) has been introduced to clarify that this clause does not apply to vehicles which are angle parking.
6.12	3.16	The heading for this clause has been amended to clarify its purpose.
6.13	3.19	Subclause (2) and (3) have been introduced to allow a portion of a trailer or caravan to protrude onto a thoroughfare if certain criteria are met.
6.14	3.10, 3.11	Subclause (1)(g) has been added to provide that vehicles may not block crossings used by pedestrians to gain access to a path. Subclause (2) has been introduced to clarify that in certain circumstances, stopping or parking contrary to subclause (1) is not a traffic obstruction.
-	3.7	This clause has been removed as is not needed as no such

		parking spaces exist in the City.
Part 7	-	<p>This Part is new and introduces several provisions around plug-in electric parking station, including:</p> <ul style="list-style-type: none"> • clause 7.2 which allows the Council to designate parking spaces or metered bays as electric vehicle parking stations; • clause 7.3 which provides that only plug-in electric vehicles that are charging can park in electric vehicle parking stations; • clause 7.4 which provides that: <ul style="list-style-type: none"> ○ if a fee is applicable to park in that parking space or metered bay, that the fee still applies; and ○ the maximum time a vehicle can be parked in an electronic vehicle parking station is 4 hours.
8.2	2.12, 3.17	This clause has been re-written to make it easier to read and extend its operation to parking stations, metered zones, thoroughfares or reserves. The reference to 'Police Officer' has also been removed, as that is a matter for police.

8.4	2.17, 7.1, 7.2, 7.4, 7.6(a)	This clause is new and incorporates clauses 2.17, 7.1, 7.2, 7.4 and 7.6(a) of the current law.
8.5	7.6(b)	This clause is new but contains the same content as clause 7.6(b) of the current law.
8.6	7.8, 1.7(6), 1.9(4)	This clause is new but contains content from clauses 7.8, 1.7(6) and 1.9(4) of the current law, as it makes sense for it to be here.
8.7	1.7(6), 1.9(2), (3)	This clause is new but contains content from clause 1.9(2) and (3). It has been introduced to provide guidance on the interpretation and operation of signs.
8.8	7.9	Subclause (1) has been amended to remove the offence relating to the removal of a notice placed by a police officer, as this is a matter for the police.
8.10	-	This clause is new and provides that a person must not provide false details to a parking app or a ticket issuing machine.
8.11	-	This clause is new and provides several exemptions to the operation of Parts 2,3,5 and 6 for particular persons where it is reasonable.
-	7.3, 7.5	These clauses have been removed as they will now be enforced via clause 2.7, 3.7 and 4.7(2)(d), as the definition of parking ticket or parking permit has been amended to exclude any parking tickets or parking permits which are added to, altered, added to or defaced in any way, meaning that if one is displayed, it is not a parking ticket or parking permit and they can be infringed under these sections.
Part 9		This Part is new and has been introduced to group all provisions related to enforcement.
9.2	7.11	This clause has been re-written to make it easier to read. Subclause (3) has been introduced to communicate that the process for prosecutions is dealt with by Part 9, Division 2 of the Act.
9.3	7.12	Subclauses (1) and (2) have been introduced to provide greater clarity on the purpose and operation of modified penalties.
9.4	7.13	Subclauses (1)(a), (1)(b) and (1)(c) have been amended to make the prescribed forms those found in the Local

		Government (Functions and General) Regulations 1996.
9.5	-	This clause is new and is a requirement of the Joint Standing Committee of Delegated Legislation.
-	Schedule 1	This has been removed as it is not required and unnecessarily restrictive.
Schedule 1	Schedule 2	Schedule 2 has been expanded so most offences are now listed individually in the Schedule. The modified penalties have also been reviewed to ensure there is sufficient differentiation between offences that are purely inconvenient and offences that are potentially dangerous, as per feedback from the Joint Standing Committee on Delegated Legislation.
Schedule 2	Schedule 3	Forms 1, 2 and 4 of the current law have been removed, as the forms in the Local Government (Functions and General) Regulations 1996 will be used instead.

CONFIRMED



City of
Melville

**LISTING OF PAYMENTS MADE
UNDER DELEGATED AUTHORITY**

**FOR THE PERIOD OF
APRIL 2023
PRESENTED TO THE
ORDINARY MEETING OF COUNCIL
TO BE HELD ON
TUESDAY 20th JUNE 2023
ITEM C23/6001**

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.8767	3D HR LEGAL PTY LTD			\$ 2,640.00
.8767	Legal and conveyancing services	28/04/2023	E110812	\$ 2,640.00
.0366	ABAXA WH LOCATION SERVICES PTY LTD T/AS			\$ 9,901.38
.0366	Underground Service Location	28/04/2023	E110624	\$ 9,901.38
.5032	ABORIGINAL PRODUCTIONS AND PROMOTIONS THE RICHARD WALLEY FAMILY TRUST T/AS			\$ 2,750.00
.5032	Entertainers	28/04/2023	E110708	\$ 2,750.00
.2135	ABSOLUTE RETICULATION			\$ 140.00
.2135	Roads and paving supplies - concrete	17/04/2023	E110369	\$ 140.00
.5960	ACS SWAN EXPRESS PRINT			\$ 165.00
.5960	Stationery	17/04/2023	E110425	\$ 165.00
.0536	ADELBY			\$ 1,023.00
.0536	Fire equipment and maintenance services	28/04/2023	E110630	\$ 1,023.00
.2528	ADVAM PTY LTD			\$ 1,559.91
.2528	Cash collection services	17/04/2023	E110374	\$ 1,559.91
.4456	ADVANCE PRESS (2013) PTY LTD			\$ 11,759.00
.4456	Outsourced printing	17/04/2023	E110400	\$ 9,911.00
.4456	Outsourced printing	28/04/2023	E110701	\$ 1,848.00
.6138	AE HOSKINS BUILDING SERVICES THE TRUSTEE FOR M R HOSKINS FAMILY TRUST T/AS			\$ 349,606.13
.6138	Woodturners Building Extension and John Connell Reserve Changerooms upgrade	28/04/2023	E110720	\$ 349,606.13
.6855	AIR LIQUIDE AUSTRALIA Limited			\$ 2,800.61
.6855	Gas	17/04/2023	E110455	\$ 2,800.61
.2330	ALINTA ENERGY ALINTA SALES PTY LTD T/AS			\$ 1,576.40
.2330	Gas	17/04/2023	E110371	\$ 1,208.15
.2330	Gas	28/04/2023	E110671	\$ 368.25
.3350	ALL GARDENING SERVICES SCHNITTER, JOCHANAN SHANOAH T/AS			\$ 210.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.3350	Landscaping services and supplies	28/04/2023	E110683	\$ 210.00
.6340	ALLFLOW INDUSTRIAL GOLDGEM INVESTMENTS PTY LTD T/AS			\$ 1,061.45
.6340	Water treatment services	28/04/2023	E110725	\$ 1,061.45
.3806	ALS LIBRARY SERVICES PTY LTD			\$ 3,504.48
.3806	Library Expenses	17/04/2023	E110388	\$ 2,034.59
.3806	Library Expenses	28/04/2023	E110689	\$ 1,469.89
.6088	ALYKA PTY LTD			\$ 8,758.75
.6088	Website expenses	17/04/2023	E110429	\$ 8,758.75
.7418	AMALGAMATED MOVIES NON-THEATRICAL FILM DISTRIBUTORS SNELLS DISTRIBUTION PTY LTD T/AS			\$ 275.00
.7418	Event equipment hire	28/04/2023	E110761	\$ 275.00
.2755	AMBIUS RENTOKIL INITIAL RENTOKIL INITIAL PTY LTD T/AS			\$ 1,577.17
.2755	Facilities management services	28/04/2023	E110676	\$ 1,577.17
.3016	AMPOL PETROLEUM DISTRIBUTORS PTY LTD			\$ 6,484.86
.3016	Fuel	17/04/2023	E110379	\$ 3,980.89
.3016	Fuel	28/04/2023	E110678	\$ 2,503.97
.7659	APE PRODUCTIONS			\$ 3,366.00
.7659	Event equipment hire	28/04/2023	E110773	\$ 3,366.00
.5333	AQUAMONIX PTY LTD			\$ 823.90
.5333	Irrigation and watering systems	17/04/2023	E110416	\$ 495.00
.5333	Irrigation and watering systems	28/04/2023	E110711	\$ 328.90
.6015	AQUATIC SERVICES WA PTY LTD			\$ 18,598.80
.6015	Swimming pool costs	17/04/2023	E110426	\$ 5,083.10
.6015	Swimming pool costs	28/04/2023	E110718	\$ 13,515.70
.8627	ARBOROLOGY WA ARBORICULTURAL CONSULTANT			\$ 14,272.50
.8627	Arborists and tree services	17/04/2023	E110520	\$ 11,810.20
.8627	Arborists and tree services	28/04/2023	E110806	\$ 2,462.30

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.7871	ARIANA ROEMMELE			\$ 850.00
.7871	Artists and artworks	28/04/2023	E110779	\$ 850.00
.0014	ARTEIL (WA) PTY LTD			\$ 495.00
.0014	Furniture and Fit Out	28/04/2023	E110613	\$ 495.00
.8202	ARTISAN ALLEY PTY LTD GATHER FOODS T/AS			\$ 137.50
.8202	Catering services and supplies	28/04/2023	E110792	\$ 137.50
.8197	ATTADALE GARDEN BAGS THE TRUSTEE FOR BOWDEN FAMILY TRUST T/AS			\$ 100.00
.8197	Waste collection and disposal	28/04/2023	E110791	\$ 100.00
.6724	AUSQ TRAINING THE TRUSTEE FOR AUSQ UNIT TRUST T/AS			\$ 3,000.00
.6724	Training services	17/04/2023	E110451	\$ 3,000.00
.5138	AUST WEST AUTO ELECTRICAL PTY LTD			\$ 5,291.84
.5138	Vehicle Repairs and Maintenance	17/04/2023	E110408	\$ 745.92
.5138	Vehicle Repairs and Maintenance	28/04/2023	E110710	\$ 4,545.92
.3155	AUSTRAFFIC WA WATS MANAGEMENT PTY LTD T/AS			\$ 22,331.10
.3155	Surveyors	28/04/2023	E110681	\$ 22,331.10
.0910	AUSTRALIA DAY COUNCIL OF WA INC.			\$ 162.00
.0910	Memberships	17/04/2023	E110343	\$ 162.00
.1523	AUSTRALIA POST PERTH			\$ 12,844.66
.1523	Postage	17/04/2023	E110362	\$ 2,002.36
.1523	Postage	28/04/2023	E110659	\$ 10,842.30
.1804	AUSTRALIAN HVAC SERVICES AUSTRALIAN HVAC SERVICES PTY LTD T/AS			\$ 20,495.62
.1804	Air conditioning maintenance and services	17/04/2023	E110364	\$ 14,969.90
.1804	Air conditioning maintenance and services	28/04/2023	E110662	\$ 5,525.72
.8381	AUSTRALIAN MEDICAL SUPPLIES AUSMED SUPPLIES PTY LTD T/AS			\$ 1,016.95
.8381	Medical expenses	17/04/2023	E110511	\$ 1,016.95

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.5661	BEACON EQUIPMENT BEPASSEY NOMINEES PTY LTD T/AS			\$ 1,082.70
.5661	General hardware and tools	17/04/2023	E110422	\$ 1,023.20
.5661	General hardware and tools	28/04/2023	E110715	\$ 59.50
.8410	BEAK ENGINEERING (AUST) PTY LTD AUSNET INDUSTRIES T/AS			\$ 26,915.90
.8410	Supply and installation of heavy duty netball/basketball tower	28/04/2023	E110798	\$ 26,915.90
.2452	BEAUREPAIRES (MYAREE) GOODYEAR & DUNLOP TYRES (AUST) PTY LTD T/AS			\$ 15,465.35
.2452	Supply of tyres	17/04/2023	E110373	\$ 5,082.39
.2452	Supply of tyres	28/04/2023	E110673	\$ 10,382.96
.3098	BEE ADVICE NEWCOMBE, MICHAEL ROY T/AS			\$ 610.00
.3098	Animal management and pound expenses	28/04/2023	E110680	\$ 610.00
.8400	BETTER RENT ACCEPTANCE PTY LTD			\$ 774.40
.8400	Property rent	28/04/2023	E110796	\$ 774.40
.4466	BIBLIOTHECA AUSTRALIA PTY LTD			\$ 3,130.82
.4466	RFID Systems	17/04/2023	E110401	\$ 3,130.82
.3492	BICTON MEN'S SHED INC.			\$ 135.00
.3492	Furniture	28/04/2023	E110685	\$ 135.00
.7556	BIG HART INC			\$ 8,651.50
.7556	Artists and artworks	17/04/2023	E110484	\$ 8,651.50
.6556	BIN BATH BIN BATH CORPORATION PTY LTD T/AS			\$ 296.23
.6556	Waste expenses	17/04/2023	E110443	\$ 296.23
.0187	BORAL CONSTRUCTION MATERIALS GROUP LTD			\$ 690.08
.0187	Pavement construction and streetscape services	17/04/2023	E110328	\$ 690.08
.8185	BOS CIVIL PTY LTD			\$ 10,973.88
.8185	Engineering consulting services	17/04/2023	E110504	\$ 10,973.88

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.8771	BRIDGE42 PTY LTD T/AS BRIDGE42			\$ 9,900.00
8771	IT project management and consultancy	17/04/2023	E110527	\$ 9,900.00
.6739	BRIGHTMARK GROUP PTY LTD			\$ 17,411.67
6739	Commercial cleaning	28/04/2023	E110745	\$ 17,411.67
.0399	BRITESHINE CLEANING SERVICES BRITESHINE CLEANING & MAINTENANCE SERVICES PTY LTD T/AS			\$ 83,886.43
.0399	Commercial cleaning	17/04/2023	E110333	\$ 656.70
.0399	Commercial cleaning	28/04/2023	E110625	\$ 83,229.73
.7694	BRODERICK AND ASSOCIATES DR KATHLEEN MARY BRODERICK T/AS			\$ 13,453.17
.7694	Real estate and property management	17/04/2023	E110492	\$ 13,453.17
.6998	BROWNES DAIRY BROWNES FOODS OPERATIONS PTY LIMITED T/AS			\$ 470.34
6998	Staff supplies	17/04/2023	E110461	\$ 470.34
.0137	BUCHER MUNICIPAL PTY LTD			\$ 1,371.54
.0137	Engineering consulting services	17/04/2023	E110325	\$ 1,371.54
.0004	BUILDING AND CONSTRUCTION INDUSTRIAL TRAINING BOARD			\$ 19,600.30
.0004	Regulatory fees and government charges	28/04/2023	E110903	\$ 19,600.30
.9995	BUILDING COMMISSION DEPARTMENT OF COMMERCE T/AS			\$ 44,031.70
.9995	Regulatory fees and government charges	28/04/2023	E110904	\$ 44,031.70
.0036	BUNNINGS GROUP LIMITED			\$ 4,007.14
.0036	Building construction materials and services	17/04/2023	E110320	\$ 2,234.19
.0036	Building construction materials and services	28/04/2023	E110614	\$ 1,772.95
.0965	CALIBRE COATINGS PTY LTD THE TRUSTEE FOR THE KIS TRUST T/AS			\$ 28,005.45
.0965	Painting supplies and services	17/04/2023	E110345	\$ 28,005.45
.6025	CAMERON CHISHOLM & NICOL WA PTY LTD			\$ 1,705.00
6025	Architectural and design services	17/04/2023	E110427	\$ 1,705.00
.8512	CAPGEMINI AUSTRALIA PTY LIMITED			\$ 3,833.50

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.8512	IT technical services	17/04/2023	E110513	\$ 3,833.50
.5240	CAPRAL LTD			\$ 2,060.96
.5240	Signage and sign writing	17/04/2023	E110412	\$ 2,060.96
.8124	CARLA ADAMS ADAMS, CARLA MELITA			\$ 46.50
.8124	Artists and artworks	17/04/2023	E110502	\$ 46.50
.0044	CASTROL AUSTRALIA PTY LIMITED			\$ 11,086.48
.0044	Greases and oils and lubricants	28/04/2023	E110615	\$ 11,086.48
.3923	CHILDRENS BOOK COUNCIL OF AUSTRALIA (WA)			\$ 75.00
.3923	Memberships	28/04/2023	E110691	\$ 75.00
.5529	CHOICEONE PTY LTD			\$ 20,156.72
.5529	Temporary labour hire	17/04/2023	E110420	\$ 11,657.22
.5529	Temporary labour hire	28/04/2023	E110714	\$ 8,499.50
.0442	CHRISTOU DESIGN GROUP PTY LTD			\$ 10,450.00
.0442	Architectural and design services	17/04/2023	E110336	\$ 10,450.00
.0056	CITY OF COCKBURN			\$ 5,302.00
.0056	Street lighting Project	28/04/2023	E110616	\$ 5,302.00
.1277	CITY OF SOUTH PERTH			\$ 1,378.00
.1277	City of Melville impound fees	17/04/2023	E110357	\$ 275.00
.1277	City of Melville impound fees	28/04/2023	E110652	\$ 1,103.00
.8599	CLASSIC HIRE MILTOM PTY LTD T/AS			\$ 2,629.00
.8599	Event equipment hire	17/04/2023	E110517	\$ 2,629.00
.8877	CLIQUE PHOTOGRAPHY NAIRN, SHERIDAN MARGARET			\$ 440.00
.8877	Photography	28/04/2023	E110818	\$ 440.00
.7962	CLIVE ROSS COUNCILLOR			\$ 2,997.50
.7962	Councillor expenses	17/04/2023	E110497	\$ 2,997.50

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.6922	CLPM PTY LTD			\$ 198,036.96
.6922	Building renewal Civic Hall Refurbishment	24/04/2023	E110594	\$ 198,036.96
.0754	COCKBURN CEMENT LIMITED			\$ 291.28
.0754	Building construction materials and services	17/04/2023	E110341	\$ 291.28
.1083	COCKBURN PARTY HIRE THE TRUSTEE FOR L JEFFERY FAMILY TRUST T/AS			\$ 3,799.50
.1083	Event equipment hire	17/04/2023	E110350	\$ 2,672.00
.1083	Event equipment hire	28/04/2023	E110644	\$ 1,127.50
.8739	COLOURPRESS			\$ 4,244.90
.8739	Outsourced printing	28/04/2023	E110811	\$ 4,244.90
.4160	COMMITTEE FOR PERTH LIMITED			\$ 7,260.00
.4160	Memberships	28/04/2023	E110696	\$ 7,260.00
.7074	COMPLETE OFFICE SUPPLIES			\$ 11,864.29
.7074	Stationery	17/04/2023	E110468	\$ 11,864.29
.1187	COMPLETE PEST MANAGEMENT SERVICES THE TRUSTEE FOR LAWRENCE FAMILY TRUST T/AS			\$ 4,150.00
.1187	Pest & Weed Control	17/04/2023	E110352	\$ 2,735.00
.1187	Pest & Weed Control	28/04/2023	E110647	\$ 1,415.00
.3935	CONTRA-FLOW PTY LTD			\$ 102,316.62
.3935	Traffic control services	17/04/2023	E110390	\$ 61,886.33
.3935	Traffic control services	28/04/2023	E110692	\$ 40,430.29
.1116	CORPUS CHRISTI COLLEGE			\$ 326.00
.1116	Bond refund	28/04/2023	E110645	\$ 326.00
.7250	COUNTRY CLUB INTERNATIONAL PTY LTD			\$ 760.10
.7250	Sport and recreation equipment	17/04/2023	E110472	\$ 415.80
.7250	Sport and recreation equipment	28/04/2023	E110757	\$ 344.30
.6831	COVS GPC ASIA PACIFIC T/AS			\$ 3,959.66

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.6831	Plant purchase/Parts	17/04/2023	E110454	\$ 2,831.80
.6831	Plant purchase/Parts	28/04/2023	E110748	\$ 1,127.86
.8669	CRANETECH			\$ 3,534.15
.8669	Plant hire	17/04/2023	E110523	\$ 1,479.78
.8669	Plant hire	28/04/2023	E110809	\$ 2,054.37
.4161	CREATIVE SPACES GINGER BLUE NOMINEES PTY LTD T/AS			\$ 2,599.30
.4161	Creative services and graphic design	28/04/2023	E110697	\$ 2,599.30
.7325	CRISTY BURNE			\$ 625.00
.7325	Library Stock	28/04/2023	E110759	\$ 625.00
.4409	CUMMINS ENGINE CO PTY LTD CUMMINS SOUTH PACIFIC PTY LTD T/AS			\$ 895.40
.4409	Plant maintenance	17/04/2023	E110399	\$ 895.40
.7634	CURTIS TAYLOR			\$ 464.00
.7634	Artists and artworks	28/04/2023	E110770	\$ 464.00
.7389	DAN MCCABE MCCABE, DANIEL T/AS			\$ 550.00
.7389	Photography	28/04/2023	E110760	\$ 550.00
.2131	DATA#3 LIMITED			\$ 81,844.45
.2131	IT software/licensing and maintenance	17/04/2023	E110368	\$ 44,073.11
.2131	IT software/licensing and maintenance	28/04/2023	E110669	\$ 37,771.34
.7420	DELV PTY LTD			\$ 7,100.94
.7420	IT software/licensing and maintenance	28/04/2023	E110762	\$ 7,100.94
.4051	DEPARTMENT OF FIRE AND EMERGENCY SERVICES			\$ 706,499.41
.4051	ESL Remittance for February 2023	17/04/2023	E110393	\$ 706,499.41
.3857	DEPARTMENT OF PLANNING, LANDS AND HERITAGE			\$ 11,630.00
.3857	Regulatory fees and government charges	17/04/2023	E110389	\$ 11,630.00
.1918	DEPARTMENT OF TRANSPORT WA			\$ 1,459.50

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.1918	Disclosure of Information Fees	28/04/2023	E110664	\$ 1,459.50
.8141	DETAIL MARKETING COMMUNICATIONS PTY LTD DETAIL MARKETING & COMMUNICATIONS PTY LTD T/AS			\$ 6,600.00
.8141	Marketing and communication services	17/04/2023	E110503	\$ 6,600.00
.8696	DIGITAL TRANSFORMATION AGENCY			\$ 4,000.00
.8696	Telecommunication services	17/04/2023	E110524	\$ 4,000.00
.3746	DIGITALES DIGITAL EDUCATION SERVICES PTY LTD			\$ 3,069.00
.3746	Memberships	17/04/2023	E110386	\$ 3,069.00
.0628	DONALD VEAL CONSULTANTS PTY LTD			\$ 5,060.00
.0628	Auditing services	28/04/2023	E110632	\$ 5,060.00
.6541	DONOVAN PAYNE ARCHITECTS (A)POD PTY LTD T/AS			\$ 34,854.88
.6541	Refurbishment works at Tompkins Park Attadale	28/04/2023	E110734	\$ 34,854.88
.0213	DORMAKABA AUSTRALIA PTY LTD			\$ 88.00
.0213	Maintenance and services	17/04/2023	E110330	\$ 88.00
.6693	DOWSING GROUP PTY LTD			\$ 443,920.40
.6693	Roads and paving supplies - quarry products and rubble	17/04/2023	E110449	\$ 361,187.59
.6693	Roads and paving supplies - quarry products and rubble	28/04/2023	E110743	\$ 82,732.81
.8474	DP STAMPALIA STAMPALIA, DARREN PHILLIP & DP EARTHMOVING WA T/AS			\$ 10,741.50
.8474	Plant hire	28/04/2023	E110799	\$ 10,741.50
.3309	DRAINFLOW SERVICES PTY LTD			\$ 200,772.00
.3309	Drainage services	17/04/2023	E110382	\$ 12,100.00
.3309	Drainage services	28/04/2023	E110682	\$ 188,672.00
.8855	DRIVER RISK MANAGEMENT PTY LTD			\$ 8,250.00
.8855	Training services	28/04/2023	E110814	\$ 8,250.00
.0011	DUNCAN MACPHAIL COUNCILLOR			\$ 800.50
.0011	Councillor expenses	17/04/2023	E110536	\$ 800.50

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.2270	DWA CONSULTING PTY LTD DAVID WILLS AND ASSOCIATES T/AS			\$ 12,375.00
.2270	Engineering consulting services	17/04/2023	E110370	\$ 12,375.00
.5235	DYNAMIC PLAYGROUNDS DYNAMIC PLAYGROUNDS PTY LTD T/AS			\$ 2,018.50
.5235	Playground equipment and maintenance	17/04/2023	E110411	\$ 2,018.50
.5898	EBSCO AUSTRALIA SUBSCRIPTION SERVICES EBSCO INTERNATIONAL INC T/AS			\$ 2,198.38
.5898	Subscriptions	28/04/2023	E110717	\$ 2,198.38
.4756	ECO RESOURCES PTY LTD THE TRUSTEE FOR THE M & S UNIT TRUST T/AS			\$ 13,235.16
.4756	Landfill management services	28/04/2023	E110704	\$ 13,235.16
.2721	ECOBURBIA THE TRUSTEE FOR SOUTH BEACH ECO TRUST T/AS			\$ 2,805.00
.2721	External training courses	17/04/2023	E110377	\$ 2,805.00
.6445	ELEMENT ADVISORY PTY LTD			\$ 31,535.65
.6445	Architectural and design services	17/04/2023	E110438	\$ 11,226.89
.6445	Architectural and design services	28/04/2023	E110729	\$ 20,308.76
.6230	ELITE LOCK SERVICE PERTH SECURITY SOLUTIONS ATF SIMS FAMILY TRUST T/AS			\$ 22,046.68
.6230	Locksmith supplies and services	17/04/2023	E110431	\$ 21,564.13
.6230	Locksmith supplies and services	28/04/2023	E110722	\$ 482.55
.4556	ELIZABETH ANTONIO			\$ 1,050.00
.4556	Community events	28/04/2023	E110702	\$ 1,050.00
.7101	ELLIOTTS FILTRATION ELLIOTTS IRRIGATION PTY LTD T/AS			\$ 625.90
.7101	Irrigation and watering systems	28/04/2023	E110755	\$ 625.90
.8133	EMA CONSULTING EMA CONSULTING PTY LTD T/AS			\$ 284.90
.8133	Consulting services	28/04/2023	E110787	\$ 284.90
.1380	EMSO MAINTENANCE CRAB CLAW HOLDINGS P/L ATF EMSO INVESTMENT TRUST T/AS			\$ 19,225.08
.1380	Building construction materials and services	17/04/2023	E110359	\$ 13,942.39
.1380	Building construction materials and services	28/04/2023	E110655	\$ 5,282.69

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.0091	ENGINE PROTECTION EQUIPMENT			\$ 1,372.05
.0091	Vehicles and trailer equipment	28/04/2023	E110617	\$ 1,372.05
.7316	ENSIGN SERVICES (AUST.) PTY. LTD			\$ 353.32
.7316	Laundry and dry cleaning	17/04/2023	E110474	\$ 353.32
.4541	ENVIRO SWEEP EWCS UNIT TRUST T/AS			\$ 1,089.00
.4541	Street sweeping services	17/04/2023	E110402	\$ 1,089.00
.8255	ENVIROCARE SYSTEMS ENVIROCARE SYSTEMS PTY LTD T/AS			\$ 379.50
.8255	Janitorial and cleaning products	17/04/2023	E110506	\$ 379.50
.7227	ERIN COATES			\$ 33.75
.7227	Shop Sales at Heathcote	17/04/2023	E110470	\$ 33.75
.0159	EUROPCAR WA ILHA PTY LTD T/AS			\$ 3,303.36
.0159	Vehicle hire	28/04/2023	E110621	\$ 3,303.36
.7626	F.T.F EARTHMOVING & TRANSPORT F.T.F TRANSPORT PTY LTD T/AS			\$ 1,870.00
.7626	Turf and Equipment	28/04/2023	E110769	\$ 1,870.00
.1292	FABRIK WELSH, MARK T/AS			\$ 10,714.00
.1292	Artists and artworks	17/04/2023	E110358	\$ 9,900.00
.1292	Artists and artworks	28/04/2023	E110653	\$ 814.00
.7448	FAIR PLAY SPORTS AND OUTDOOR			\$ 420.00
.7448	Sport and recreation equipment	17/04/2023	E110480	\$ 420.00
.0531	FEDEX EXPRESS AUSTRALIA PTY LTD			\$ 2,272.38
.0531	Subscriptions	17/04/2023	E110337	\$ 1,186.62
.0531	Subscriptions	28/04/2023	E110629	\$ 1,085.76
.7874	FINISHING TOUCH GALLERY WOODCOAST PTY LTD T/AS			\$ 6,055.00
.7874	Photography	28/04/2023	E110780	\$ 6,055.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.4774	FLEX FITNESS EQUIPMENT RUBY DISTRIBUTORS PTY LTD T/AS			\$ 1,083.73
.4774	Sport and recreation equipment	17/04/2023	E110403	\$ 564.70
.4774	Sport and recreation equipment	28/04/2023	E110705	\$ 519.03
.8338	FLEXI STAFF FLEXI STAFF GROUP PTY LTD			\$ 22,837.83
.8338	Temporary labour hire	17/04/2023	E110508	\$ 11,327.18
.8338	Temporary labour hire	28/04/2023	E110794	\$ 11,510.65
.0204	FLICK ANTICIMEX			\$ 632.63
.0204	Hygiene services	17/04/2023	E110329	\$ 632.63
.8606	FORPARK AUSTRALIA 4PARK PTY LTD T/AS			\$ 191,967.60
.8606	Playground equipment and maintenance	17/04/2023	E110518	\$ 180,170.10
.8606	Playground equipment and maintenance	28/04/2023	E110805	\$ 11,797.50
.5369	FOXTEL			\$ 350.00
.5369	Cloud services	17/04/2023	E110417	\$ 350.00
.7003	FREESTYLE NOW SHAUN TRAVIS JARVIS T/AS			\$ 1,320.00
.7003	Entertainers	28/04/2023	E110752	\$ 1,320.00
.1895	FREMANTLE PA HIRE			\$ 1,548.80
.1895	AV equipment and cameras	28/04/2023	E110663	\$ 1,548.80
.1221	FUJI XEROX AUSTRALIA PTY LIMITED			\$ 727.85
.1221	Photocopying and scanning services	28/04/2023	E110649	\$ 727.85
.7796	GEMMA WESTON			\$ 2,193.00
.7796	Artists and artworks	28/04/2023	E110775	\$ 2,193.00
.8817	GENIVO PTY LTD T/AS SIGNWAVE BELMONT			\$ 165.00
.8817	Landscape design and architecture services	17/04/2023	E110530	\$ 165.00
.7020	GEORGE GEAR MAYOR			\$ 11,737.24
.7020	Councillor expenses	17/04/2023	E110465	\$ 11,737.24

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.8588	GESHA COFFEE CO. PTY. LTD. THE TRUSTEE FOR LANPA TRUST T/AS			\$ 631.36
.8588	Catering services and supplies	17/04/2023	E110516	\$ 631.36
.6824	GFG TEMP ASSIST GLENN FLOOD GROUP PTY LTD T/AS			\$ 11,774.40
.6824	Consulting services	28/04/2023	E110747	\$ 11,774.40
.0508	GLENN SWIFT SWIFT, GLENN BARRIE T/AS			\$ 440.00
.0508	MCH and children services supplies and toys	28/04/2023	E110628	\$ 440.00
.7017	GLYNIS BARBER COUNCILLOR			\$ 2,997.50
.7017	Councillor expenses	17/04/2023	E110464	\$ 2,997.50
.8318	GODFREY'S INSTALLATIONS PTY LTD			\$ 330.00
.8318	Maintenance and services	17/04/2023	E110507	\$ 330.00
.8857	GOVERNMENT GRANTGURU T/AS GRANTGURU PTY LTD ATF THE SPENCER FAMILY TRUST			\$ 16,170.00
.8857	Training services	17/04/2023	E110534	\$ 16,170.00
.5101	GRAFFITI SYSTEMS AUSTRALIA THE TRUSTEE FOR ROBTHOR UNIT TRUST T/AS			\$ 4,067.35
.5101	Graffiti removal services	28/04/2023	E110709	\$ 4,067.35
.0685	GRASSTREES AUSTRALIA THE TRUSTEE FOR THE LEEDER FAMILY TRUST T/AS			\$ 8,805.50
.0685	Nursery supplies	17/04/2023	E110340	\$ 6,336.00
.0685	Nursery supplies	28/04/2023	E110634	\$ 2,469.50
.6874	GREENHOUSE DESIGN STUDIOS ASHLEY JANE GREENHOUGH T/AS			\$ 506.00
.6874	Marketing and communication services	17/04/2023	E110456	\$ 126.50
.6874	Marketing and communication services	28/04/2023	E110749	\$ 379.50
.0102	GREENS HIAB SERVICES			\$ 1,353.00
.0102	Other vehicles and trailers	17/04/2023	E110323	\$ 330.00
.0102	Other vehicles and trailers	28/04/2023	E110618	\$ 1,023.00
.6583	HAKKIE SEWING MACHINES			\$ 215.00
.6583	Maintenance and services	17/04/2023	E110445	\$ 215.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.7569	HATCH PTY LTD			\$ 29,354.05
.7569	Architectural and design services	28/04/2023	E110766	\$ 29,354.05
.4312	HAYS SPECIALIST RECRUITMENT (AUSTRALIA) PTY LTD			\$ 30,515.42
.4312	Temporary labour hire	17/04/2023	E110397	\$ 19,120.73
.4312	Temporary labour hire	28/04/2023	E110699	\$ 11,394.69
.7810	HILTON HARVEST COMMUNITY GARDEN INC			\$ 5,141.62
.7810	Buds and Blooms	28/04/2023	E110777	\$ 5,141.62
.8866	HISTRIA PTY LTD ATF CIVITAS NOVA TRUST T/AS RTSM CONSULTING			\$ 3,850.00
.8866	Engineering consulting services	28/04/2023	E110815	\$ 3,850.00
.8378	HMM CONSULTING			\$ 660.00
.8378	Library Expenses	17/04/2023	E110510	\$ 660.00
.6705	HODGE COLLARD PRESTON ARCHITECTS HODGE COLLARD PRESTON UNIT TRUST T/AS			\$ 24,094.95
.6705	Architectural and design services for Kardinya Sports Association, Marmion and Melville Reserve Changerooms	28/04/2023	E110744	\$ 24,094.95
.1418	HOLCIM (AUSTRALIA) PTY LTD			\$ 1,151.48
.1418	Roads and paving supplies - concrete	17/04/2023	E110361	\$ 1,151.48
.8295	HOOP HOOP HOORAY			\$ 339.40
.8295	Community events	28/04/2023	E110793	\$ 339.40
.5489	HORIZON WEST LANDSCAPE & IRRIGATION PTY LTD			\$ 52,206.28
.5489	Irrigation and watering systems	17/04/2023	E110419	\$ 4,521.17
.5489	Irrigation and watering systems	28/04/2023	E110713	\$ 47,685.11
.8834	HUGH KINGSLEY PTY LTD T/AS THE BRAINERY			\$ 3,678.95
.8834	Training services	17/04/2023	E110532	\$ 3,678.95
.0501	HYDROQUIP PUMPS & IRRIGATION ACEMARK PTY LTD ATF THE MCFADDEN FAMILY TRUST T/AS			\$ 41,813.31
.0501	Irrigation and watering systems	28/04/2023	E110627	\$ 41,813.31
.8853	ILLION OPEN DATA SOLUTIONS PTY LTD			\$ 220.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.8853	Temporary labour hire	17/04/2023	E110533	\$ 220.00
.0114	INDUSTRIAL PROTECTIVE PRODUCTS (WA) JELLOR PTY LTD T/AS			\$ 1,032.11
.0114	General hardware and tools	17/04/2023	E110324	\$ 887.17
.0114	General hardware and tools	28/04/2023	E110619	\$ 144.94
.6786	INFINITE ENERGY EFFICIENT HOMES AUSTRALIA PTY LTD T/AS			\$ 6,606.51
.6786	Solar power	17/04/2023	E110453	\$ 6,606.51
.8178	INFOCOUNCIL PTY LTD			\$ 34,054.00
.8178	IT software/licensing and maintenance	28/04/2023	E110790	\$ 34,054.00
.6619	INFOR GLOBAL SOLUTIONS (ANZ) PTY LIMITED SUNSYSTEMS SOFTWARE T/AS			\$ 572.00
.6619	IT technical services	17/04/2023	E110448	\$ 572.00
.0009	INITIAL HYGIENE SOLUTIONS RENTOKIL INITIAL PTY LTD T/AS			\$ 307.60
.0009	Hygiene services	28/04/2023	E110612	\$ 307.60
.8603	INKI PINKI			\$ 2,500.00
.8603	Artists and artworks	28/04/2023	E110803	\$ 2,500.00
.6615	INSTANT TOILETS & SHOWERS INSTANT PRODUCTS HIRE T/AS			\$ 2,669.05
.6615	Event equipment hire	17/04/2023	E110447	\$ 2,669.05
.4326	INTELFIE GROUP LIMITED			\$ 4,743.24
.4326	Commercial cleaning	28/04/2023	E110700	\$ 4,743.24
.5166	IPWEA - WA INC INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALASIA - WA T/AS			\$ 1,790.00
.5166	Traffic control services	17/04/2023	E110409	\$ 1,790.00
.0424	ISENTIA PTY LIMITED			\$ 3,300.00
.0424	Media monitoring	17/04/2023	E110335	\$ 3,300.00
.7417	IZZI VISUAL COMMUNICATION KRUGER, ISABEL T/AS			\$ 3,300.00
.7417	Creative services and graphic design	17/04/2023	E110478	\$ 3,300.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.4872	JACKSON MCDONALD			\$ 1,168.20
.4872	Legal and conveyancing services	17/04/2023	E110404	\$ 1,168.20
.7967	JANE EDINGER COUNCILLOR			\$ 2,997.50
.7967	Councillor expenses	17/04/2023	E110498	\$ 2,997.50
.1406	JB HI FI COMMERCIAL JB HI-FI GROUP PTY LTD T/AS			\$ 26,658.00
.1406	IT hardware	17/04/2023	E110360	\$ 24,720.00
.1406	IT hardware	28/04/2023	E110656	\$ 1,938.00
.7971	JENNIFER SPANBROEK COUNCILLOR			\$ 2,997.50
.7971	Councillor expenses	17/04/2023	E110499	\$ 2,997.50
.8788	JESSICA FERGUSON T/AS JESSICA WYLDE PHOTOGRAPHY PTY LTD			\$ 616.00
.8788	Photography	17/04/2023	E110528	\$ 616.00
.6189	JLF DRAFTING SERVICES FILDES, JENNIFER GAYE T/AS			\$ 1,200.00
.6189	Architectural and design services	17/04/2023	E110430	\$ 1,200.00
.8546	JULUWARLU GROUP ABORIGINAL CORPORATION			\$ 66.75
.8546	Artists and artworks	17/04/2023	E110515	\$ 66.75
.6279	KAREN WHEATLAND COUNCILLOR			\$ 2,997.50
.6279	Councillor expenses	17/04/2023	E110432	\$ 2,997.50
.6394	KENNARDS HIRE PTY LTD			\$ 2,532.20
.6394	Event equipment hire	28/04/2023	E110727	\$ 2,532.20
.7555	KERBING WEST FREIGHT TRAIN (WA) PTY LTD T/AS			\$ 4,272.84
.7555	Roads and paving supplies - concrete	17/04/2023	E110483	\$ 4,272.84
.8882	KIDS NATURE CLUB PUPAZZONI, KIRSTIE MACHELLE ALICIA T/AS			\$ 1,260.00
.8882	Library Expenses	28/04/2023	E110819	\$ 1,260.00
.6770	KLEENIT PTY LTD			\$ 3,459.50
.6770	Graffiti removal services	17/04/2023	E110452	\$ 2,403.50

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.6770	Graffiti removal services	28/04/2023	E110746	\$ 1,056.00
.7064	KYOCERA DOCUMENT SOLUTIONS AUSTRALIA PTY LTD			\$ 2,407.50
.7064	Printers and multifunction devices	28/04/2023	E110754	\$ 2,407.50
.8660	LA PALETA			\$ 687.30
.8660	Food Supply	17/04/2023	E110522	\$ 347.60
.8660	Food Supply	28/04/2023	E110808	\$ 339.70
.7292	LAMINAR CAPITAL PTY. LTD			\$ 550.00
.7292	Accounting and financial services	17/04/2023	E110473	\$ 550.00
.1115	LANDGATE WESTERN AUSTRALIA LAND INFORMATION AUTHORITY T/AS			\$ 84.60
.1115	Regulatory fees and government charges	17/04/2023	E110351	\$ 84.60
.0324	LANDSCAPE ELEMENTS PTY LTD			\$ 12,392.60
.0324	Landscaping services and supplies	17/04/2023	E110332	\$ 12,392.60
.8738	LAST PIXEL PTY LTD			\$ 20,218.00
.8738	Creative services and graphic design	17/04/2023	E110525	\$ 20,218.00
.3716	LEARNING HORIZONS THE HELEN HARDCASTLE TRUST T/AS			\$ 13,200.00
.3716	Training services	28/04/2023	E110688	\$ 13,200.00
.5241	LIGHTSPEED COMMUNICATIONS & ELECTRICAL LIGHTSPEED COMMUNICATIONS AUSTRALIA PTY LTD T/AS			\$ 18,776.20
.5241	Furniture	17/04/2023	E110413	\$ 18,776.20
.6451	LIVING TURF GREENSHED PTY LTD T/AS			\$ 42,487.50
.6451	Turf and Equipment	17/04/2023	E110439	\$ 2,931.50
.6451	Turf and Equipment	28/04/2023	E110730	\$ 39,556.00
.5265	LOCAL GEOTECHNICS R & R ENGINEER CONSULTANTS ATF R & R CONSULTANTS TRUST T/AS			\$ 4,675.00
.5265	Engineering consulting services	17/04/2023	E110414	\$ 4,675.00
.5475	LOCHNESS LANDSCAPE SERVICES LLS AUSTR. PTY LTD ATF THE LOCHNESS UNIT TRUST T/AS			\$ 78,162.47
.5475	Streetscapes and irrigated amenity turf	17/04/2023	E110418	\$ 1,760.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.5475	Streetscapes and irrigated amenity turf	28/04/2023	E110712	\$ 76,402.47
.1343	M P ROGERS & ASSOCIATES PTY LTD			\$ 7,524.49
.1343	Engineering consulting services	28/04/2023	E110654	\$ 7,524.49
.8605	MACKAY URBAN DESIGN FEED THE TIGER PTY LTD T/AS			\$ 484.00
.8605	Architectural and design services	28/04/2023	E110804	\$ 484.00
.8406	MAGG DADY MEAGHAN JOHNSON T/AS			\$ 1,250.00
.8406	Artists and artworks	28/04/2023	E110797	\$ 1,250.00
.8815	MAGIC DALE			\$ 595.00
.8815	Entertainers	28/04/2023	E110813	\$ 595.00
.3607	MAGNETISM ART & DESIGN DUGGAN, DANIEL ALLEN T/AS			\$ 5,408.04
.3607	Community events	17/04/2023	E110384	\$ 2,730.00
.3607	Community events	28/04/2023	E110687	\$ 2,678.04
.0141	MAJOR MOTORS PTY LTD THE TRUSTEE FOR MAJOR MOTORS UNIT TRUST T/AS			\$ 2,120.17
.0141	Vehicle Repairs and Maintenance	17/04/2023	E110326	\$ 548.19
.0141	Vehicle Repairs and Maintenance	28/04/2023	E110620	\$ 1,571.98
.8795	MALCOLM DUNCAN COM EMPLOYEE			\$ 46.00
.8795	Staff reimbursements	17/04/2023	E110529	\$ 46.00
.5048	MANHEIM PTY LTD			\$ 2,266.00
.5048	Asset management services	17/04/2023	E110406	\$ 2,266.00
.7015	MARGARET SANDFORD COUNCILLOR			\$ 2,997.50
.7015	Councillor expenses	17/04/2023	E110463	\$ 2,997.50
.2034	MARINDUST SALES			\$ 8,162.00
.2034	Maintenance and services	17/04/2023	E110366	\$ 4,796.00
.2034	Maintenance and services	28/04/2023	E110667	\$ 3,366.00
.6515	MARKETFORCE PTY LTD			\$ 10,473.79

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference		Payment Amount
.6515	Advertising and media buy	17/04/2023	E110441	\$	6,954.11
.6515	Advertising and media buy	28/04/2023	E110733	\$	3,519.68
.8869	MARKETINTEL BOURNE, JOHNATHAN EVAN T/AS			\$	5,676.00
.8869	Market research services	17/04/2023	E110535	\$	5,676.00
.8874	MARLEIGH ZADA ZADA, MARLEIGH FRANCIS T/AS			\$	7,200.00
.8874	Entertainment	28/04/2023	E110817	\$	7,200.00
.6037	MARQUEE MAGIC TUTAKI UNIT TRUST T/AS			\$	1,120.00
.6037	Event equipment hire	17/04/2023	E110428	\$	1,120.00
.5232	MATTHEW WOODALL COUNCILLOR			\$	2,997.50
.5232	Councillor expenses	17/04/2023	E110410	\$	2,997.50
.1270	MCLEODS BARRISTERS & SOLICITORS BECKETT, DOUGLAS, GILLET, GREGG, MCLEOD & OTHERS T/AS			\$	6,913.34
.1270	Legal and conveyancing services	17/04/2023	E110356	\$	2,948.50
.1270	Legal and conveyancing services	28/04/2023	E110651	\$	3,964.84
.7825	MDM ENTERTAINMENT PTY LTD			\$	117.17
.7825	Library Expenses	28/04/2023	E110778	\$	117.17
.8126	MEAKINS, TIMOTHY BRYCE T/AS TIM MEAKINS DESIGN			\$	1,393.00
.8126	Creative services and graphic design	28/04/2023	E110786	\$	1,393.00
.7291	MELVILLE HYUNDAI & MELVILLE VOLKSWAGEN IDOM MELVILLE PTY LTD T/AS			\$	947.01
.7291	Vehicle Repairs and Maintenance	28/04/2023	E110758	\$	947.01
.3941	MELVILLE MITSUBISHI THE TRUSTEE FOR MELVILLE AUTOS UNIT TRUST T/AS			\$	1,638.65
.3941	Vehicle Repairs and Maintenance	28/04/2023	E110693	\$	1,638.65
.6638	MELVILLE TOYOTA SERVCO AUSTRALIA MELVILLE PTY LTD T/AS			\$	406.88
.6638	Vehicle Repairs and Maintenance	28/04/2023	E110740	\$	406.88
.1603	MESSAGES ON HOLD MESSAGES ON HOLD AUSTRALIA PTY LTD T/AS			\$	517.35
.1603	Marketing and communication services	28/04/2023	E110661	\$	517.35

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.1061	METAL ARTWORK CREATIONS TRULY AQUAMARINE HOLDINGS PTY LTD T/AS			\$ 252.23
.1061	Uniforms and corporate wardrobe	28/04/2023	E110642	\$ 252.23
.8399	MICHAEL O'ROURKE			\$ 150.00
.8399	Entertainment	28/04/2023	E110795	\$ 150.00
.7686	MIDLAND BRICK CAPITARY NO.3 PTY LTD T/AS			\$ 10,689.65
.7686	Building construction materials and services	17/04/2023	E110491	\$ 10,689.65
.1480	MILES NOEL NOEL, MILES FELIX T/AS			\$ 2,200.00
.1480	Photography	28/04/2023	E110658	\$ 2,200.00
.6694	MINTERELLISON			\$ 26,392.85
.6694	Legal and conveyancing services	17/04/2023	E110450	\$ 26,392.85
.8768	MODE DESIGN CORP PTY LTD			\$ 4,763.00
.8768	Architectural and design services	17/04/2023	E110526	\$ 4,763.00
.4273	MT PLEASANT BOWLING CLUB			\$ 698.50
.4273	Accounting and financial services	17/04/2023	E110396	\$ 698.50
.0866	MYRIAD IMAGES THE TRUSTEE FOR MYRIAD IMAGES TRUST T/AS			\$ 1,333.20
.0866	Creative services and graphic design	17/04/2023	E110342	\$ 706.20
.0866	Creative services and graphic design	28/04/2023	E110635	\$ 627.00
.6044	NATSYNC ENVIRONMENTAL THE TRUSTEE FOR THE PRODIGY TRUST T/AS			\$ 675.00
.6044	Animal management and pound expenses	28/04/2023	E110719	\$ 675.00
.7940	NATURAL AREA CONSULTING MANAGEMENT SERVICES NATUURAL AREA HOLDINGS PTY LTD			\$ 34,829.92
.7940	Bush regeneration	17/04/2023	E110496	\$ 20,920.33
.7940	Bush regeneration	28/04/2023	E110783	\$ 13,909.59
.6893	NATURE CALLS PORTABLE TOILETS NATURE CALLS 1 PTY LTD T/AS			\$ 2,745.50
.6893	Street amenities supplies and services	17/04/2023	E110459	\$ 2,745.50

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.6613	NAVIGO PTY LTD			\$ 467.50
.6613	Business and management consulting and services	28/04/2023	E110739	\$ 467.50
.8671	NEIGHBOURHOOD PRESS SJ ALEXANDER & N MIRONOV T/AS			\$ 1,725.00
.8671	Outsourced printing	28/04/2023	E110810	\$ 1,725.00
.1959	NICHOLAS PAZOLLI COUNCILLOR			\$ 1,497.50
.1959	Councillor expenses	17/04/2023	E110365	\$ 1,497.50
.2969	NICOLE ROBINS COUNCILLOR			\$ 2,997.50
.2969	Councillor expenses	17/04/2023	E110378	\$ 2,997.50
.7658	NORDA ARCHITECTS PTY LTD NORDA ARCHITECTS PTY LTD T/AS			\$ 9,383.50
.7658	Architectural and design services	17/04/2023	E110488	\$ 4,840.50
.7658	Architectural and design services	28/04/2023	E110772	\$ 4,543.00
.8649	NORMAN DISNEY & YOUNG NDY MANAGEMENT PTY LTD T/AS			\$ 6,714.40
.8649	Engineering consulting services	17/04/2023	E110521	\$ 6,714.40
.3408	NORTHLAKE ELECTRICAL PTY LTD T/as NORTH LAKE ELECTRICAL PTY LTD			\$ 88,864.15
.3408	Electrical and lighting maintenance supplies and services	17/04/2023	E110383	\$ 88,032.77
.3408	Electrical and lighting maintenance supplies and services	28/04/2023	E110684	\$ 831.38
.5866	NRP ELECTRICAL SERVICES			\$ 4,818.00
.5866	Electrical and lighting maintenance supplies and services	17/04/2023	E110423	\$ 4,818.00
.7336	NUTRIEN AG SOLUTIONS LIMITED LANDMARK OPERATIONS LIMITED T/AS			\$ 18,112.22
.7336	Landscaping services and supplies	17/04/2023	E110475	\$ 18,112.22
.1020	NUTRIEN WATER TOTAL EDEN PTY LIMITED T/AS			\$ 1,318.90
.1020	Irrigation and watering systems	17/04/2023	E110347	\$ 1,318.90
.3729	OCE-AUSTRALIA LIMITED (CANON GROUP)			\$ 464.78
.3729	Printer ink and toner	17/04/2023	E110385	\$ 464.78
.7543	ON TAP PLUMBING & GAS PTY LTD			\$ 34,796.03

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.7543	Plumbing maintenance supplies and services	17/04/2023	E110482	\$ 14,440.39
.7543	Plumbing maintenance supplies and services	28/04/2023	E110765	\$ 20,355.64
.3905	ONE ACHORD COMMUNITY CHOIR INC.			\$ 1,048.00
.3905	Donations, Sponsorship & Contributions	28/04/2023	E110690	\$ 1,048.00
.0278	OPTUS BILLING SERVICES PTY LIMITED			\$ 4,734.45
.0278	Mobile phone expenses	28/04/2023	E110623	\$ 4,734.45
.0181	P&G BODY BUILDERS P & G BODY BUILDERS PTY LTD T/AS			\$ 11,321.20
.0181	Vehicle Repairs and Maintenance	17/04/2023	E110327	\$ 11,321.20
.4577	PABLO HUGHES			\$ 264.00
.4577	Artists and artworks	28/04/2023	E110703	\$ 264.00
.2629	PAPERBARK TECHNOLOGIES PTY LTD			\$ 4,395.00
.2629	Nursery supplies	17/04/2023	E110375	\$ 3,140.00
.2629	Nursery supplies	28/04/2023	E110674	\$ 1,255.00
.6488	PARAMOUNT SECURITY SERVICES SILVERBACK ENTERPRISES PTY LTD T/AS			\$ 2,662.00
.6488	Security services	17/04/2023	E110440	\$ 2,178.00
.6488	Security services	28/04/2023	E110732	\$ 484.00
.0082	PENSKE POWER SYSTEMS PTY LTD			\$ 2,422.26
.0082	Vehicle Repairs and Maintenance	17/04/2023	E110322	\$ 2,422.26
.6305	PERTH ENERGY PTY LTD			\$ 7,033.07
.6305	Gas	17/04/2023	E110434	\$ 7,033.07
.8533	PERTH GYM HIRE J & R FITNESS & HIRE SERVICES T/AS			\$ 1,790.00
.8533	Sport and recreation equipment	17/04/2023	E110514	\$ 1,790.00
.8144	PERTH OBSERVATORY VOLUNTEER GROUP INC			\$ 108.00
.8144	Library Expenses	28/04/2023	E110788	\$ 108.00
.1079	PIRTEK (FREMANTLE) PTY LTD			\$ 1,613.92

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.1079	Pipes and fittings services	17/04/2023	E110349	\$ 130.66
.1079	Pipes and fittings services	28/04/2023	E110643	\$ 1,483.26
.0461	PORTER CONSULTING ENGINEERS THE TRUSTEE FOR THE CONSULTING ENGINEERING UNIT TRUST T/AS			\$ 3,740.00
.0461	Engineering consulting services	28/04/2023	E110626	\$ 3,740.00
.6558	PROFESSIONAL SEARCH GROUP AUSTRALIA			\$ 10,627.84
.6558	Temporary labour hire	17/04/2023	E110444	\$ 7,495.59
.6558	Temporary labour hire	28/04/2023	E110735	\$ 3,132.25
.0977	QUALITY PRESS THE TRUSTEE FOR ALBA UNIT TRUST T/AS			\$ 836.00
.0977	Outsourced printing	28/04/2023	E110638	\$ 836.00
.6280	QUANTUM BUILDING SERVICES PTY LTD			\$ 14,308.98
.6280	Roofing services	17/04/2023	E110433	\$ 1,232.68
.6280	Roofing services	28/04/2023	E110723	\$ 13,076.30
.8034	QUOIN CONSULTING PTY LTD			\$ 990.00
.8034	Engineering consulting services	28/04/2023	E110785	\$ 990.00
.5897	REALMSTUDIOS PTY LTD			\$ 1,837.00
.5897	Town planning services	17/04/2023	E110424	\$ 990.00
.5897	Town planning services	28/04/2023	E110716	\$ 847.00
.7445	REINO INTERNATIONAL PTY LIMITED			\$ 2,835.14
.7445	Parking meters	17/04/2023	E110479	\$ 1,311.64
.7445	Parking meters	28/04/2023	E110763	\$ 1,523.50
.2002	RENT A FENCE PTY LTD THE TRUSTEE FOR THE RENT A FENCE AUSTRALIA TRUST T/AS			\$ 971.85
.2002	Fencing supplies and services	28/04/2023	E110666	\$ 971.85
.2203	RESOURCE RECOVERY GROUP			\$ 832,627.58
.2203	MRF,FOGO,green,red gate fees, RRRC Overheads and Membership contributions	28/04/2023	E110670	\$ 832,627.58
.7685	RINGIE THE TRUSTEE FOR YIZHI TRUST T/AS			\$ 12,958.00
.7685	IT technical services	17/04/2023	E110490	\$ 12,958.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.7776	ROMEO PLUMBING PTY LTD			\$ 7,600.00
.7776	Plumbing maintenance supplies and services	17/04/2023	E110493	\$ 7,600.00
.7535	ROSMECH SALES & SERVICES PTY LTD			\$ 641.55
.7535	Vehicles and trailers	17/04/2023	E110481	\$ 641.55
.3986	ROYAL WOLF TRADING PTY LTD			\$ 850.87
.3986	General hardware and tools	17/04/2023	E110392	\$ 189.66
.3986	General hardware and tools	28/04/2023	E110694	\$ 661.21
.7182	RTRFM 92.1 LTD			\$ 880.00
.7182	Advertising and media buy	17/04/2023	E110469	\$ 880.00
.7878	SALLY BOWER			\$ 82.50
.7878	Community events	17/04/2023	E110494	\$ 82.50
.7664	SANDY JAMIESON			\$ 500.00
.7664	Community events	28/04/2023	E110774	\$ 500.00
.8481	SASHA WASLEY			\$ 469.00
.8481	Library Expenses	28/04/2023	E110800	\$ 469.00
.0615	SATELLITE SECURITY SERVICES			\$ 4,872.12
.0615	Security systems/Monitoring	17/04/2023	E110338	\$ 1,527.90
.0615	Security systems/Monitoring	28/04/2023	E110631	\$ 3,344.22
.2955	SAVI SOUND AUDIO VISUAL INTERGRATION SYSTEMS RISUCCI, DOMENIC T/AS			\$ 1,804.00
.2955	AV equipment and cameras	28/04/2023	E110677	\$ 1,804.00
.8058	SCF GROUP PTY LTD			\$ 1,942.38
.8058	Waste expenses	17/04/2023	E110500	\$ 1,942.38
.1175	SCITECH DISCOVERY CENTRE			\$ 900.00
.1175	MCH and children services supplies and toys	28/04/2023	E110646	\$ 900.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.0911	SCOTT PRINTERS PTY LTD			\$ 1,706.10
.0911	Outsourced printing	17/04/2023	E110344	\$ 1,567.50
.0911	Outsourced printing	28/04/2023	E110637	\$ 138.60
.6677	SECURITY MANAGMENT AUSTRALASIA PTY LTD			\$ 148.50
.6677	Security systems/Monitoring	28/04/2023	E110741	\$ 148.50
.6609	SENSATIONS EN ARDROSS TED20 PTY LTD T/AS			\$ 1,140.00
.6609	Catering services and supplies	28/04/2023	E110738	\$ 1,140.00
.7906	SENSORIUM THEATRE SENSORIUM THEATRE INCORPORATED T/AS			\$ 3,850.00
.7906	Entertainers	28/04/2023	E110782	\$ 3,850.00
.7375	SHANTI VIBE YOGA HEALING PIERAVANTI, CHIARA			\$ 320.00
.7375	Library Activities	17/04/2023	E110476	\$ 320.00
.6550	SHRED-X PTY LTD			\$ 22.13
.6550	Records management services	17/04/2023	E110442	\$ 22.13
.7882	SIFTING SANDS CHELLEW HAWLEY PTY LTD T/AS			\$ 21,890.88
.7882	Playground equipment and maintenance	17/04/2023	E110495	\$ 18,813.46
.7882	Playground equipment and maintenance	28/04/2023	E110781	\$ 3,077.42
.1262	SIGMA CHEMICALS SIGMA COMPANIES GROUP PTY. LTD. T/AS			\$ 3,283.90
.1262	Swimming pool costs	17/04/2023	E110355	\$ 2,720.30
.1262	Swimming pool costs	28/04/2023	E110650	\$ 563.60
.0871	SIGN ON GROUP PTY LTD			\$ 2,117.50
.0871	Signage and sign writing	28/04/2023	E110636	\$ 2,117.50
.6919	SIGNARAMA MYAREE KOOLFRO PTY LTD T/AS			\$ 210.42
.6919	Signage and sign writing	17/04/2023	E110460	\$ 210.42
.5122	SIGNATURE PAVING AND EARTHWORKS PTY LTD			\$ 4,849.90
.5122	Building construction materials and services	17/04/2023	E110407	\$ 4,849.90

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.6407	SLAVIN ARCHITECTS PTY LTD			\$ 825.00
.6407	Engineering consulting services	17/04/2023	E110437	\$ 275.00
.6407	Engineering consulting services	28/04/2023	E110728	\$ 550.00
.6350	SOLARGAIN PV PTY LTD			\$ 650.00
.6350	Solar power	17/04/2023	E110436	\$ 650.00
.4391	SOLUTION 4 BUILDING PTY LTD			\$ 179,172.58
.4391	Building construction materials and services	17/04/2023	E110398	\$ 179,172.58
.7595	SONIC HEALTHPLUS SONIC HEALTHPLUS PTY LTD			\$ 665.50
.7595	Medical expenses	17/04/2023	E110486	\$ 511.50
.7595	Medical expenses	28/04/2023	E110768	\$ 154.00
.5606	SOUTH METROPOLITAN TAFE			\$ 171.62
.5606	External training courses	17/04/2023	E110421	\$ 171.62
.5327	SOUTH SHORE SWIMMING CLUB INC.			\$ 42,649.70
.5327	Swim coaching services for January, February and March 2023	17/04/2023	E110415	\$ 42,649.70
.3969	SPANDEX ASIA PACIFIC PTY LTD			\$ 1,365.44
.3969	Signage and sign writing	17/04/2023	E110391	\$ 1,365.44
.6880	SPORTS CIRCUIT LINEMARKING JV HOLDINGS WA PTY LTD T/AS			\$ 935.00
.6880	Park maintenance	17/04/2023	E110457	\$ 935.00
.1220	ST JOHN AMBULANCE WESTERN AUSTRALIA LTD			\$ 2,281.60
.1220	External training courses	17/04/2023	E110354	\$ 2,281.60
.7230	STANDARDS AUSTRALIA LIMITED			\$ 1,345.32
.7230	Licences	17/04/2023	E110471	\$ 1,345.32
.7808	STANTEC AUSTRALIA PTY LTD			\$ 7,150.00
.7808	Creative services and graphic design	28/04/2023	E110776	\$ 7,150.00
.6476	STATEWIDE PUMP SERVICES			\$ 979.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.6476	Sewerage expenses	28/04/2023	E110731	\$ 979.00
.8829	STIRLING KAIN			\$ 540.00
.8829	Artists and artworks	17/04/2023	E110531	\$ 540.00
.7635	STRATAGREEN STRATA CORPORATION PTY LTD T/AS			\$ 9,901.97
.7635	Landscaping services and supplies	17/04/2023	E110487	\$ 2,910.60
.7635	Landscaping services and supplies	28/04/2023	E110771	\$ 6,991.37
.7047	SUCCESSFUL PROJECTS BRETT DAVID INVESTMENTS PTY. LTD T/AS			\$ 825.00
.7047	Engineering consulting services	17/04/2023	E110467	\$ 825.00
.0080	SUNNY SIGN COMPANY PTY LTD			\$ 4,425.85
.0080	Signage and sign writing	17/04/2023	E110321	\$ 4,425.85
.1210	SUPER BOWL MELVILLE			\$ 300.00
.1210	Sport and recreation subsidies	28/04/2023	E110648	\$ 300.00
.3539	SUPERIOR PAK PTY LTD			\$ 5,874.78
.3539	Repairs and parts as required	28/04/2023	E110686	\$ 5,874.78
.1015	SUSSEX INDUSTRIES HALKOT PTY LTD T/AS			\$ 715.00
.1015	Surveyors	28/04/2023	E110639	\$ 715.00
.6605	SYNERGY ELECTRICITY GENERATION & RETAIL CORPORATION T/AS			\$ 307,695.76
.6605	Electricity	17/04/2023	E110446	\$ 25,504.44
.6605	Electricity	28/04/2023	E110737	\$ 282,191.32
.7178	TAIKO ON VANYAI, SIMON T/AS			\$ 495.00
.7178	Entertainment	28/04/2023	E110756	\$ 495.00
.4270	TALIS CONSULTANTS THE TRUSTEE FOR TALIS UNIT TRUST T/AS			\$ 7,980.50
.4270	Auditing services	17/04/2023	E110395	\$ 7,980.50
.6881	TASTY FRESH PTY LTD			\$ 117.60
.6881	Milk Supply	17/04/2023	E110458	\$ 96.60

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.6881	Milk Supply	28/04/2023	E110750	\$ 21.00
.6341	TECHNOGYM AUSTRALIA PTY LTD			\$ 222.65
.6341	Sport and recreation equipment	28/04/2023	E110726	\$ 222.65
.8870	TECHNOLOGY ONE LIMITED			\$ 7,651.37
.8870	IT software/licensing and maintenance	28/04/2023	E110816	\$ 7,651.37
.7523	TELSTRA - MELBOURNE TELSTRA CORPORATION LIMITED T/AS			\$ 5,632.17
.7523	Mobile phone expenses	28/04/2023	E110764	\$ 5,632.17
.6307	TENDERLINK.COM ILLION AUSTRALIA PTY T/AS			\$ 913.00
.6307	Advertising and media buy	28/04/2023	E110724	\$ 913.00
.8653	THE GOOD GROCER MOUNT PLEASANT IGA			\$ 268.49
.8653	Food and beverages	28/04/2023	E110807	\$ 268.49
.8479	THE HONEY BS PERTH KATIE MCMAHON MUSIC T/AS			\$ 250.00
.8479	Entertainment	17/04/2023	E110512	\$ 250.00
.1932	THE RETIC SHOP THE TRUSTEE FOR THE RETIC UNIT TRUST T/AS			\$ 2,661.50
.1932	Irrigation and watering systems	28/04/2023	E110665	\$ 2,661.50
.2076	TIGER TEK PTY LTD			\$ 877.14
.2076	General hardware and tools	17/04/2023	E110367	\$ 877.14
.1019	TITAN FORD PERTH AUTO ALLIANCE PTY LTD T/AS			\$ 714.85
.1019	Repairs and parts as required	17/04/2023	E110346	\$ 171.60
.1019	Repairs and parts as required	28/04/2023	E110640	\$ 543.25
.8598	TOESOX AUSTRALIA THE TRUSTEE FOR THE BURGESS FAMILY TRUST T/AS			\$ 477.70
.8598	Sport and recreation equipment	28/04/2023	E110802	\$ 477.70
.0406	TOLL FAST TOLL TRANSPORT PTY LTD T/AS			\$ 600.14
.0406	Courier	17/04/2023	E110334	\$ 600.14

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.8551	TOM BLAKE			\$ 2,400.00
8551	Artists and artworks	28/04/2023	E110801	\$ 2,400.00
.7007	TOMAS FITZGERALD COUNCILLOR			\$ 4,914.08
.7007	Councillor expenses	17/04/2023	E110462	\$ 4,914.08
.1478	TOMPKINS PARK COMMUNITY & RECREATIONAL ASSOC.			\$ 385.00
.1478	Venue hire	28/04/2023	E110657	\$ 385.00
.8625	TOTAL CONTAINERS			\$ 4,789.82
.8625	Sea Container hire	17/04/2023	E110519	\$ 4,789.82
.2663	TOTALLY WORKWEAR FREMANTLE THE TRUSTEE FOR OMAC UNIT TRUST T/AS			\$ 1,426.57
.2663	Uniforms and corporate wardrobe	17/04/2023	E110376	\$ 369.60
.2663	Uniforms and corporate wardrobe	28/04/2023	E110675	\$ 1,056.97
.0214	T-QUIP TURF EQUIPMENT SOLUTIONS TOCOJEP A PTY LTD T/AS			\$ 13,975.40
.0214	Turf and Equipment	17/04/2023	E110331	\$ 11,067.60
.0214	Turf and Equipment	28/04/2023	E110622	\$ 2,907.80
.7037	TREE CARE WA WESTWORKS GROUP PTY LTD AFT USSHERIDAN TRUST T/AS			\$ 81,875.64
.7037	Arborists and tree services	17/04/2023	E110466	\$ 26,751.23
.7037	Arborists and tree services	28/04/2023	E110753	\$ 55,124.41
.4271	TREE PLANTING & WATERING BARONESS HOLDINGS PTY LTD T/AS			\$ 133,890.58
.4271	Arborists and tree services	28/04/2023	E110698	\$ 133,890.58
.4158	TRITON ELECTRICAL CONTRACTORS PTY LTD			\$ 32,473.10
.4158	Electrical and lighting maintenance supplies and services	17/04/2023	E110394	\$ 11,203.50
.4158	Electrical and lighting maintenance supplies and services	28/04/2023	E110695	\$ 21,269.60
.7588	TRUCK CENTRE WA PTY LTD			\$ 2,000.98
.7588	To supply filters	17/04/2023	E110485	\$ 336.46
.7588	To supply filters	28/04/2023	E110767	\$ 1,664.52
.2075	TURF CARE WA PTY LTD			\$ 3,141.61

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.2075	Turf and Equipment	28/04/2023	E110668	\$ 3,141.61
.8070	UDLA UDLA PTY LTD ATF UDLA UNIT TRUST T/AS			\$ 50,929.45
.8070	Landscape design and architecture services Goolugatup Heathcote	17/04/2023	E110501	\$ 50,929.45
.4960	ULTIMO CATERING & EVENTS PTY LTD			\$ 14,872.11
.4960	Catering services and supplies	17/04/2023	E110405	\$ 13,293.61
.4960	Catering services and supplies	28/04/2023	E110707	\$ 1,578.50
.1592	UNITED FORKLIFT AND ACCESS SOLUTIONS UNITED EQUIPMENT PTY LIMITED T/AS			\$ 953.15
.1592	Community events	17/04/2023	E110363	\$ 566.50
.1592	Community events	28/04/2023	E110660	\$ 386.65
.7674	UNIVERUS SOFTWARE PTY LTD			\$ 1,738.00
.7674	IT software/licensing and maintenance	17/04/2023	E110489	\$ 1,738.00
.7383	VEOLIA RECYCLING & RECOVERY PTY LTD			\$ 66,425.22
.7383	Bulk Waste collection and disposal	17/04/2023	E110477	\$ 66,425.22
.8167	VIMOL IMSANGUAN			\$ 480.00
.8167	Artists and artworks	28/04/2023	E110789	\$ 480.00
.6683	VOCUS PTY LTD T/AS VOCUS COMMUNICATIONS			\$ 2,153.90
.6683	Data cabling services	28/04/2023	E110742	\$ 2,153.90
.8364	WA FIRE PTY LTD			\$ 1,281.50
.8364	Training services	17/04/2023	E110509	\$ 1,281.50
.2334	WATER CORPORATION			\$ 51,926.31
.2334	WATER CORPORATION	17/04/2023	E110372	\$ 20,741.66
.2334	WATER CORPORATION	28/04/2023	E110672	\$ 31,184.65
.4848	WATERLOGIC AUSTRALIA PTY LTD			\$ 78.68
.4848	Catering services and supplies	28/04/2023	E110706	\$ 78.68
.1195	WATTLEUP TRACTORS NANCY & SUSAN P ZUVELA T/AS			\$ 1,044.33

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
.1195	Plant maintenance	17/04/2023	E110353	\$ 1,044.33
.1031	WEMBLEY CEMENT HUMES CONCRETE PRODUCTS & HOLCIM (AUSTRALIA) PTY LTD T/AS			\$ 5,357.21
.1031	Pipes and fittings services	28/04/2023	E110641	\$ 5,357.21
.0674	WEST COAST TURF SARATOGA HOLDINGS PTY LTD ATF THE JPD TRUST T/AS			\$ 31,883.50
.0674	Turf and Equipment	17/04/2023	E110339	\$ 15,295.50
.0674	Turf and Equipment	28/04/2023	E110633	\$ 16,588.00
.3112	WEST COAST WATERFILTER MAN			\$ 1,485.00
.3112	Catering services and supplies	17/04/2023	E110381	\$ 1,485.00
.3782	WEST-SURE GROUP			\$ 1,340.68
.3782	Parking meters	17/04/2023	E110387	\$ 1,340.68
.6956	WINENERGY WINCONNECT PTY LTD T/AS			\$ 129.38
.6956	Electricity	28/04/2023	E110751	\$ 129.38
.7999	WJS TRAINING SAUNDERS, WAYNE JOHN T/AS			\$ 280.00
.7999	Training services	28/04/2023	E110784	\$ 280.00
.3080	WOODLANDS DISTRIBUTORS & AGENCIES PTY LTD			\$ 42,775.87
.3080	Structures and Furniture	28/04/2023	E110679	\$ 42,775.87
.6328	WORMALD AUSTRALIA PTY LTD			\$ 1,023.00
.6328	Fire equipment and maintenance services	17/04/2023	E110435	\$ 1,023.00
.6603	WRIGHTS HEAVY RECOVERY SC & KM WRIGHT T/AS			\$ 440.00
.6603	Towing of unrecovered vehicles	28/04/2023	E110736	\$ 440.00
.6201	XANDER ROOD ROOD, XANDER YASIN T/AS			\$ 550.00
.6201	Artists and artworks	28/04/2023	E110721	\$ 550.00
.8228	XTREME BOUNCE PARTY HIRE LA MOTTE, NICOLE PATRICIA T/AS			\$ 520.00
.8228	Event equipment hire	17/04/2023	E110505	\$ 520.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply		Payment Date	Payment Reference		Payment Amount
.1045	ZIPFORM PTY LTD				\$	4,544.26
.1045	Printing		17/04/2023	E110348	\$	4,544.26
.3023	ZIRCODATA PTY LTD				\$	2,824.16
.3023	Document storage and archive		17/04/2023	E110380	\$	2,824.16
9996	SUNDRY TRUST CREDITOR				\$	58,900.00
9996	Stannard Group Pty Ltd	Verge Bond Refund	13/04/2023	E110306	\$	1,900.00
9996	C U Building Group Pty Ltd	Verge Bond Refund	13/04/2023	E110309	\$	1,900.00
9996	Ms L M Vojkovic	Verge Bond Refund	13/04/2023	E110311	\$	1,900.00
9996	W G Griffin	Verge Bond Refund	13/04/2023	E110313	\$	1,900.00
9996	The Land Division	Verge Bond Refund	13/04/2023	E110316	\$	1,900.00
9996	Antonelli Investments Pty Ltd	Verge Bond Refund	27/04/2023	E110596	\$	1,900.00
9996	Dale Alcock Homes Pty Ltd	Verge Bond Refund	27/04/2023	E110597	\$	1,900.00
9996	Dale Alcock Homes Pty Ltd	Verge Bond Refund	27/04/2023	E110599	\$	1,900.00
9996	Sycamore Civil Group Pty Ltd	Verge Bond Refund	27/04/2023	E110600	\$	1,900.00
9996	Sycamore Civil Group Pty Ltd	Verge Bond Refund	27/04/2023	E110601	\$	1,900.00
9996	S R R Leavy	Verge Bond Refund	27/04/2023	E110603	\$	1,900.00
9996	Perth Patio Magic	Verge Bond Refund	27/04/2023	E110605	\$	1,900.00
9996	G A Crossley	Verge Bond Refund	27/04/2023	E110606	\$	1,900.00
9996	B K Peirce	Verge Bond Refund	27/04/2023	E110608	\$	1,900.00
9996	J Sterret	Verge Bond Refund	27/04/2023	E110609	\$	1,900.00
9996	S J Connor	Verge Bond Refund	13/04/2023	E110314	\$	1,900.00
9996	The Roof & Wall Doctor Pty Ltd	Verge Bond Refund	13/04/2023	E110318	\$	1,900.00
9996	Kings Rd Construction Pty Ltd	Verge Bond Refund	27/04/2023	E110595	\$	1,900.00
9996	Mr O Lewis	Verge Bond Refund	13/04/2023	E110308	\$	1,900.00
9996	Freedom Pools & Spas	Verge Bond Refund	27/04/2023	E110610	\$	1,900.00
9996	Wayne Burman & Gloria Burman	Verge Bond Refund	27/04/2023	E110611	\$	1,900.00
9996	Softwoods Timberyards Pty Ltd	Verge Bond Refund	27/04/2023	E110602	\$	1,900.00
9996	Softwoods Timberyards Pty Ltd	Verge Bond Refund	13/04/2023	E110312	\$	1,900.00
9996	G & M Taylor Property Services Pty Ltd	Verge Bond Refund	13/04/2023	E110319	\$	1,900.00
9996	C A Freeman	Verge Bond Refund	27/04/2023	E110598	\$	1,900.00
9996	C U Building Group Pty Ltd	Verge Bond Refund	13/04/2023	E110307	\$	1,900.00
9996	L J Johnson	Verge Bond Refund	13/04/2023	E110315	\$	1,900.00
9996	Impressive Development Pty Ltd	Verge Bond Refund	13/04/2023	E110317	\$	1,900.00
9996	Softwoods Timberyards Pty Ltd	Verge Bond Refund	27/04/2023	E110604	\$	1,900.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
19996	Mrs G E Mason	Verge Bond Refund	13/04/2023	E110310 \$ 1,900.00
19996	Mista Reno Pty Ltd	Verge Bond Refund	27/04/2023	E110607 \$ 1,900.00
19998	SUNDRY EFT CREDITOR			\$ 45,585.28
19998	Alysia Kepert	Attendance at CARG for April 2023	28/04/2023	E110886 \$ 50.00
19998	Kidman Conveyancing Services	Rates Refund - Overpaid	28/04/2023	E110869 \$ 720.17
19998	Irene Holland	Age Friendly Melville Assistance AFM0205	28/04/2023	E110864 \$ 120.00
19998	Johnny Wu	Youth Sport Grant	28/04/2023	E110857 \$ 200.00
19998	Kevin Brannan	Refund of Dog registration	28/04/2023	E110842 \$ 30.00
19998	WA Foundation for Deaf Children	Bond Refund - Wireless Hill Park	28/04/2023	E110822 \$ 326.00
19998	Scott Alexander	Payment for March Shop Sales - Heathcote	17/04/2023	E110593 \$ 5.25
19998	Kennedy Baptist College	Refund fees and bond	17/04/2023	E110586 \$ 100.00
19998	Brooke Timbrell	Refund rates	17/04/2023	E110583 \$ 145.46
19998	Neil Rear	Refund rates	17/04/2023	E110576 \$ 217.00
19998	Sarah Levett	Refund rates	17/04/2023	E110566 \$ 808.05
19998	Building Corporation WA Pty Ltd T/A Gior	Refund fees and bond DA2022-1022	17/04/2023	E110565 \$ 6,638.42
19998	Katrina Davy	Better Together Melville Reference Group	17/04/2023	E110560 \$ 100.00
19998	Joss Morgan	Better Together Melville Reference Group	17/04/2023	E110559 \$ 100.00
19998	Mr R Samardali	Rates - Overpaid Direct Debit	17/04/2023	E110548 \$ 1,325.44
19998	Rebecca Gorman	Attendance at CARG for April 2023	28/04/2023	E110899 \$ 50.00
19998	Michael Paterson	Attendance at CARG for April 2023	28/04/2023	E110896 \$ 250.00
19998	Neil Jarvis Plumbers	Baden Powell Guides	28/04/2023	E110885 \$ 440.00
19998	Bible Presbyterian Church of WA	Bond Refund - Limestone Theatre	28/04/2023	E110870 \$ 326.00
19998	Blackburne PM Trust	Refund rates	28/04/2023	E110865 \$ 918.50
19998	Zeren Chen	Age Friendly Melville Assistance AFM0206	28/04/2023	E110861 \$ 300.00
19998	Penny Caputi	Tag no. 9797 Sterilisation Refund	28/04/2023	E110854 \$ 100.00
19998	Darleen McCracken	Tag no. 230550 Sterilisation Refund	28/04/2023	E110852 \$ 30.00
19998	Natalie Pretorius	Youth Sport Grant - Tenille Pretorius	28/04/2023	E110850 \$ 200.00
19998	Helen Wang	DA-2023-218 Full application cancelled	28/04/2023	E110848 \$ 295.00
19998	Suriawaty Iskandar	Rates Refund - Paid on previous property	28/04/2023	E110846 \$ 798.50
19998	Mr David Locke	Age Friendly Assistance Fund AFM0198	28/04/2023	E110831 \$ 280.00
19998	A Fiannaca & C Poynton	Rates refund - Property Sold	28/04/2023	E110825 \$ 943.90
19998	Amy Hawkes	Cancelled payment	18/04/2023	E110590 -\$ 56.25
19998	Amy Hawkes	Payment for March Shop Sales - Heathcote	17/04/2023	E110590 \$ 56.25
19998	Lauren Hardbottle	Youth Steering Group March 2023	17/04/2023	E110577 \$ 50.00
19998	M Szanto	Refund rates	17/04/2023	E110569 \$ 387.50

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
19998	Orlarne Marche	Better Together Melville Reference Group	17/04/2023	E110562 \$ 100.00
19998	Kate White	Refund rates	17/04/2023	E110556 \$ 400.85
19998	MOSTYN FARMER T/A THE ACADEMY OF GOLF	Activelink Payment AL167 - Mr I Gimblett	17/04/2023	E110553 \$ 300.00
19998	Janelle M Tholet	Refund of Dog Registration 755694	17/04/2023	E110544 \$ 30.00
19998	Roberto De Nobrega	Catering - Fruit Platter	17/04/2023	E110543 \$ 303.69
19998	Ms N F Taylor	Bond Refund Wireless Hill Park 4/03/23	17/04/2023	E110538 \$ 326.00
19998	Mariam Godwood	Cancelled payment	4/04/2023	E110282 -\$ 30.75
19998	Murray Baker	Attendance at CARG for April 2023	28/04/2023	E110898 \$ 50.00
19998	Michele Howard	Attendance at CARG for April 2023	28/04/2023	E110897 \$ 50.00
19998	Louise Liu	Attendance at CARG for April 2023	28/04/2023	E110894 \$ 50.00
19998	Kevin Cornwell	Attendance at CARG for April 2023	28/04/2023	E110893 \$ 50.00
19998	Elaine Hart	Attendance at CARG for April 2023	28/04/2023	E110888 \$ 50.00
19998	Denise Watson (Dee)	Attendance at CARG for April 2023	28/04/2023	E110887 \$ 50.00
19998	MMA Offshore Limited	Bond Refund Bicton Quarantine Park 2/04	28/04/2023	E110872 \$ 326.00
19998	Lynda Fell	Age Friendly Melville Assistance AFM0208	28/04/2023	E110863 \$ 265.00
19998	Jemma Golding	Youth Sport Grant - Jemma Golding	28/04/2023	E110858 \$ 200.00
19998	Monica Kempson	Youth Sport Grant - Emma Kempson	28/04/2023	E110856 \$ 200.00
19998	Ty & Kristie Tregoning	Rates refund overpayment to owner	28/04/2023	E110838 \$ 795.32
19998	Sittichon Chantapongpiwat	Parking Fees - Data Centre	28/04/2023	E110826 \$ 10.10
19998	Sarah-Jane McMahon	Staff Reimbursement	28/04/2023	E110824 \$ 136.96
19998	Ruby Smith	Youth Steering Group March 2023	17/04/2023	E110579 \$ 50.00
19998	T Longman Ex. Estate of Frederika Davies	Refund rates	17/04/2023	E110574 \$ 784.30
19998	L Tatiane De Sousa	Refund fees and bond	17/04/2023	E110564 \$ 326.00
19998	Janel Wong	Better Together Melville Reference Group	17/04/2023	E110558 \$ 100.00
19998	Emma Vardy	Better Together Melville Reference Group	17/04/2023	E110557 \$ 50.00
19998	Ms Shahrinaz Irani	Refund of Dog Registration	17/04/2023	E110547 \$ 30.00
19998	My Realty Plus	Rates Refund - Paid Twice	28/04/2023	E110879 \$ 502.20
19998	Emma Buswell	Payment for artist talk/workshop	28/04/2023	E110871 \$ 562.50
19998	June Dean	Age Friendly Melville Assistance AFM0210	28/04/2023	E110862 \$ 290.40
19998	Derek Dean	Age Friendly Melville Assistance AFM0211	28/04/2023	E110860 \$ 290.40
19998	Active Plumbing Pty Ltd	Refund fees and bond	28/04/2023	E110849 \$ 326.00
19998	Alessandro Cordisco	Rates Refund Property Sold	28/04/2023	E110845 \$ 863.55
19998	Mrs Dale Arangio	Activelink Payment AL195	28/04/2023	E110839 \$ 300.00
19998	Dr Keith Cole	Age Friendly Melville Fund - AFM0183	28/04/2023	E110829 \$ 300.00
19998	Lisa Marrington	Payment for March Shop Sales - Heathcote	17/04/2023	E110592 \$ 18.00
19998	Amy Cherrie	Payment for March Shop Sales - Heathcote	17/04/2023	E110589 \$ 16.50

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
19998	Michael Terren	Goolugatup Heathcote video series	17/04/2023	E110587 \$ 350.00
19998	Fremantle CBC Amateur Football Club	Activelink AL205 - Adam Rapanaro	17/04/2023	E110573 \$ 300.00
19998	Doorum Nyoongah Aboriginal Advisory Gro	Noongar Name and short history	17/04/2023	E110572 \$ 500.00
19998	Yohanes Sucipto	Refund rates	17/04/2023	E110567 \$ 556.65
19998	Myles C Bovell	Staff Recognition Award 2022 - 2nd Prize	17/04/2023	E110546 \$ 250.00
19998	Zoe Williamson	Staff Recognition Award 2022 - 2nd Prize	17/04/2023	E110541 \$ 250.00
19998	Miriam Godwood	Sustainability Rebate	17/04/2023	E110539 \$ 30.75
19998	Joseph Loveday	Attendance at CARG for April 2023	28/04/2023	E110892 \$ 50.00
19998	Lyndon Blue	Reimbursement for Rideshare	28/04/2023	E110884 \$ 138.25
19998	Ahei Family Pty Ltd	Rates Refund - Credit Overpayment	28/04/2023	E110880 \$ 836.55
19998	Stempel Consulting	DA-2023-203 - Overpayment	28/04/2023	E110873 \$ 252.00
19998	Jennifer Binetti	Youth Sport Grant - Joseph Binetti	28/04/2023	E110859 \$ 200.00
19998	Johnny Wu	Youth Sport Grant - Chelsea Wu	28/04/2023	E110851 \$ 200.00
19998	Pamela Leggett	Rates Refund - Property sold	28/04/2023	E110844 \$ 910.18
19998	Ivana Laic	Refund of Dog Registration (Paid twice)	28/04/2023	E110841 \$ 25.00
19998	Mrs Eva Vavakis	Age Friendly Assistance Fund	28/04/2023	E110836 \$ 300.00
19998	Lauren Kronemyer	Artwork Loan Fee for Exhibition	28/04/2023	E110830 \$ 464.00
19998	Mrs Isabel Margaret Cole	Age Friendly Assistance fund - AFM0202	28/04/2023	E110828 \$ 300.00
19998	Michael Yeomans	Cloth Nappy Rebate - Workshop Refund	28/04/2023	E110823 \$ 70.43
19998	Taryn Lee	Youth Steering Group March 2023	17/04/2023	E110581 \$ 50.00
19998	Travis Kirke	Attendance at CARG for April 2023	28/04/2023	E110901 \$ 50.00
19998	Gwendolyn & Victor Masi	Rates Refund - Overpayment	28/04/2023	E110874 \$ 470.00
19998	Charlotte McGregor	Youth Sport Grant - Charlotte McGregor	28/04/2023	E110855 \$ 200.00
19998	Melville Bowling Club	Activelink Payment AL144- G Thomas	28/04/2023	E110847 \$ 300.00
19998	Pascale Giorgi	Artwork Loan fee for Exhibition	28/04/2023	E110833 \$ 464.00
19998	Mr John Logan	Age Friendly Assistance Fund AFM0199	28/04/2023	E110832 \$ 300.00
19998	Amy Hawkes	Payment for March Shop Sales - Heathcote	28/04/2023	E110820 \$ 56.25
19998	Lauren Jane Salt & Tia Tokic	Payment for March Shop Sales - Heathcote	17/04/2023	E110591 \$ 176.25
19998	Multiculture Futures	Invoice 259 - Training	17/04/2023	E110588 \$ 176.00
19998	Clarissa Sandjaja	Youth Steering Group March 2023	17/04/2023	E110582 \$ 50.00
19998	Vicki Philipoff Settlements Pty Ltd	Refund rates	17/04/2023	E110575 \$ 190.98
19998	Tammy Whait	Better Together Melville Reference Group	17/04/2023	E110571 \$ 100.00
19998	Narges Razavi	Better Together Melville Reference Group	17/04/2023	E110561 \$ 100.00
19998	Fremantle CBC Amateur Football Club	Activelink - AL152, 157, 159, 160, 161,	17/04/2023	E110554 \$ 1,855.00
19998	Marolyn Allen	Refund rates	17/04/2023	E110552 \$ 183.25
19998	Peter Sackett	Refund fees and bond	17/04/2023	E110551 \$ 326.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply	Payment Date	Payment Reference	Payment Amount
19998	Denise Stapleton	Refund of Dog Registration	17/04/2023	E110545 \$ 150.00
19998	Miles Earl	Rates BPAY Prize Winner 2022/23	17/04/2023	E110542 \$ 750.00
19998	Julie Deague	Guest Speaker - WCC Welcome Wednesday	17/04/2023	E110540 \$ 50.00
19998	Naomi Taylor	Cancelled payment	4/04/2023	E110220 -\$ 326.00
19998	Little Brothers	Mingle at Moreau 4 x Food Truck Vouchers	28/04/2023	E110902 \$ 40.00
19998	Jonathan Wherrett	Attendance at CARG for April 2023	28/04/2023	E110891 \$ 50.00
19998	Hazel Waugh	Attendance at CARG for April 2023	28/04/2023	E110890 \$ 50.00
19998	Diamond Realty	Rates Refund - Credit, paid twice	28/04/2023	E110875 \$ 428.95
19998	Linda Riemann	Youth Sport Grant - Bailey Riemann	28/04/2023	E110866 \$ 200.00
19998	Marion Gail Tresidder	Tag no. 240174 Sterilisation Refund	28/04/2023	E110853 \$ 51.67
19998	June Pettit	Rates Refund - Property Sold	28/04/2023	E110843 \$ 916.50
19998	Mr Mario Arangio	Activelink Payment AL194	28/04/2023	E110840 \$ 300.00
19998	Rachael L Clifford	Rates refund Credit overpayment	28/04/2023	E110837 \$ 179.37
19998	Mr Graham Taylor	Age Friendly Assistance Fund AFM0196	28/04/2023	E110835 \$ 198.00
19998	Mr Paul Goodbody	Bunnings - Sprinkler Reimbursement	28/04/2023	E110827 \$ 14.90
19998	Mutuo Pty Ltd	Refund rates	17/04/2023	E110584 \$ 918.50
19998	Victorine Acciano	Age Friendly Melville Assistance AFM0189	17/04/2023	E110568 \$ 300.00
19998	A Pretorius	Refund fees and bond	17/04/2023	E110563 \$ 326.00
19998	Geoffrey Garnett	Age Friendly Melville Assistance AFM0190	17/04/2023	E110549 \$ 300.00
19998	Sam Thomas	Attendance at CARG for April 2023	28/04/2023	E110900 \$ 50.00
19998	Michael Andrewartha	Attendance at CARG for April 2023	28/04/2023	E110895 \$ 50.00
19998	Geoff Corrick	Attendance at CARG for April 2023	28/04/2023	E110889 \$ 50.00
19998	Suresh Bajracharya	Fuel Reimbursement	28/04/2023	E110883 \$ 55.74
19998	Anthony Edward McLeod	Sterilisation Refund	28/04/2023	E110882 \$ 5.00
19998	Julie Craig-Smith	Guest Speaker WCC	28/04/2023	E110881 \$ 50.00
19998	Vyom Developers Pty Ltd	Rates Refund - Credit to owner	28/04/2023	E110878 \$ 330.50
19998	Jasmin Whitfield	Reimbursement - Spools CRT Label Maker	28/04/2023	E110877 \$ 65.16
19998	Gail Bowman	Staff Reimbursement - Parking Refreshment	28/04/2023	E110876 \$ 32.28
19998	C A Johnston	Rates Refund Credit to owner	28/04/2023	E110868 \$ 94.71
19998	Cityside Design	DA-2023-175 - Application Withdrawn	28/04/2023	E110867 \$ 110.25
19998	Mrs Janina Taylor	Age Friendly assistance Fund AFM0197	28/04/2023	E110834 \$ 220.00
19998	M Verhoeven	Bond Refund - Pt Walter Reserve	28/04/2023	E110821 \$ 326.00
19998	Show Works Pty Ltd	1 x Studio Use Portable Barre @ 1.8m	17/04/2023	E110585 \$ 1,089.00
19998	Sascha Finlay-Collins	Youth Steering Group March 2023	17/04/2023	E110580 \$ 50.00
19998	Laurensia Sandjaja	Youth Steering Group March 2023	17/04/2023	E110578 \$ 50.00
19998	Sophie Weatherhead	Better Together Melville Reference Group	17/04/2023	E110570 \$ 100.00

Over \$25,000.00

Supplier Number	Supplier Name - Description of Supply		Payment Date	Payment Reference		Payment Amount
19998	Emma Buswell	Tilt Exhibition Sales Payment	17/04/2023	E110555	\$	1,875.00
19998	L Garnett	Age Friendly Melville Assistance AFM0191	17/04/2023	E110550	\$	300.00
19998	Lisa Marrington	Shop sales at Goolugatup Heathcote	17/04/2023	E110537	\$	24.00
19999	SUNDRY CHEQUE CREDITOR				\$	600.00
19999	Kamlesh Mahajan	Age Friendly Melville Assistance AFM0185	17/04/2023	070870	\$	300.00
19999	Mrs Rosa Specca	Age Friendly Assistance Fund AFM0193	28/04/2023	070871	\$	300.00

Cancelled Payment	3	\$	413.00
Cheque Payment	2	\$	600.00
EFT Payments	599	\$	6,223,741.80
Total Payments	604	\$	6,223,928.80

Payroll Payments made for April 2023	
Pay 21	12/04/2023
Westpac Bank	\$1,355,863.41
Taxation	\$413,490.00
Creditors	\$293,784.69
Advances	\$0.00
<i>Total</i>	\$2,063,138.10
Pay 22	26/04/2023
Westpac Bank	\$1,373,878.28
Taxation	\$424,706.00
Creditors	\$298,567.83
Advances	\$1,260.08
<i>Total</i>	\$2,098,412.19
Total Pays	\$4,161,550.29

Direct Payments made for April 2023			
Payee	Description	Bank Reference	Payment Amount
Exclaimer Ltd	Signature management licenses	119635515	\$ 1,372.00
GoSkills Ltd	Subscription	119635615	\$ 11,419.20
Australian Institute of Building Surveyors	Conference registration for 8 employees	119887059	\$ 12,235.00
Maxxia Pty Ltd	Input tax credits for April	120089747	\$ 669.67
EasiSalary	Input tax credits for April	120089807	\$ 1,035.89
PressReader International	Subscription	120053775	\$ 8,617.50
Lauren Boyle	Loan of artwork for exhibition	120054063	\$ 633.23
City of Belmont	Long service leave liability	120082483	\$ 3,899.19
Total			\$ 39,881.68

Card Payments for April 2023	
Corporate Cards	Amount
Chief Executive Officer	7,012.33
Director Community Development	0.00
Director Urban Planning	0.00
Director Environment & Infrastructure	0.00
Director South West Group	0.00
Director Corporate Services	0.00
Total Corporate Cards	7,012.33
Purchase Cards	
Project Lead Civil Construction	674.00
Civic Facilities Coordinator	27.93
Business Support Administration Coordinator (Urban Planning)	978.77
Fleet Coordinator	443.00
Coordinator Customer Relations	175.99
Team Leader Library Systems & Support	8,347.49
Business Support Administration Coordinator (Technical Services)	3,182.71
Coordinator Community Safety Service	3,610.03
Business Support Administration Coordinator (Corporate Service)	1,996.67
Civic Facilities Officer	1,685.13
Neighbourhoods Coordinator	3.00
Civic Facilities Officer	2,656.71
Manager City Buildings	0.00
Head of Governance	862.77
Environmental Education Officer	1,212.27
Healthy Melville Coordinator	3,468.63
Healthy Melville Supervisor Aquatic Operations	0.00
Creative Lead & Gallery Curator	1,162.64
Natural Areas Supervisor	1,247.26
Creative Lead & Museums Curator	76.40
Coordinator Rangers & Emergency Management	1,241.18
Collection Development Librarian (Young People)	2,897.48
Cultural Programs Officer (Adult)	220.12
Team Leader Libraries (Civic Square Library)	31.30
Community Development Coordinator - People	1,011.79
Manager Natural Areas & Parks	2,502.47
Business Support Administration Coordinator (Community Development)	2,548.63
Collection Development Librarian	4,491.16
Coordinator Environmental Health	500.29
Business Support Officer Libraries	916.08
Healthy Melville Supervisor - Sales & Promotions	6,435.93
Environmental Officer	453.58
Creative Producer Arts & Cultural Development	1,445.59
Business Support Officer Libraries	1,230.60
Events & Programming	0.00
Events & Programming	0.00
Executive Assistant	0.00
Community Centre Supervisor (Willagee Community Centre)	754.00
Team Leader Libraries (AH Bracks Library)	669.27
Team Leader Libraries (Bull Creek Library)	0.00
Waste Education Officer	68.17
Assistant Team Leader (AH Bracks Library)	96.94
Assistant Team Leader (Civic Square Library)	2,760.20
Creative Learning Producer	811.44
Assistant Team Leader (Willagee Library)	366.49
Team Leader Libraries (Willagee Library)	983.90
Melville SES	1,450.10
Community Centre Supervisor (Blue Gum Community Centre)	162.00
Assistant Team Leader Libraries (Bull Creek Library)	33.30
Community Development Officer - Youth	353.26
Facilities Support Officer	0.00
Creative Learning Producer	743.38
Facility Duty Officer	5.00
Total Purchase Cards	66,995.05
American Express Card	
Chief Executive Officer	2,495.05
Total American Express Card	2,495.05
(Note: American Express Card is used predominantly for expenses for Training, Membership Fees and Travel).	

STATEMENT OF FINANCIAL ACTIVITY by Nature or Type
For the period 1 July 2022 to 30 April 2023

	<i>April Actual</i> \$	<i>YTD Rev. Budget</i> \$	<i>YTD Actual</i> \$	<i>Variance</i> \$	<i>Variance</i> %	<i>Annual Rev. Budget</i> \$
Revenue						
Rates	11,291	96,276,897	96,329,901	53,004	0%	96,366,881
Grants & Contributions	121,303	1,375,249	1,346,106	(29,143)	-2%	4,823,659
Fees & Charges	1,038,043	14,994,412	14,942,836	(51,577)	0%	17,124,130
Service Charges	-	2,515,125	2,533,712	18,587	1%	2,515,125
Interest Earnings	653,934	5,281,009	5,509,627	228,619	4%	6,468,500
Other Revenue	43,691	1,994,332	2,180,185	185,853	9%	2,251,852
	1,868,262	122,437,024	122,842,368	405,343	0%	129,550,147
Expenses						
Employee Costs	(4,340,261)	(47,374,599)	(45,636,133)	1,738,466	-4%	(57,162,982)
Materials & Contracts	(2,390,091)	(28,782,984)	(27,745,380)	1,037,605	-4%	(38,375,144)
Utilities	(299,499)	(3,558,421)	(3,507,172)	51,248	-1%	(4,251,994)
Insurance	61	(1,334,367)	(1,253,766)	80,601	-6%	(1,338,640)
Depreciation	(2,067,962)	(20,611,609)	(20,747,757)	(136,148)	1%	(24,734,028)
Finance Costs	-	(61,130)	(66,750)	(5,620)	9%	(70,202)
Other Expenditure	66,551	(253,637)	(443,282)	(189,645)	75%	(1,019,351)
	(9,031,202)	(101,976,747)	(99,400,239)	2,576,507	-3%	(126,952,343)
	(7,162,940)	20,460,278	23,442,128	2,981,851	15%	2,597,805
Grants/Contributions for the Development of Assets						
Non-Operating Grants, Subsidies and Contributions	-	520,806	529,427	8,621	2%	7,389,317
(Profit)/Loss on Disposal of Assets						
Proceeds on Disposal	86,636	579,686	231,246	(348,440)	-60%	2,324,868
Net Book Value from Disposal of Assets	(243,963)	-	(536,710)	(536,710)	100%	(1,270,750)
	(157,327)	579,686	(305,464)	(885,150)	-153%	1,054,118
NET RESULT	(7,320,267)	22,236,116	23,666,092	1,429,976	6%	11,716,586
Other Comprehensive Income	-	-	-			-
Total Other Comprehensive Income	-	-	-			-
TOTAL COMPREHENSIVE INCOME	(7,320,267)	22,236,116	23,666,092			11,716,586

RATE SETTING STATEMENT by Nature or Type
For the period 1 July 2022 to 30 April 2023

	<i>April Actual \$</i>	<i>YTD Rev. Budget \$</i>	<i>YTD Actual \$</i>	<i>Variance \$</i>	<i>Variance %</i>	<i>Annual Budget \$</i>	<i>Annual Rev. Budget \$</i>
OPERATING ACTIVITIES							
Revenue from operating activities (excluding rates and non-operating grant, subsidies and contributions)							
Grants & Contributions	121,303	1,375,249	1,346,106	(29,143)	-2%	4,474,605	4,823,659
Fees & Charges	1,038,043	14,994,412	14,942,836	(51,577)	0%	17,169,679	17,124,130
Service Charges	-	2,515,125	2,533,712	18,587	1%	2,515,125	2,515,125
Investment Earnings	653,934	5,281,009	5,509,627	228,619	4%	2,265,000	6,468,500
Other Revenue	(113,636)	2,574,019	1,874,721	(699,297)		913,349	3,305,970
	1,699,644	26,739,814	26,207,003	(532,811)		27,337,758	34,237,384
Expenditure from operating activities							
Employee Costs	(4,340,261)	(47,374,599)	(45,636,133)	1,738,466	-4%	(56,503,518)	(57,162,982)
Materials & Contracts	(2,390,091)	(28,782,984)	(27,745,380)	1,037,605	-4%	(35,411,078)	(38,190,068)
Utilities	(299,499)	(3,558,421)	(3,507,172)	51,248	-1%	(4,228,694)	(4,251,994)
Insurance	61	(1,334,367)	(1,253,766)	80,601	-6%	(1,338,640)	(1,338,640)
Depreciation	(2,067,962)	(20,611,609)	(20,747,757)	(136,148)	1%	(23,345,104)	(24,919,104)
Finance Costs	-	(61,130)	(66,750)	(5,620)	9%	(70,202)	(70,202)
Other Expenditure	66,551	(253,637)	(443,282)	(189,645)	75%	(2,421,398)	(1,019,351)
	(9,031,202)	(101,976,747)	(99,400,239)	2,576,507		(123,318,635)	(126,952,343)
Operating activities excluded from budget							
(Profit)/Loss on Asset Disposals	157,327	(579,686)	305,464	885,150	-153%	-	(1,054,118)
Depreciation on Assets	2,052,539	20,611,609	20,716,910	105,301	1%	23,345,104	24,919,104
Plant Capital Charge	-	-	-	-	100%	-	-
Plant Investment Provision						235,305	235,305
Movement in Deferred Rates	5,019	-	57,746	57,746	100%	-	-
	2,214,885	20,031,923	21,080,119	1,048,197		23,580,409	24,100,291
Investing Activities							
Non-operating grants, subsidies and contributions	-	520,806	529,427	8,621		5,229,789	7,389,317
Proceeds from Carawatha Equity	-	-	(600,000)	-		-	-
Proceeds from Disposal of Assets	86,636	579,686	231,246	(348,440)	-60%	1,270,750	2,324,868
Purchase of Furniture & Equipment	(78,509)	(1,259,299)	(1,047,886)	211,413	-17%	(2,404,350)	(4,559,887)
Purchase of Plant & Equipment	(16,473)	(3,448,173)	(2,574,148)	874,025	-25%	(4,348,348)	(9,130,100)
Purchase of Land & Buildings	(827,238)	(9,585,646)	(9,101,967)	483,679	-5%	(17,256,698)	(18,104,629)
Purchase of Infrastructure Assets	(1,483,941)	(16,033,399)	(15,507,773)	525,626	-3%	(30,609,643)	(32,697,673)
	(2,319,525)	(29,226,025)	(28,071,101)	1,754,924		(48,118,500)	(54,778,104)
Financing Activities							
Repayment of Debentures	-	(201,127)	(201,127)	-	0%	(226,069)	(226,069)
Self-Supporting Loan Principal Revenue	61,658	190,671	190,671	-	0%	208,375	208,375
Funds to be Set Aside	-	(1,551,711)	(1,551,711)	-	0%	(27,728,011)	(33,587,484)
Funds to be Used	-	14,708,581	14,708,581	-	0%	52,097,793	59,079,356
Carry Forward Funds	-		-	-	100%		
	61,658	13,146,414	13,146,415	-		24,352,088	25,474,178
Estimated surplus / (deficit) - B/Fwd	38,207,058	-	1,551,711				1,551,711
Estimated (surplus) / deficit - C/Fwd	(30,843,809)	(24,992,276)	(30,843,809)				
Amount to be raised from general rates	(11,291)	(96,276,897)	(96,329,901)			(96,166,881)	(96,366,881)

RATE SETTING STATEMENT by Program
For the period 1 July 2022 to 30 April 2023

	<i>April Actual \$</i>	<i>YTD Rev. Budget \$</i>	<i>YTD Actual \$</i>	<i>Variance \$</i>	<i>Variance %</i>	<i>Annual Budget \$</i>	<i>Annual Rev. Budget \$</i>
OPERATING ACTIVITIES							
Revenue from operating activities (excluding rates and non-operating grant, subsidies and contributions)							
Governance	-	-	1,639	1,639	100%	0	0
General Purpose Funding	659,450	6,146,948	6,354,553	207,605	3%	5,565,000	9,823,500
Law, Order, Public Safety	21,317	2,760,958	2,834,571	73,613	3%	2,770,125	2,770,125
Health	2,438	232,764	235,896	3,132	1%	262,194	237,663
Education & Welfare	53,374	261,118	281,351	20,233	8%	741,798	1,053,011
Housing	8,710	91,210	93,908	2,697	3%	112,495	108,495
Community Amenities	120,276	3,367,052	3,293,135	(73,918)	-2%	3,579,993	3,604,993
Recreation and Culture	677,038	7,717,029	7,903,714	186,685	2%	9,001,604	9,200,604
Transport	105,998	1,116,730	1,180,344	63,614	4%	1,579,380	1,477,360
Economic Services	185,203	3,521,650	3,349,504	(172,146)	-5%	3,410,204	3,922,205
Other Property and Services	(134,159)	1,524,353	678,386	(845,967)	-55%	314,964	2,039,428
	1,699,644	26,739,814	26,207,003	(532,811)		27,337,758	34,237,384
Expenditure from operating activities							
Governance	(289,248)	(4,263,666)	(3,958,682)	304,984	-7%	(5,464,280)	(5,708,737)
General Purpose Funding	(64,072)	(1,131,410)	(1,187,473)	(56,063)	5%	(1,248,114)	(1,286,114)
Law, Order, Public Safety	(365,753)	(3,619,515)	(3,485,237)	134,278	-4%	(4,305,982)	(4,381,142)
Health	(83,627)	(934,052)	(869,037)	65,015	-7%	(1,151,217)	(1,123,217)
Education & Welfare	(156,667)	(1,826,546)	(1,713,690)	112,856	-6%	(2,369,467)	(2,982,807)
Housing	(5,685)	(105,029)	(90,953)	14,075	-13%	(121,603)	(121,603)
Community Amenities	(1,954,732)	(22,872,113)	(21,694,073)	1,178,040	-5%	(27,971,039)	(28,796,004)
Recreation and Culture	(3,172,914)	(33,493,257)	(33,665,128)	(171,871)	1%	(40,222,411)	(40,415,452)
Transport	(1,705,154)	(18,011,911)	(17,616,120)	395,791	-2%	(21,828,160)	(22,339,836)
Economic Services	(211,613)	(2,718,615)	(2,431,559)	287,056	-11%	(3,017,414)	(3,479,912)
Other Property and Services	(1,021,738)	(13,000,633)	(12,688,288)	312,345	-2%	(15,618,949)	(16,317,520)
	(9,031,202)	(101,976,747)	(99,400,239)	2,576,507		(123,318,635)	(126,952,343)
Operating activities excluded from budget							
(Profit)/Loss on Asset Disposals	157,327	(579,686)	305,464	885,150	-153%	-	(1,054,118)
Depreciation on Assets	2,052,539	20,611,609	20,716,910	105,301	1%	23,345,104	24,919,104
Plant Capital Charge	-	-	-	-	100%	-	-
Plant Investment Provision						235,305	235,305
Movement in Deferred Rates	5,019	-	57,746	57,746	100%	-	-
	2,214,885	20,031,923	21,080,119	1,048,197		23,580,409	24,100,291
Investing Activities							
Non-operating grants, subsidies and contribution	-	520,806	529,427	8,621		5,229,789	7,389,317
Proceeds from Carawatha Equity	-	-	(600,000)	-		-	-
Proceeds from Disposal of Assets	86,636	579,686	231,246	(348,440)	-60%	1,270,750	2,324,868
Purchase of Furniture & Equipment	(78,509)	(1,259,299)	(1,047,886)	211,413	-17%	(2,404,350)	(4,559,887)
Purchase of Plant & Equipment	(16,473)	(3,448,173)	(2,574,148)	874,025	-25%	(4,348,348)	(9,130,100)
Purchase of Land & Buildings	(827,238)	(9,585,646)	(9,101,967)	483,679	-5%	(17,256,698)	(18,104,629)
Purchase of Infrastructure Assets	(1,483,941)	(16,033,399)	(15,507,773)	525,626	-3%	(30,609,643)	(32,697,673)
	(2,319,525)	(29,226,025)	(28,071,101)	1,754,924		(48,118,500)	(54,778,104)
Financing Activities							
Repayment of Debentures	-	(201,127)	(201,127)	-	0%	(226,069)	(226,069)
Self-Supporting Loan Principal Revenue	61,658	190,671	190,671	-	0%	208,375	208,375
Funds to be Set Aside	-	(1,551,711)	(1,551,711)	-	0%	(27,728,011)	(33,587,484)
Funds to be Used	-	14,708,581	14,708,581	-	0%	52,097,793	59,079,356
Carry Forward Funds	-		-	-	100%		
	61,658	13,146,414	13,146,415	-		24,352,088	25,474,178
Estimated surplus / (deficit) - B/Fwd	38,207,058	-	1,551,711				1,551,711
Estimated (surplus) / deficit - C/Fwd	(30,843,809)	(24,992,276)	(30,843,809)				
Amount to be raised from general rates	(11,291)	(96,276,897)	(96,329,901)			(96,166,881)	(96,366,881)

**REPRESENTATION OF NET WORKING CAPITAL
AS AT 30 APRIL 2023**

Net Current Assets Represented by	30 APRIL 2023		31 MARCH 2023	
Current Assets				
Cash & Cash Equivalents				
Cash in Hand	4,022		4,022	
Cash at Bank/(Overdraft)	792,374		605,432	
Investments	188,537,614		195,326,484	
		189,334,010		195,935,938
Trade & Other Receivables				
Debtors - Rates	5,507,041		6,274,430	
Debtors - Security Charge	118,186		126,445	
Debtors - Pool Inspection Fee	20,622		21,855	
Debtors - Instalment Fee	95		95	
Debtors - UGP	332,979		352,568	
Debtors - Refuse	61,186		64,603	
FESA Levy Debtors	1,047,684		1,189,155	
Pensioner Rebates	1,415,233		1,781,322	
Sundry Debtors	1,023,658		992,025	
Less : Provision for Doubtful Debts	(383,966)		(383,966)	
		9,142,717		10,418,531
Inventories	168,495	168,495	168,855	168,855
Other Financial Assets				
Accrued Income	3,131,560		3,002,793	
Prepayments	(8,889)		52,821	
Other	0		0	
GST Claim (Net)	416,030		598,612	
		3,538,701		3,654,226
Total Current Assets		202,183,923		210,177,550
Current Liabilities				
Trade & Other Payables				
FESA Levy Payable	2,229,646		2,932,994	
Sundry Creditors	16,406,912		16,659,909	
Amount Received in Advance	1,287,375		1,177,016	
		19,923,933		20,769,919
Provisions				
Provision for Long Service Leave	4,360,940		4,322,046	
Provision for Annual Leave	3,873,312		3,954,866	
Accrued Wages	18,765		18,765	
		8,253,018		8,295,677
Total Current Liabilities		28,176,950		29,065,596
Net Current Assets		174,006,973		181,111,954
Less: Restricted Assets				
Reserves	143,287,347	143,287,347	143,287,347	143,287,347
Timing Difference		(124,184)		(382,451)
Net Working Capital		30,843,809		38,207,058

**NET WORKING CAPITAL RECONCILIATION
FOR THE MONTH OF APRIL 2023**

	<i>YTD Actual \$</i>
Net Result	23,666,092
Add:	
Surplus B/Fwd.	1,551,711
Proceeds on disposal of Assets	231,246
Carry Forward Reserve Transfers	-
Reserve: Funds to be Used	14,708,581
Self Supporting Loans - Principal (Net)	(10,455)
Depreciation Written back	20,716,910
Plant Capital Charge	-
(Profit)/Loss on Asset Disposal	305,464
Sub Total	61,169,548
Less:	
Acquisition of Fixed assets	12,724,002
Proceeds from Carawatha Equity	600,000
Expenditure on Infrastructure assets	15,507,773
Reserve: Funds to be Set Aside	1,551,711
Non Current Adjustments	(57,746)
Sub Total	30,325,739
Net Working Capital	30,843,809

**Statement of Variances in Excess of \$100,000 by Nature and Type
Financial Year-To-Date Ending 30 April 2023**

This report provides commentary on the year to date variances identified in attachment 6002B – Rate Setting Statement by Nature and Type, for the period ended 30 April 2023.

In accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, a local government is required each financial year, to adopt a percentage or value to be used in statements of financial activity for the reporting of material variances. The City's Accounting Policy CP-025, indicates that this will occur each year when adopting the annual budget. When adopting the 2022-2023 Annual Budget, a level of 10% or \$100,000 (whichever is the greater) was adopted for the reporting of material variances for the 2022-2023 financial year. Variances less than 10% or \$100,000 are not considered material and are not detailed in this report.

Variances are based on 'Actual' income raised and expenditure incurred, compared to the Year to Date Revised Budget and are shown in the Year to Date Budget Variance column in the tables below. The main reasons for the variances are outlined in this report.

In the tables below, positive variances are shown in black coloured font, and negative variances are shown in both parentheses and in red coloured font, i.e. (XXX.XX). These tables refer to the applicable nature and type variance.

Operating Revenue

Investment Earnings	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	5,281,009	5,509,627	228,619
<i>A combination of interest rates being raised significantly, and lower than expected expenditure from operating and reserve accounts has contributed to a positive variance in investment earnings.</i>			
<i>Higher Investment earnings on Municipal and Trust Funds.</i>			81,236
<i>Higher Investment earnings on Reserve accounts.</i>			176,616
<i>Lower income from Late Payment and Instalment interest.</i>			(29,233)

Statement of Variances in Excess of \$100,000 by Nature and Type
Financial Year-To-Date Ending 30 April 2023

Operating Revenue (cont.)

Other Revenue	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	2,574,019	1,874,721	(699,298)
<i>Income from recoverable works from Natural Areas and Parks, Resource Recovery and Waste and Engineering service areas in excess of the budget.</i>			192,051
<i>Negative variance on proceeds from asset sales due to timing of asset disposals.</i>			(348,440)
<i>Negative timing variances related to the written down value of assets sold.</i>			(536,710)
<i>The remaining various positive and negative variances amount to a net negative variance.</i>			(6,199)

**Statement of Variances in Excess of \$100,000 by Nature and Type
Financial Year-To-Date Ending 30 April 2023**

Operating Expenditure

Employee Costs	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(47,374,599)	(45,636,133)	1,738,466
<i>Majority of the underspend in employment costs relate to timing of annual leave, personal leave and the pending leave adjustments scheduled for the end of the financial year. An element of the underspend also relates to lower staff levels than budgeted for certain service areas, as identified below.</i>			
<i>Natural Areas and Parks underspends due to vacant positions.</i>			359,022
<i>Neighbourhood Development underspend due to vacant positions in Customer Relations, Community Development – People and Neighbourhood Coordination.</i>			234,525
<i>Chief Executive Officer shows a positive variance due to minor underspends in the South West Group and CEO administrative staff.</i>			194,808
<i>Healthy Melville</i>			198,413
<i>Building and Environmental Health Services underspend due to vacant positions.</i>			193,514
<i>Director Environment and Infrastructure underspend due to actual hours worked by business support staff being lower than the budgeted levels.</i>			170,021
<i>Strategic Urban Planning underspends due to vacant positions.</i>			113,006
<i>Information Management underspend due to vacant positions.</i>			101,901
<i>Statutory Planning underspend due to vacant positions.</i>			100,319
<i>Corporate Services negative variance due largely to costs associated with the resignation of contract staff.</i>			(126,982)
<i>Cultural Development</i>			(134,093)
<i>The remaining various positive and negative variances amount to a net positive variance.</i>			283,465

Statement of Variances in Excess of \$100,000 by Nature and Type
Financial Year-To-Date Ending 30 April 2023

Operating Expenditure (cont.)

Materials and Contracts	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(28,782,984)	(27,745,380)	1,037,604
<i>Resource Recovery and Waste shows underspends of \$336,458 in stores and materials costs, mainly related to the FOGO program, \$325,148 in waste disposal and recyclables processing fees for the City's waste collection program, combined with other minor variances.</i>			786,064
<i>City Buildings show a positive variance relating to timing variances on contractors budgets across the City's various buildings, particularly for the Civic Centre and Operations Centre relating to building maintenance.</i>			353,331
<i>Engineering shows a positive variance made up of minor timing variances across the City's various maintenance programs.</i>			145,028
<i>Neighbourhood Development shows a positive variance made up of minor timing variances across the City's various community programs.</i>			130,331
<i>Information Technology show a negative variance made up of timing variances in licensing costs, partially offset by underspends in contract payments.</i>			(135,199)
<i>Natural Areas and Parks show a negative variance relating to timing variances on contractors budgets across various parks and reserves.</i>			(423,430)
<i>The remaining various positive and negative variances amount to a net positive variance.</i>			181,479

Statement of Variances in Excess of \$100,000 by Nature and Type
Financial Year-To-Date Ending 30 April 2023

Capital Income

Proceeds from Disposal of Assets	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	579,686	231,246	(348,440)
<i>Heavy vehicles shows a negative variance due to delays in the delivery of vehicles on order.</i>			(190,627)
<i>Light vehicles shows a negative variance due to delays in the delivery of vehicles on order.</i>			(117,041)
<i>Negative variance due to timing of various asset disposals.</i>			(40,772)

Capital Expenditure

Purchase of Furniture and Equipment	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(1,259,299)	(1,047,886)	211,413
<i>Underspend on mobile garbage bins due to timing variances.</i>			139,408
<i>The remaining various positive and negative variances amount to a net positive variance.</i>			72,005

Purchase of Plant and Equipment	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(3,448,173)	(2,574,148)	874,025
<i>Positive timing variances on Light Vehicles due to longer than expected lead times on vehicles ordered.</i>			452,374
<i>Positive timing variances on Heavy Plant due to longer than expected lead times on plant ordered.</i>			367,491
<i>The remaining various positive and negative variances amount to a net positive variance.</i>			54,160

Statement of Variances in Excess of \$100,000 by Nature and Type
Financial Year-To-Date Ending 30 April 2023

Capital Expenditure (cont.)

Purchase of Land and Buildings	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(9,585,646)	(9,101,967)	483,679
<i>Sustainable Energy Infrastructure – Piney Lakes Environmental Education Centre – The project scope is currently being reviewed and the commencement date will be determined once this review is completed.</i>			160,000
<i>Pop Up Library project not commenced due to dependency on the demolition of the Civic Square Library.</i>			50,000
<i>The remaining various positive and negative variances amount to a net positive variance.</i>			273,679

Purchase of Infrastructure Assets	YTD Budget \$	YTD Actual \$	YTD Budget Variance \$
	(16,033,399)	(15,507,773)	525,626
<i>Parks, Streetscapes Structures</i>			
<i>Shirley Strickland Reserve Upgrade – Positive variance relating to the reversal of accrued 2021-2022 expenditure amounts for which the City has yet to be invoiced.</i>			254,333
<i>Roads</i>			
<i>Engineering Design work in progress - Roads 22-23 – Positive variance due to delays in the commencement of the project.</i>			150,000
<i>The remaining various positive and negative variances amount to a net positive variance.</i>			121,293

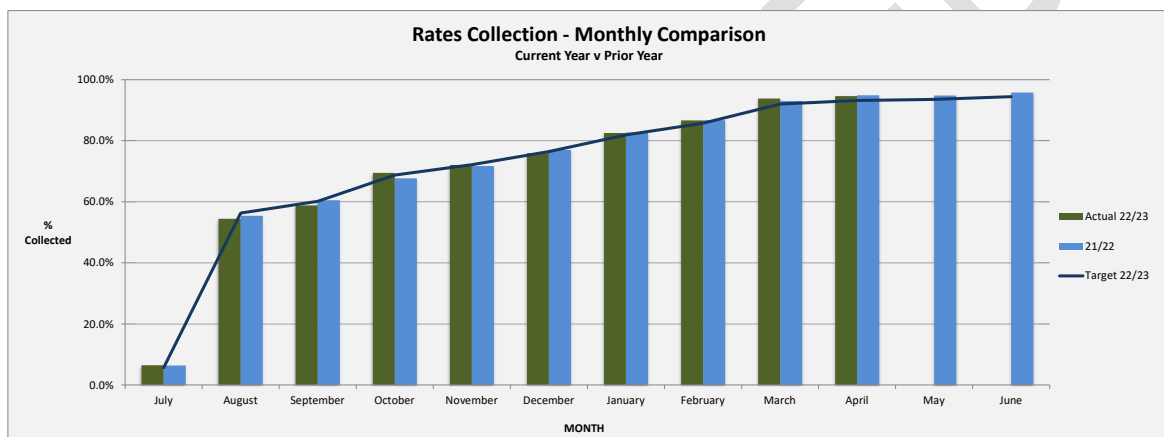
BUDGET AMENDMENTS
FOR THE MONTH OF APRIL 2023

Budget Amendments

						Budget Amendments >\$100,000	Comments
Account Number	Description	Journal Number	Date	Amount Transferred From	Amount Transferred To	Total Amount	
490-85554-1635-000	Jetties and Boardwalks				58,000	\$ 58,000	Increase to budgeted funds used from Infrastructure Asset Management Reserve for the Majestic Close Boardwalk project.
277-28110-7888-000	Infrastructure Asset Management Reserve	B02320	13/04/2023	58,000			
277-28110-7888-000	Infrastructure Asset Management Reserve				282,466	\$ 353,082	Funds returned and quarantined to Infrastructure Asset Management Reserve and New/Upgrade Works Reserve due to delay in commencement of construction works for Blue Gum Reserve Stage 2.
277-28119-7888-000	New/Upgrade Works Reserve	B02327	27/04/2023		70,616		
440-85541-1625-000	Storm Water Drainage			353,082			
277-28136-7888-000	Organisational Environment Sustainability Initiative Reserve				1,500,000	\$ 1,500,000	Funds returned to Organisational Environment Sustainability Initiative Reserve due to delay in commencement of the LED Street Lighting project.
484-22810-7900-000	LED Project	B02329	30/04/2023	1,500,000			
449-21301-7550-000	Point Walter Golf Course Grounds				4,177	\$ 4,177	Budget created to reflect funds received from an insurance claim at Point Walter Golf Course.
449-21301-5991-000	Point Walter Golf Course Grounds	B02330	30/04/2023	4,177			
				1,915,259	1,915,259	1,915,259	

City of Melville
SUMMARY OF DEBTORS
FOR THE PERIOD ENDING : 30 April 2023

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
RATE DEBTORS					
Opening Balance - 1 July	4,024,978	4,024,978	0%	4,940,228	-19%
Rates & Charges Raised	96,963,464	96,935,364	0%	93,062,776	4%
Payments Received	(95,481,401)	(94,685,912)	1%	(91,973,453)	4%
Closing Balance	5,507,041	6,274,430	-12%	6,029,550	-9%
REFUSE DEBTORS					
Opening Balance - 1 July	55,131	55,131	0%	96,130	-43%
Rates & Charges Raised	1,654,209	1,655,320	0%	1,604,369	3%
Payments Received	(1,648,154)	(1,645,847)	0%	(1,628,634)	1%
Closing Balance	61,186	64,603	-5%	71,866	-15%
FESA DEBTORS					
Opening Balance - 1 July	782,850	782,850	0%	1,005,372	-22%
Rates & Charges Raised	18,479,101	18,478,998	0%	17,573,225	5%
Payments Received	(18,214,267)	(18,072,693)	1%	(17,401,162)	5%
Closing Balance	1,047,684	1,189,155	-12%	1,177,435	-11%
UNDERGROUND POWER DEBTORS					
Opening Balance - 1 July	459,503	459,503	0%	293,564	57%
Rates Raised	177,378	177,013	0%	3,345,458	-95%
Payments Received	(303,902)	(283,948)	7%	(2,850,984)	-89%
Closing Balance	332,979	352,568	-6%	788,038	-58%
POOL DEBTORS					
Opening Balance - 1 July	19,059	19,059	0%	20,532	-7%
Rates & Charges Raised	476,754	476,738	0%	482,889	-1%
Payments Received	(475,190)	(473,942)	0%	(479,234)	-1%
Closing Balance	20,622	21,855	-6%	24,187	-15%
SECURITY DEBTORS (SECL)					
Opening Balance - 1 July	111,765	111,765	0%	134,833	-17%
Rates & Charges Raised	2,498,844	2,498,776	0%	2,504,382	0%
Payments Received	(2,492,422)	(2,484,096)	0%	(2,491,336)	0%
Closing Balance	118,186	126,445	-7%	147,879	-20%
INSTALMENT FEE DEBTORS					
Opening Balance - 1 July	280	280	0%	1,203	-77%
Rates & Charges Raised	0	0	0	(197)	-100%
Payments Received	(185)	(185)	0%	(632)	-71%
Closing Balance	95	95	0%	374	-75%



**SUMMARY OF GENERAL DEBTORS (over \$1,000) AGED 90 DAYS OR GREATER
FOR THE MONTH ENDED 30 APRIL 2023**

Debtor Number	Debtor Name	Amount	Comments and subsequent events
Accounts with Debt Collection			
836288	Telstra Corp Ltd	\$1,404	Statement issued 1 March 2023 - re-sent invoices and emailed initial respondent again.
851022	Opal Aged Care - Murdoch	\$17,290	Sent to Recoveries Legal.
861732	Healthcare WA	\$12,062	Legal Action on hold - payment arrangement in place.
Total of Accounts with Debt Collection Agent		\$ 30,756	
Payment arrangements			
832568	Individual	\$22,898	Payment plan of \$200.00 per fortnight.
862342	Perth AFC Futsal Club	\$4,855	Payment plan of \$1,000.00 per month.
863837	Sukura Japan Pty Ltd	\$1,300	Payment plan of \$1,300.00 per month maintained.
864132	Individual	\$11,657	Payment plan of \$130.00 per fortnight maintained since May 2021.
Total on Payment Arrangement		\$ 40,710	
Ordinary Debtors			
505685	Department of Education WA	\$16,178	Statement issued 1 May 2023. Customer emailed.
511782	Capital Community Radio	\$1,980	Statement issued 1 May 2023. Responsible officer to contact customer.
513689	Leeming Primary School	\$1,548	Statement issued 1 May 2023. Customer emailed.
527176	City of Perth	\$6,611	Statement issued 1 May 2023. Multiple phone calls and emails with no response.
803957	Belgravia Health & Leisure Group Pty Ltd	\$13,025	Statement issued 1 May 2023. Customer emailed.
844985	Counter Balance Health	\$1,025	Invoice to be cancelled.
854034	Kwik Logistics	\$5,984	Company in liquidation. Claim submitted June 2022, waiting on settlement.
865188	On Tb Pty Ltd	\$10,327	Enforcement Warrant has been issued.
868927	Technogym Australia Pty Ltd	\$28,105	Statement issued 1 May 2023. Customer emailed.
869073	5 Macrae Pty Ltd	\$38,200	Statement issued 1 May 2023. Responsible officer to contact customer.
Total Ordinary Debtors		\$ 122,983	
Sporting & Community Organisations			
506014	Brentwood Karoonda Sporting Association	\$20,317	Statement issued 1 May 2023. Payment plan made but is in default .
515973	CBC Cricket Club	\$2,000	Statement issued 1 May 2023. Customer emailed.
862151	South Perth Futsal Club	\$4,166	Statement issued 1 May 2023. Customer emailed.
Total Sporting & Community Organisations		\$ 26,482	

Review of Verge Waste Collections



City of Melville
May 2023

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ABN 81 152 433 900



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Verge Waste Service Options

Background

The City provides annually a scheduled collection of three garden organics verge collections between January - September and one bulk waste verge collection between September - December. The garden organics are recycled at the Resource Recovery Group – Canning Vale (RRG) and the bulk waste is pre-sorted to remove recyclable materials before being disposed to landfill by Veolia (previously Suez) Transfer Station in Bibra Lake. Mattresses, e-waste and whitegoods (requires degassing) are collected and recycled by contractors Soft Landing Mattress Recycling prior to bulk collection.

In order to carry out these services, the City utilises:

- two articulated loaders
- three rear loader compaction vehicles
- one utility
- five Waste Collection Drivers and one Team Leader (total six FTE).

For the last two years, an additional 2-3 labour hire staff and 1-2 hire rear loading trucks (pending availability) were required to assist with the completion of the bulk verge collection due to increasing tonnages and to ensure the collections were completed on time.

For the 2021-2022 financial year, the verge collection service had a total operating budget of \$2,346,862 with 3,260 tonnes of garden organics, 2,500 tonnes of bulk waste, 180 tonnes of mattresses and 112 tonnes of whitegoods collected. Over the last five years, the operational expenditure has risen by \$676,000 due to increase in volumes, disposal fees, contractor services and labour hire costs.

There is an opportunity to improve this collection service and align it with a safer best practise verge waste collections by recovering more recyclable materials while reducing waste to landfill, improving the amenity of the City and increasing customer service satisfaction by allowing residents to book a service at a date convenient to them. This can be achieved by transitioning to a pre-booked service for garden organics and bulk waste.

MRA Report

The City of Melville engaged MRA Consulting Group (MRA) to review and investigate alternative servicing options for verge waste in the local government area (LGA). The City is committed to the delivery of best practice waste management to the LGA, with the goal of providing a verge waste service that is convenient, environmentally responsible and cost-efficient.

This report was completed in August 2022 and it provides a Consolidated Cost Model (CCM) options analysis of eight verge service options and details a Multi Criteria Analysis (MCA), including consideration of social, streetscape amenity and governance factors, to compare the options to determine a preferred service option.

Table 1: Eight different service options were investigated – Timeline of 10 years

Option	Quantitative Analysis		Qualitative Analysis			MCA total score (%)	MCA Rank
	Total NPV (\$m)	Recovery Rate (%)	Governance / Policy Alignment	Streetscape Amenity	Social / Community Accessibility		
Criterion weighting	40%	20%	10%	10%	20%	100%	
Option 1: Scheduled (4/yr), compactor truck (BAU)	\$15.61	43%	2	1	4	70%	5
Option 2: Scheduled (4/yr), flatbed truck	\$19.49	54%	2	1	4	69%	8
Option 3: Pre-booked (2/yr), containerised (skip)	\$13.34	42%	3	4	1	70%	5
Option 4: Pre-booked (2/yr), compactor truck	\$10.57	42%	4	4	2	86%	1
Option 5: Pre-booked (2/yr), flatbed truck	\$12.45	54%	4	4	2	84%	3
Option 6: Pre-booked (3/yr), containerised (skip)	\$14.19	42%	3	3	2	70%	5
Option 7: Pre-booked (3/yr), compactor truck	\$11.42	42%	4	3	3	85%	2
Option 8: Pre-booked (3/yr), flatbed truck	\$13.31	54%	4	3	3	84%	3

The highest ranked option of all considered was **Option 4: Pre-booked service (1x bulk waste & 1x garden organics) – compactor truck**

The lowest ranked option was **Option 2: Scheduled collection (1x bulk waste & 3x garden organics) – flatbed truck.**

The higher ranked options provide an overall better balance of quantitative (cost and resource recovery) and qualitative (social, streetscape amenity and governance) factors, given the relative weightings given to each of these factors.

Note – Collection types:

- Option 1 BAU (Business As Usual) refers to the City's current scheduled collection
- Option 2, 5 and 8 refer to flatbed truck collections, which are used in the Eastern States and are used for smaller LGA's as they have a longer collection timeframe
- Option 3 and 6 refer to containerised collections which utilise skip bins.

Note: Net Present Value (NPV) rankings are based across a 10-year period

Recommendations:

- Based on the assessment criteria, weightings, best practice waste management and customer service, recommend that the City transition to the second ranked service, the pre-booked service **Option 7: 1x bulk waste & 2x garden organics compactor truck** from January 2024
- Proposed service to be non-containerised (no skips) with a limited volume of 3m³ for each of the three collections Proposed service to reduce current garden organics collections from three to two per year, rather than the proposed one garden organics collection for highest ranked **Option 4: Pre-booked service (1x bulk waste & 1x garden organics) – compactor truck**
- Provide one final bulk verge collection in September 2023

- Maintain the collection in-house during the implementation period (no collection contractors). This will be beneficial as it provides a more highly controlled but flexible collection by having City staff on the ground to respond to resident requests for call backs, missed collections, education on the new service and some degree of regulating of illegal dumping
- Tender for a contractor to provide the booking and routing system and, as above, perform a comparison with purchasing and managing an in-house booking system
- Develop an implementation plan with extensive education and community engagement to fully engage the community in the change process
- Undertake regular audits of the verge waste collection system to monitor its effectiveness and guide community engagement
- Review service within three years post implementation including the option to tender for a contractor to provide the collection service and perform a financial and social comparison between engaging a contractor or performing the service in-house.

For the City and its residents, the main advantages of moving to a pre-booked verge collection service include:

- The amenity of the streets will be significantly improved as the bulk waste will be on the verge for a short period of time (24-48 hours) before removal
- Verge-side scavenging and the resulting mess and increased complaints from residents will be significantly reduced
- Residents can dispose of bulk waste and garden organics at a time suitable to them, not when it's scheduled by the City
- Illegal dumping can be better identified and controlled
- Reduction in the additional waste dumped by people while they scavenge during bulk waste collections
- Reduction in neighbouring residents illegally dumping during verge collections
- Reduction in the number of non-conforming items being placed out
- Reduction in disposal, labour hire and fleet hire costs
- Positive benefits to tree canopy management with a reduction in over pruning.

Please refer to Appendix A and Appendix B for further detailed advantages and disadvantages.

Option 7: Pre-booked service (3/year) – uncontainerised – compactor truck

Option 7 consists of 1x pre-booked bulk waste collection and 2x pre-booked garden organics collection per year, uncontainerised and collected in a compactor truck.

Residents book via an online portal and have a list of dates to choose from and items allowed to be placed out. There are options to contact the City to assist with booking via telephone.

Multi-Unit Developments (MUD's) will be serviced on an ad-hoc basis and preference is to arrange these collections with the strata/property owners rather than multi bookings from one property.

Participation rates for a pre-booked collections are expected to be reduced by 50%, enabling the collections to run throughout the year.

Current bulk waste participation rate is 70% which is expected to reduce to 34%.

Current garden organics participation rate for 3x collections is 34% which is expected to reduce to 15% across 2 x collections.

The collections will be undertaken on the same day as the kerbside bin collections to make it easier for the residents and the City in managing the pre-booked collection service.

Figures 1 and 2 below compare the current verge collection service and tonnages with proposed collection service and tonnages for the preferred pre-booked system (Option 7)

Figure 1 - Current service Option 1: 1x bulk waste & 3x garden organics - compactor truck participation rate

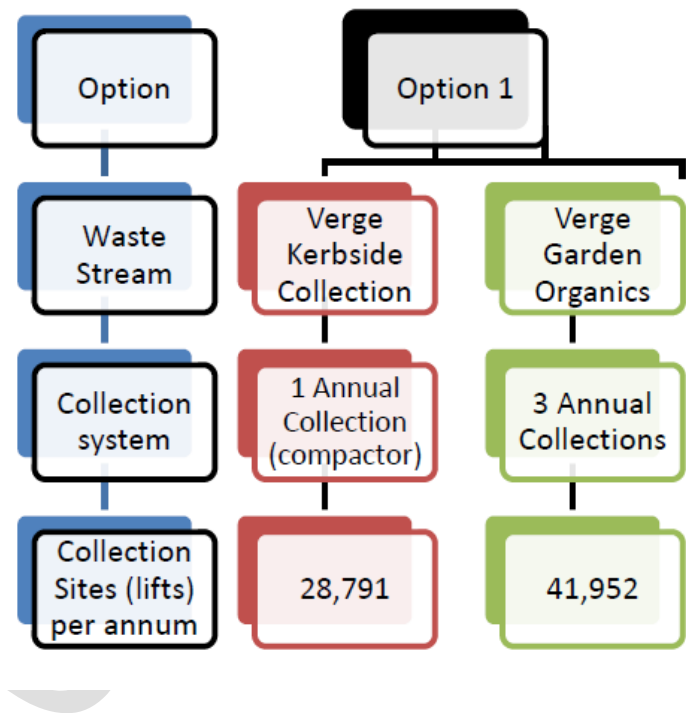
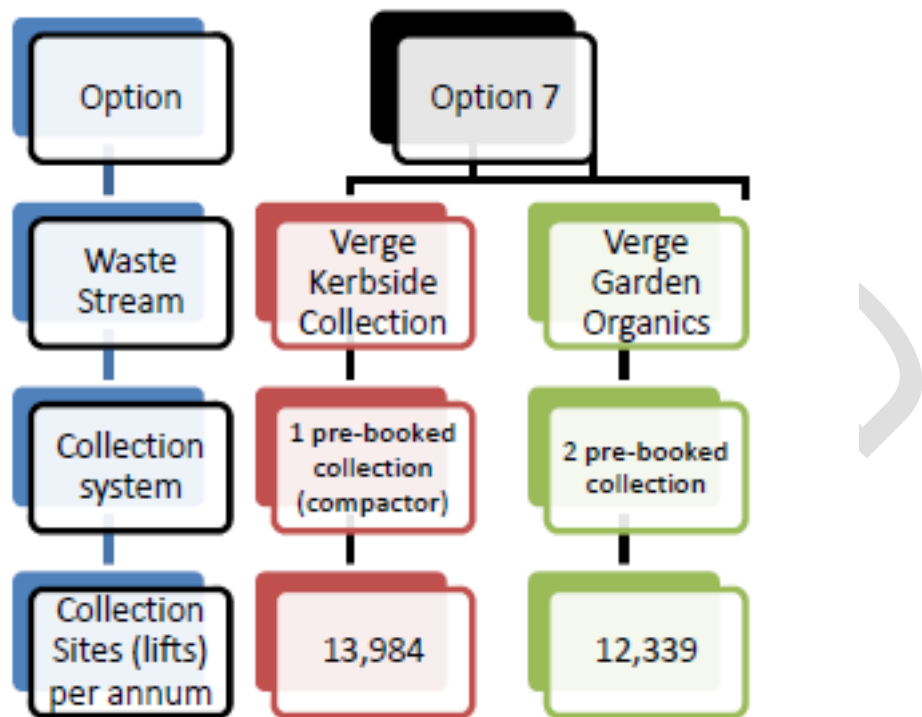


Figure 2 - Proposed Option 7: 1x bulk waste & 2x garden organics - compactor truck participation rate



Risk Management Implications

Community acceptance of proposed changes initially could be challenging, with the number of complaints and queries expected to increase as with any behavioural change and new service. It is important that the City undertakes an extensive and effective community engagement campaign.

As part of this campaign, the City would inform and educate residents on the rationale for change and provide opportunities for resident concerns to be heard and responded to. The City would subsequently continue into the future to promote the service changes and encourage correct waste behaviours.

A pre-booked collection service is becoming more popular and a standard collection service across a growing number of Local Governments. City of Fremantle and Cockburn are in the process of transitioning while the City of Stirling, City of Swan, City of Joondalup and all of the Western Metropolitan Regional Council members all use a pre-booked verge collection service.

Strategic Plans/Policy Implications

A pre-booked collection service aligns with Resource Recovery and Waste Minimisation Policy No. CP-036 to provide guidance and direction to the City for the best practice waste management and the maximisation of resource recovery, whilst also providing a value for money service to our residents.

The recommended pre-booked verge collection service also aligns with State Government's Waste Avoidance and Resource Recovery Strategy 2030 and the establishment of targets for waste diversion from landfill, now termed material recovery targets, of 70% by 2025 and 75% by 2030.

Environmental responsibility

Sustainable resources management including waste, water and energy.
Aligns with the City's Waste Minimisation Policy and State Governments Waste Strategy 2030.

Legal implications

The Waste Avoidance and Resource Recovery Act 2007.
Litter Act 1979.
The Ozone Protection and Synthetic Greenhouse Gas Management Act 1989

Risk Management implications

There is a substantive risk in continuing to deliver the current verge collection service without additional staff and fleet and expanding the collection Areas from 12 to 14 to manage the increase in tonnages and collection timeframes.

There is a risk that the City will not achieve its sustainability and waste reduction initiatives and material recovery targets.

There are currently contractual risks with only one contractor available to collect mattresses, e-waste and whitegoods (require degassing) which has caused a monopoly effect resulting in a significant cost increase to the City.

Financial Implications

Over the last five years, the operational expenditure has risen by \$676,000 due to increase in volumes, disposal, contractor services and labour hire costs.

Currently there is a requirement for a minimum two labour hire staff and hire trucks to be used to assist during the scheduled bulk waste collection to ensure the collection is completed on time. Pre-booked collection will not require labour hire or the hire trucks for completion of collections which will result in a cost saving to the City.

There is expected to be an initial increase in Customer Relations Team enquiries and workloads for the Resource Recovery & Waste Business Support Officer.

Breakdown of costs for contractor, labour hire and bulk waste disposal costs from the 2017 to 2022 associated with verge collections are shown in Figures 3,4 and 5 respectively below.

Figure 3 - Current trends and forecast for contractor costs for scheduled collections 2017-2022

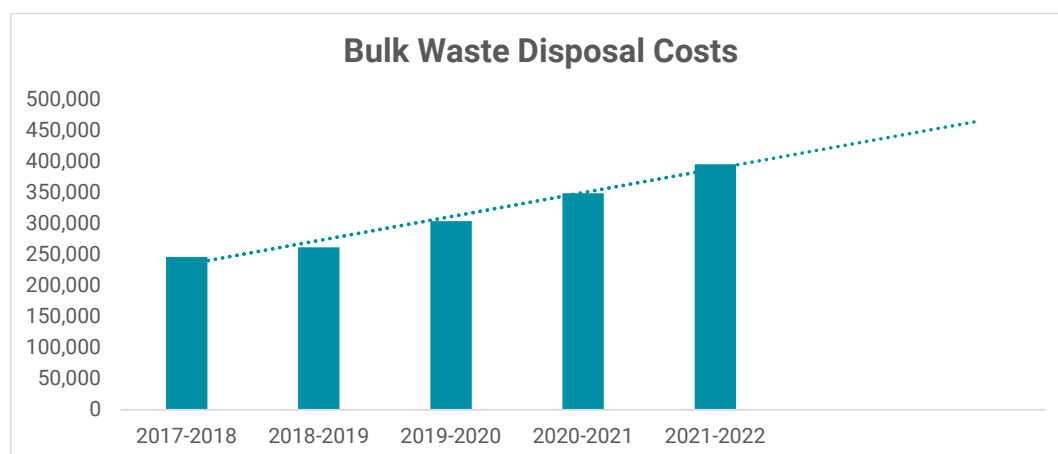


Figure 4 - Current trends and forecast for labour hire costs for scheduled collections 2017-2022



Note: During the 2017-2018 bulk verge collection, whitegoods were collected using City and labour hire staff. This method of collection was ceased due to increasing costs and OSH risks.

Figure 5 - Current trends and forecast for disposal costs for scheduled collections 2017-2022:



Waste stream quantities 2017 to 2022

Based on a study conducted by Zero Waste South Australia, for a pre-booked service it is assumed that the tonnes generated per household will multiply by 2.5 while the participation rate will reduce by approximately 50% based on other Local Government's operating a pre-booked service. It is assumed that the overall tonnes of garden organics collected will remain the same when providing 1 or 2 pre-booked garden organics collection services.

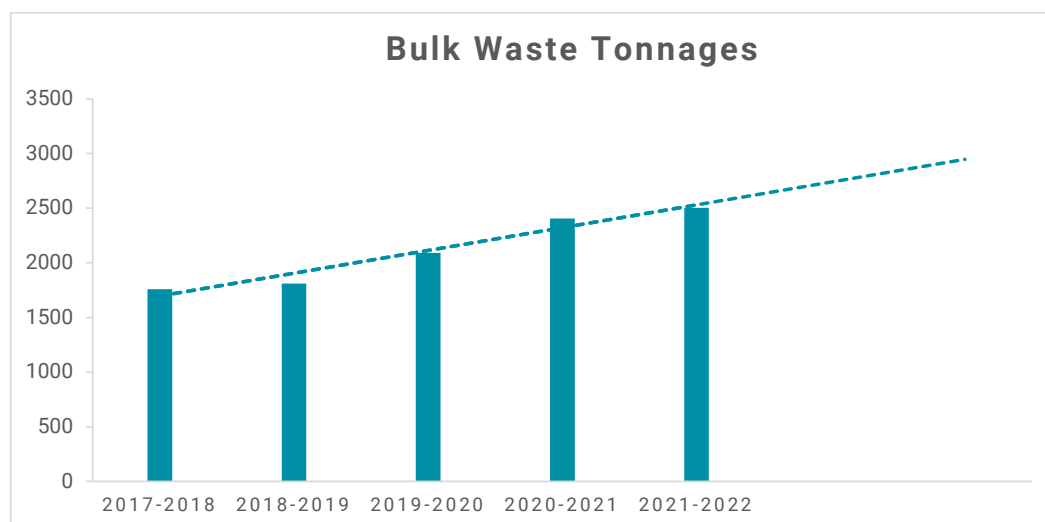
The participation rates for the City's current verge service and garden organics service are 70% and 34% respectively. The Zero Waste SA study reported that despite the increase in tonnes per household, the overall yield remained relatively similar as the number of households participating decreased for the pre-booked service.

A participation rate of 34% for the pre-booked verge waste service and 15% for the pre-booked verge garden organics service has been used based on a similar pre-booked service provided by the Town of Mosman Park.

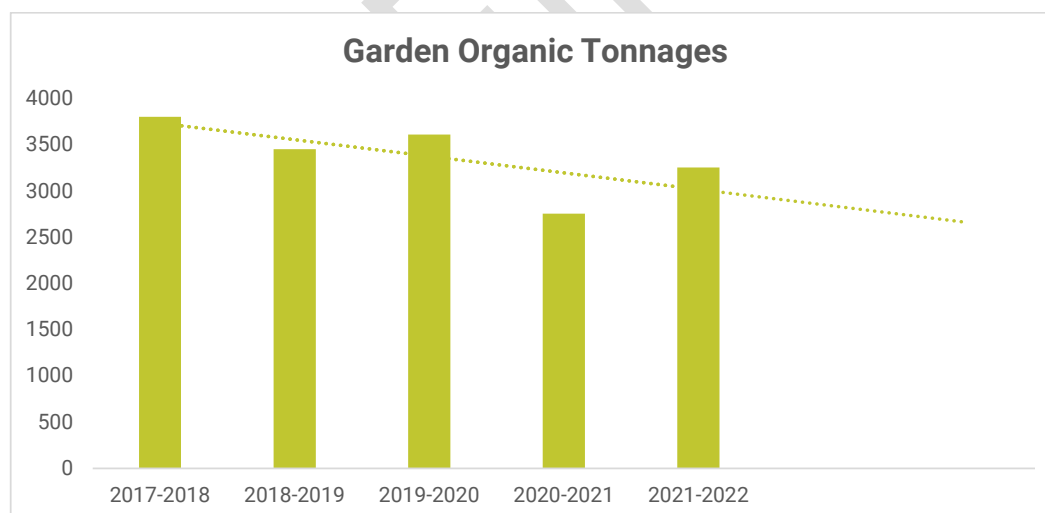
Since the introduction of the FOGO 3-Bin system, residents can recycle their garden organics via FOGO and we have since seen a decrease of 500 tonnes per year in garden organics verge collection tonnages. This justifies a reduction from three collections to two collection per year.

There has been a significant increase in the bulk waste tonnages and recyclable items under the current schedule bulk verge collection service Figures 6 and 7 below highlight the tonnage trends for both bulk waste and garden organic verge collections over the last five years.

Figure 6 - Current trends and forecast for bulk waste tonnages from scheduled collections 2017-2022:



Figures 6: Current trends and forecast for garden organics tonnages from scheduled collections 2017-2022:



Comparison Between Local Governments

Product	City of Melville	City of Stirling	City of Swan	City of Vincent
Bulk waste	1 scheduled collection annually (3m ³) but unable to be enforced	1x3m ³ skip bin pre-booked annually (additional service \$75)	1 collection 3m ³ pre-booked annually (additional service \$50)	Verge Valet – one pre booked service per year 3m ³ . Extra service: Bulk waste: \$190.00 Mattress: \$80.00
Electronic waste	Collection is included in bulk waste collection	1 pre-booked service per year – max of 6 items	Collection is included in bulk waste annually	Collection is included in bulk waste collection
White Goods	Collection is included in bulk waste collection	1 pre- booked service per year- max of 4 items	Collection is included in bulk waste annually	Collection is included in bulk waste collection
Mattresses	Collection is included in bulk waste collection	1 pre-booked service per year- max of 6 items (mattress+ base=2)	3 (max) mattresses collected annually – not bases 3m ³ max	Collection is included in bulk waste collection
Garden organics	3 collections annually 3m ³ on the verge	1 scheduled collection per year every 9 months. No limit on volume, on the verge	1 collection pre-booked annually (additional service \$20)	Collection is included in bulk waste collection

Conclusion

The City has identified that introducing changes to its current verge waste collection system has the potential to significantly improve the overall balance of social, environmental, amenity and financial outcomes by switching to a pre-booked verge collection system.

The new pre-booked verge waste collection process seeks to improve the amenity of the City and customer satisfaction in an efficient and robust manner. Improved customer satisfaction will be driven by the convenience of pre-booked collection services and the cessation of bulk waste placed for extended periods, illegal dumping and scavenging across the City. There is also an expectation for a reduction in the pruning of private property tree canopies, as licenced and unlicensed tree pruners will no longer be able to undertake bulk promotions in areas scheduled garden organics collection.

Advantages

Scheduled rear loader (existing)	Pre-booked Skip bin	Option 7: Pre-booked collection
Social Advantages		
Residents only need to check their street/suburb to know when a collection is occurring	Residents can book collections at a time suitable to them	Residents can book collections at a time suitable to them
Less illegal dumping as each area is serviced at the same time each year	Increased awareness of waste minimisation and options for correct disposal/recycling of items	Increased awareness of waste minimisation and options for correct disposal/recycling of items. Less unlicensed or quick cash tree pruners moving ahead of collection vehicles
12 months advanced warning for collections	Service available year-round and at a time that suits our residents	Service available year-round and at a time that suits our residents
Nil: Increasing participation and tonnages	Lower participation rate and lower volumes presented	Lower participation rate and lower garden organic volumes presented since introduction of FOGO
Nil: Increase collection Areas from 12 to 14 to accommodate increase in tonnage, collection times and to collect outside of Christmas period	Ability to block out collections over Christmas period	Ability to block out collections over Christmas period
Environmental Advantages		
Some recovery of recyclables (e-waste, white goods, mattresses) Nil: Increase in canopy removal from private property	Some recovery of recyclables but additional truck is required to collect them	Recovery rates to increase in comparison to the existing service due to improved source separated opportunities. Reduction in tree canopy pruning and more seasonal pruning options
Nil: Volumes require increased management. Additional staff required	Volumes of waste managed as enclosed receptacle	Smaller volumes on the verge, easier to manage



Nil: Waste placed out too early increases non-conforming items and illegal dumping	Less than scheduled collection for non-conforming items being placed out for collection and increased awareness of correct disposal of these items	Less non-conforming items being placed out for collection and increased awareness of correct disposal of these items
Streetscape Amenity Advantages		
Nil: Scavenging from waste piles	Less street scavenging as unscheduled collection	Less street scavenging and unlicensed or quick cash tree pruners as pre-booked collection
Nil: Material placed out too early and for long periods resulting in litter and dumping	Minimal visual waste noticeable and less potential for manual handling issues	Service available year-round and at a time that suits our residents
Existing service suits some residents however they do complain about the mess and look of verges	Expected higher recovery rates as due to source separation requirements	Waste will be on verge for significantly shorter periods (24-48 hours)
Nil: Increase collection Areas from 12 to 14 to accommodate increase in tonnage, collection times and to collect outside of Christmas period	Options to block out collections over Christmas period	Options to block out collections over Christmas period
Nil: Current volumes are an uncontrolled issue	Participation rates easy to control once regulated	Participation rates easy to control once regulated
Governance/Policy Alignment Advantages		
Nil: Not best practice waste minimisation or resource recovery	Best practice waste management by reducing landfill and increasing resource recovery	Better practice waste management by reducing landfill and increasing resource recovery
Nil: Not best practice waste minimisation or resource recovery	Aligns with Resource Recovery and Waste Minimisation Policy No. CP-036 however not as effectively as a non-containerised option	Aligns with Resource Recovery and Waste Minimisation Policy No. CP-036



Financial Advantages		
Minimal capital requirements now as the existing equipment will be utilised. Nil: Additional trucks and staff required next three years	Nil: High capital cost for internal collection or high contractual cost	Minimal capital requirements as the existing equipment will be utilised
Utilising internal CoM staff will reduce call back costs	Nil: High contractual cost	Requirement for an additional staff member. Labour hire staff will no longer be required for bulk waste collection
Nil: Costs are increasing	Nil: High contractual cost	Reduced cost of service due to reduced number of services, no labour hire or hire trucks

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Disadvantages

Scheduled rear loader (existing)	Pre-booked Skip bin	Option 7: Pre-booked rear loader
Social Disadvantages		
Material placed out too early and for long periods resulting in litter and illegal dumping	Amount of waste restricted/less. Reduction of services provided; some complaints expected	Verge presentation of waste materials, not skip bins. Reduction of services provided; some complaints expected
Compliance issues difficult to manage and will require additional resources	Changing an established service to a new service can be challenging	Changing an established service to a new service can be challenging. Reputational damage to Council due to a reduced number of services
Community safety at risk due to scavenging as large volumes of waste presented on verge at the same time	Limits reuse and recycling of waste items presented, unless the scavengers get into the skips	Limits reuse and recycling of waste items presented
Increase collection Areas from 12 to 14 to accommodate increase in tonnages and collection times	Residents to be trained and encouraged to book online rather than call	Residents to be trained and encouraged to book online rather than call
Collections occur 52 weeks of the year and over the Christmas & holiday period	Neighbours often fill skips that haven't been ordered by them and often cause illegal dumping	Verge waste being placed out when not booked (monkey see monkey do)
Environmental Disadvantages		
Continue to offer cheap and easy waste service, will not inspire residents to reduce waste volumes	Limits reuse and recycling of waste items presented	Limits reuse and recycling of waste items presented. Promotes excessive pruning of trees
Non-conforming items placed out are reported as illegal dumping, CoM collects	Non-conforming materials can be hidden in the skip	Controlling volumes and incorrect placement is slightly more difficult than skip bins however booking sheet can contain specific instructions. Incorrect placement (water meters, electrical domes etc)



Promotes over pruning of tree canopies	Excess waste placed around the skip not collected	Nil: booking system will contain specific instructions on placement of waste. Photos can be taken before and after collection
Streetscape Amenity Disadvantages		
Collections run late and more material is placed out and increased chance of it becoming a litter issue	Larger items placed in or overflowing skips will not be collected	Nil: booking system will contain specific instructions on placement of waste. Photos can be taken before and after collection
Issues with windblown materials	Limited verge space at some properties to accommodate a skip bin	Less than scheduled collection's reduction in windblown materials but still a risk
Non-conforming items and mattresses being left out post collection	Skips will be present on verges year-round	Verge waste will be present on verges year-round
Property damage from incorrect placement of verge waste	Increased chance of property damage when delivering & collecting skips	Nil: booking system will contain specific instructions on placement of waste. Photos can be taken before and after collection
Governance/Policy Alignment Disadvantages		
Not best practice waste management by reducing landfill and increasing resource recovery	Not best practice waste management by reducing landfill and increasing resource recovery	Nil
Financial Disadvantages		
High cost of operation due to requirement for contractors, labour hire staff and hire trucks	Large increase in operational and capital costs, also excludes waste disposal costs	Requirement for an additional staff member Nil: Labour hire staff will no longer be required for bulk waste collection
N/A	Funding required to purchase software to schedule and book services	Funding required to purchase software to schedule and book services



Costly and increasing for contractor collection for whitegoods and mattresses	Separate contractor collection must be provided for white goods, e-waste, mattresses to increase resource recovery	Nil: City staff collecting white goods, e-waste, mattresses will increase resource recovery and reduce costs
Garden organics collection is overserviced and we depend on contractors to collect mattresses and white goods (requiring degassing)	CoM internal collection would be huge capital investment for the City, contractors may have some stock available	Nil: Collection will be cheaper and more customer focused
CoM staff return to properties to collect non-conforming/illegally dumped items	Additional cost for skips that are refilled after being emptied (5% p/y)	Nil: Utilising City staff will reduce non-conforming items and call backs

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Action Plan for the Melville Bird Sanctuary

December 2022

Priorities	Who - Lead	Who else	Horizon 1 (12 Months)	Horizon 2 (1-2 years)	Horizon 3 (3-5 years)
1. Identify governance arrangements - as part of the Foreshore Masterplan Management Agreement	City of Melville	DBCA	Develop an MOU or Joint Management Agreement between DBCA and CoM.		
	City of Melville	All involved in MBS	Develop schedule and host Joint MBS Steering Committee meetings	Establish and set out guidelines for MBS Steering Committee	
	FMBS	SERAG	Determine preferred governance arrangements to support MBS objectives		
2. Education and positive messaging – what is MBS and why it's important	SERAG		Continue bird counts, library displays, Facebook and newsletter	Continue bird counts, library displays, Facebook and newsletter	Continue bird counts, library displays, Facebook and newsletter
	City of Melville	FMBS	Assist in developing education and promotion/marketing plan (action plan)	Undertake complementary education and promotional activities Installation of signage, community education.	Undertake complementary education and promotional activities
	FMBS		Prepare Facebook page, Distribute Newsletters Conduct community bird walks/tours Prepare education flyer drops	Investigate corporate sponsorship and philanthropic contributions to support MBS	Prepare articles to raise public awareness and secure corporate sponsors
	City of Melville	FMBS	Prepare media release following adoption of MBS Establish dedicated web page for MBS	Promote and support MBS in achieving its objectives	

Priorities	Who - Lead	Who else	Horizon 1 (12 Months)	Horizon 2 (1-2 years)	Horizon 3 (3-5 years)
3. Dedicated manager/executive for the MBS	City of Melville	DBCA	Work with FMBS, SERAG and DBCA to determine resource requirements for bird sanctuary	Identify key staff to be the City's point of contact for the bird sanctuary	Consider ongoing resource requirements and responsibilities
4. Baseline study of birds (starting with pulling together all currently available information)	City of Melville		Provide available birds information held by the City to FMBS Extract existing information from eBird database and work out what the birds require to thrive.		
	FMBS	SERAG BEAG		Identify Citizen Science Projects	
	FMBS	SERAG BEAG		Identify University Research Projects	
5. Adding sanctuary zones (mudflats and samphires) to the Swan Estuary Marine Park (SEMP)	SERAG FMBS		Advocate for sanctuary zones to protect mudflats in the SEMP		
	DBCA	City of Melville FMBS SERAG		Reach agreement on sanctuary zones where this fits with the priorities of the respective stakeholders and conservation outcomes	Control activities consistent with conservation requirements
6. Pursue State and Australian government grants	City of Melville	SERAG BEAG FMBS	Support FMBS, SERAG, FoAF and BEAG to apply for grants		
	SERAG, BEAG	FMBS		Identify potential funding sources. Lobby State and Federal Ministers Apply for funding.	

Priorities	Who - Lead	Who else	Horizon 1 12 (Months)	Horizon 2 (1-2 years)	Horizon 3 (3-5 years)
7. 'Fit for purpose' governance in place (to enable investment)	As above in Point 1				
8. Prioritise threats (to birds)	City of Melville	MBS Steering Group FoAF	Work with DBCA and other key stakeholders to address threats	Identify projects for researchers/students.	Ongoing
9. Bird usage and location, areas mapped, quantify the holding capacity, identify risks.	City of Melville		Support DBCA, FMBS, SERAG and BEAG in information gathering to better understand carrying capacity		
	SERAG	FMBS	Continue bird counts Other	Identify research projects for students.	Ongoing

Notes:

1. Priority 7 to combine with Priority 1 related to governance
2. Priorities 8 and 9 to be combined with Priority 4 related to bird investigation and research
3. DBCA – Department of Biodiversity Conservation and Attractions
4. SEMP – Swan Estuary Marine Park
5. MBS – Melville Bird Sanctuary
6. FMBS – Friends of Melville Bird Sanctuary
7. SERAG – Swan Estuary Reserves Action Group
8. BEAG – Bicton Environmental Action Group
9. FoAF – Friends of Attadale Foreshore



Presented to	Ordinary Meeting of Council – 20 June 2023
Related to Item	E23/9 Melville Bird Sanctuary Boundaries
Submitted by	Cr J Edinger
Attachments	Nil.

Amendment

- 1. That Council supports the establishment of the Melville Bird Sanctuary based on both Stage 1 and Stage 2 boundaries, excluding Quarantine Park, with the primary purpose of managing the land for biodiversity protection, enhancement and conservation.**

Objective, Benefit and Potential Risks to be considered

Objective

- To recognize, via a single motion, the entire Melville Bird Sanctuary
- To enable forward planning to be undertaken for Melville Bird Sanctuary as a whole

Benefit

- Removal of Quarantine Park from Stage 2 area due to this being a designated off-leash park.
- Facilitates planning and management for Melville Bird Sanctuary as a whole.
- Removes the administrative burden and costs in relation to an additional community consultation process and governance requirements relating to a second motion for Stage 2 of the bird sanctuary.

Potential Risks

- Community disappointment due to lack of consultation

Reasons for the Motion

Extensive community and stakeholder consultation was undertake in relation to Stage 1. It is highly unlikely that community consultation will result in any changes to the proposed boundary for Stage 2. DBCA has provided their support for the proposal, which includes the Stage 2 boundary.

Support for Stage 1 and 2 boundaries will enable management of Melville Bird Sanctuary as a whole to be progressed, and will ensure the management of the MBS occurs on a holistic, rather than ad hoc, basis.

Removal of Quarantine Park will ensure there is no threat to bird life from off-leash dogs in any part of the MBS.



Mark Scarfone

From: Dale Sanderson <Dale.Sanderson@dph.wa.gov.au>
Sent: Thursday, 27 April 2023 4:24 PM
To: Mark Scarfone
Cc: Carolyn Vyner; Delia Neglie; Carmel van Ruth; Isla Finlay; Gavin Ponton; Melinda Payne
Subject: FW: Local Planning Policy 1.2 - Design Review Panel

Hi Mark

I refer to your email of 13 March 2023 where you requested the Western Australian Planning Commission's (WAPC) consideration and comment regarding the proposed amendments to the City of Melville's (the City) Local Planning Policy 1.2: Design Review Panel (LPP 1.2) which were approved by the Council in December 2022.

As you have noted Clause 4(1)(b), Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Deemed Provisions) states that if a LPP is inconsistent with any State planning policy the City is to give notice of the proposed policy to the WAPC. It is acknowledged that this inconsistency arises from the Council's decision to amend the membership of the City's Design Review Panel (DRP) to include one community representative.

One of the objectives of State Planning Policy 7.0 Design of the Built Environment (the SPP) is to have a coordinated strategy of design quality mechanisms to achieve design outcomes that meet government and community expectations. One of the measures to achieve this objective is design review undertaken by skilled evaluation experts.

In this respect, the WAPC's Design Review Guide (DRG) offers guidance on the establishment of DRPs including membership, required expertise and Chair and Panel Member role descriptions and responsibilities. The DRG offers a best-practice model which has been prepared to assist local governments in meeting the requirement for design review outlined in the SPP. The DRG outlines that one of the principles of effective design review, amongst other things, is an independent and impartial evaluation process through which a panel of suitably trained experts on the built environment assesses the design of a proposal.

The proposed approach to modify the membership composition of the City's DRP represents a departure from the DRG. This is not recommended as the appointment of members without the required built environment expertise or appropriate qualifications presents several risks to the City's design review process. These include:

- erosion in the quality and relevance of design review advice from the City's DRP.
- reduction in the value and efficacy of the City's design review process and overall impact of DRP advice in improving design outcomes, due to a reduced capacity to:
 - positively influence design proposals as they are developed,
 - constructively inform planning evaluations, and
 - provide high quality information for decision makers.
- Not meeting the widely understood establishment and operational requirements of a DRP, as outlined in the DRG.

It is also proposed to amend LPP 1.2 to include that it is preferred that panel members are residents of the City. The DRG states that while local knowledge is useful, a balance between local and subject expertise from outside the local government area should be sought to optimise the range and calibre of the expertise available. It is recommended that the proposed local resident preference is not included in LPP 1.2.

I also note that residents of a particular local government area are more likely to have conflicts of interest (proximity and impartiality) that will require additional management by the administration.

Community input is an important part of the planning decision making process, and is facilitated through public advertising of development proposals. The community also has the opportunity to make representation to their local councillors, who are involved in the decision making process. However, the appointment of members, who do not have relevant expert technical knowledge, to a technical panel will not result in better planning outcome and may ultimately undermine the credibility of advice from the design review panel.

In light of the above, the Department strongly recommends that the City does not proceed with the proposed amendments to LPP 1.2 relating to membership composition of the DRP.

As always, the Department is available to discuss this matter further if required.

Regards
Dale

Dale Sanderson

Planning Director | Land Use Planning

Department of Planning, Lands and Heritage

140 William Street, Perth WA 6000

wa.gov.au/dplh | 6551 9787



The Department acknowledges the Aboriginal people of Western Australia as the traditional custodians of this land, and we pay our respects to their Elders, past and present.

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From: Mark Scarfone <Mark.Scarfone@melville.wa.gov.au>

Sent: Monday, 13 March 2023 11:50 AM

To: info <info@dplh.wa.gov.au>

Cc: Carmel van Ruth <Carmel.VanRuth@dplh.wa.gov.au>

Subject: Local Planning Policy 1.2 - Design Review Panel

Hello DPLH,

At the December 2022, Ordinary Council Meeting, Council considered proposed changes to Local Planning Policy 1.2 Design Review Panels (LPP1.2). The Officers recommendation was not supported and instead Council resolved to require the re-drafting of draft LPP to incorporate several additional requirements including for the DRP to include membership of non-specialist professionals, including a community representative and an academic, with a preference for both to be residents of the City.

At the [February Ordinary Council Meeting](#), Elected Members resolved to endorse changes to Local Planning Policy 1.2 - Design Review Panel (LPP1.2) for advertising. The advertising process is due to commence later this month.

It is noted the amendments required by the Council are inconsistent with the provisions of State Planning Policy 7.0 Design of the Built Environment and the State Design Review Guide which outlines the function and composition of DRP's. Given this inconsistency, LPP1.2 is being referred to the Western Australian Planning Commission for its consideration and comment in accordance with Clause 4, Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.

Your comment on this by the end of April would be appreciated.

Thanks,

Mark Scarfone

Planning Services Coordinator

Mark.Scarfone@melville.wa.gov.au

Phone: (08) 9364 0720

www.melvillecity.com.au

City of Melville, 10 Almondbury Road, Booragoon, Western Australia 6154



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

City of Melville nagolik Bibbulmen Nyungar ally-maga milgebar gardukung naga boordjar-il narnga allidja yugow yeye wer ali kaanya Whadjack Nyungar wer netingar quadja wer burdik.



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Design Review Panel

Policy Type: Local Planning Policy Policy Owner: Director Urban -Planning	Policy No. LPP1.2 Last Review Date: 17 September 2019
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Policy Objectives

To ensure the administration of the City of Melville Design Review Panel (DRP) is consistent with the process outlined by the State Government Design Review Guide - Guidance for local governments (the Design Review Guide) to set up and operate design review processes

To augment the provisions of the Design Review Guide where required.

Policy Scope

The Design Review Panel is to:

- Provide comments and advice ~~to the Council and City officers, as required,~~ on architecture ~~real~~ landscape architecture, environmental sustainability and urban design elements of certain development proposals.
- Advise on any other matters relating to architecture urban design, amenity, landscape architecture and environmental sustainability as required ~~by the Council.~~
- ~~This policy does not apply to the Canning Bridge Design Review Panel~~

This policy applies to the role and function of the City of Melville Design Review Panel ~~only~~ and the Canning Bridge Design Review Panel for sites within the City of Melville.

Policy Statement

1 Status of the Design Review Panel:

- 1.1 Panel members either collectively or individually are not authorised to speak on behalf of the City or provide comment to the media in respect of any item under consideration.

2 Membership:

- 2.1 The Panel ~~will is to~~ comprise a maximum of up to ten six design professionals, appointed by the Chief Executive Officer to fulfill the requirements outlined in this Policy.

The design review panel will be appointed as per the recommendations contained within Clause ~~on~~ 5.6 of the Design Review Guide.

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Please refer to the City of Melville website (Public) or BMS (Internal) for the latest version.



- 2.2 The term of appointment of a Panel Member will be for a maximum of two years. Appointment for additional terms may be approved by the Chief Executive Officer.

- 2.3 The Chief Executive Officer may terminate the appointment of a Panel member prior to expiry of their term if it is considered that the member is not providing a positive contribution to the intended function of the Panel or if the member has not demonstrated a satisfactory level of attendance at Panel meetings.

2.32.4 Where a project requires specific design expertise which is not available on the nominated panel or where conflicts of interest prevent the City from achieving a quorum of panel members in respect of a specific matter, the City reserves the right to appoint a member from the State Design Review Panel for the duration of that project.

2.42.5 In appointing the Panel, the City will seek to ensure one of the professional members is a City of Melville resident or ratepayer to provide local input into designs.

3 Referral Requirements:

- 3.1 Development applications for Major Development as defined by Local Planning Policy 1.1 Planning Process and Decision Making will be referred to the DRP.
- 3.2 Non-major development may be referred to the DRP for review at the discretion of the ~~City delegated officer~~ taking into account the indicative threshold table contained under Clause 7 of the Design Review Guideline.
- 3.3 Structure plans, activity centre plans, planning strategies, local planning policies, local development plans, precinct plans, design guidelines or amendments to the City's Local Planning Scheme No. 6 or any other matter relating to design of buildings and places may be referred to the DRP. ~~–~~
- ~~3.4 The DRP will examine design elements of development applications and other planning proposals having regard to the statutory environment of the particular proposal including the provisions of the City's Local Planning Scheme No. 6, the Residential Design Codes and relevant Local and State Planning Policies.~~

4 Operations:

- 4.1 DRP meetings will generally follow the meeting procedures, roles and responsibilities recommended in Clauses 5.10, and Clause 6, and the Model Terms of Reference of the Design Review Guide unless otherwise modified in this policy.
- 4.2 A DRP meeting cannot proceed unless a quorum comprising a minimum of three panel members is in attendance.
- 4.3 Notes of the DRP meeting should be maintained and reported in accordance with Clause 6.6 of the Design Review Guide.



- 4.4 The DRP will examine design elements of development applications and other planning proposals having regard to the statutory environment of the particular proposal including the provisions of the City's Local Planning Scheme No. 6, the Residential Design Codes, adopted Structure Plans and relevant Local and State Planning Policies.

5 Code of Conduct:

- 5.1 Each member of the Panel is required to observe the City of Melville Code of Conduct.

6 Conflict of Interest:

- 6.1 Where a member of the DRP has a financial interest (as defined by the *Local Government Act 1995*) in a matter to be considered by the DRP, the member must disclose the interest to the convener of the meeting (in writing) and must not participate in or be present during any discussion on the matter.

- 6.2 Where a member of the DRP has an impartiality interest in a matter to be considered by the DRP (an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest arising from kinship, friendship or membership of an association), the member must disclose the nature of the interest to the convener of the meeting, prior to any discussion on the matter.

7 Confidentiality:

- 7.1 Proceedings of a meeting of the DRP and details of any proposal before the DRP are to remain confidential unless such details are disclosed in an authorised manner by a City officer to the applicable applicant or presented in a report which is available to the public.

8 Financial:

- 8.1 As per Clause 5.7 of the Design Review Guide a sitting fee is payable to each member of the DRP for attendance at the meeting. The sitting fee will be reviewed annually.



References that may be applicable to this Policy

Legislative Requirements:	Planning and Development Act 2005 Planning and Development (Local Planning Schemes) Regulations 2015
Procedure, Process Maps, Work Instructions:	Planning Application Directorate Procedure
Other Plans, Frameworks, Documents Applicable to Policy:	Local Planning Scheme No. 6 State Planning Policy 7.0 Design of the Built Environment State Planning Policy 7.3 Residential Design Codes Volume 1 State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments Design Review Guide - Guidance for local governments to set up and operate design review processes
Delegated Authority No:	DA-020: Planning and Related Matters

ORIGIN/AUTHORITY

Development and Neighbourhood Amenity Committee

11/03/03

Item No.

P03/1001

Reviews

Ordinary Meeting of Council
Ordinary Meeting of Council
Ordinary Meeting of Council
Ordinary Meeting of Council

20/09/2011
15/04/2014
20/09/2016
17/09/2019

P11/3246
P14/3485
P16/3718
P19/3809

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Please refer to the City of Melville website (Public) or BMS (Internal) for the latest version.

**CITY OF MELVILLE, WESTERN AUSTRALIA
LOCAL HERITAGE SURVEY**

PLACE RECORD FORM

PLACE REFERENCE NO: inHerit P25100

NAME: Baden Powell Reserve

OTHER NAMES:

PIN NO. (Landgate): 1431653

LAND DESCRIPTION: Lot 393
Plan 5059



LOCATION: 41a McCallum Crescent, Ardross

CONSTRUCTION DATE: 1953; 1958. 1960

PLACE TYPE: Social / Recreational: Community Facilities

USE: **Original Use:** Social / Recreational: Other Community Hall / Centre
Current Use: Social / Recreational: Other Community Hall / Centre

HERITAGE LISTINGS: None

ARCHITECT: Hope & Klem, planners and surveyors

BUILDER: N/A

ARCHITECTURAL STYLE: N/A

CONDITION: Good

PHYSICAL DESCRIPTION:

Baden Powell Reserve is an internal reserve-community space at the rear of residential lots with no street frontage, encompassing an area of approximately 4,797 square metres.

The lot includes two narrow access laneways that extend from Collier Street and McCallum Crescent in the western and eastern corners of the block.

Within the lot are several buildings that provide space for group activities and storage. The buildings are constructed from a range of materials including brick, timber and corrugated iron and metal panels. They are of a utilitarian form and detail.

The earliest buildings on the site, the shed closest to the western boundary, and the hall aligning with the south east boundary are of simple design and construction consistent with the late 1950s.

A campfire with a circle of benches is located at the centre of the site and the remainder of the lot is characterised by mature trees and grass. The trees and shrubs are native species that attract birdlife to the area.

HISTORICAL NOTES:

Development of this area of the City of Melville remained slow until the late 1920s, when more efficient public transport (buses and ferries) became established, and riverside properties became popular for weekend and holiday homes.

This subdivision was formally approved in 1928 and created the block of land bound by the then Canning Road (now Canning Highway), Willcock Street, McCallum Crescent and Collier Street. Lot 323, the future Baden Powell Reserve formed a central reserve area in the middle, accessible from Willcock Street, McCallum Crescent and Collier Street.

The subdivision was surveyed by Percy George Samuel Hope who was one half of the well-established planning firm Hope & Klem. Hope & Klem were significant in the development of town planning in Western Australia and particularly influential in the creation of urban plans on Garden City principles. Percy Hope also played important roles in the Scouting Movement in WA as Chief Commissioner, Scout Branch Honorary Surveyor and Branch Trustee.¹

The Garden City, or Garden Suburb Movement was a 20th century urban planning movement promoting satellite communities surrounding the central city and separated with greenbelts. These Garden Cities would contain proportionate areas of residences, industry, and agriculture. The intention was to capture the primary benefits of the countryside and the city while avoiding the disadvantages presented by both.² In Western Australia, the movement found particular expression in the new suburbs of Floreat and City Beach where the road layout followed the contours of the land, and the provision of parks was a priority.

The original subdivision plan for this area of Attadale follows aspects of the Garden City principles including the curved road layout following the contours of the land and the provision of this park, originally designated as a children's playground.³

Lot 323 was freehold land owned by the Melville Road Board and its successor organisations. In 1952, the Applecross Boy Scouts' Association requested the Melville Road Board give consideration to allocating Lot 323 to the Association.⁴

In 1953, the Board signed an extended 20-year lease with the Boy Scouts' Association, on the basis that the grounds and any buildings would be kept in good repair and no rent, rates or taxes would be charged. One of the signatories of the lease was surveyor Percy Hope who was a Scout Association Branch Trustee.⁵

On the completion of the lease, all buildings would become the property of the Board. In 1983, the City of Melville approved the name Baden Powell Reserve to be applied in honour of Robert Baden-Powell, 1st Baron Baden-Powell, the founder of the Scouting Movement.

An aerial photograph of the site in 1953, just after the Scout Association took up their lease shows the site was undeveloped, as was much of the surrounding landholdings.

By 1965, the reserve appears to have been mostly cleared and two structures have been erected on the site. The circle of trees at the centre of the reserve is visible, although the campfire itself is not (not surprising given the scale). The circle of trees appear to be much younger than others in the surrounding residential lots, suggesting they were planted between 1953 and 1965.

The facilities on the site have been built over time as the Scouts Association and its needs have grown.

- Scout Hall (c. 1953) – Steel framework structure, corrugated iron cladding, jarrah floorboards. Building foundation created from concrete filled steel drums. Red brick ablution block added to south-west wall at later date.
- Guide Hall (c. 1958) – Timber frame and jarrah floor stumps and floorboards. Original fibrous cement external cladding replaced with timber grain plastic cladding.
- Venturers Den (c. 1960) – Brick construction with corrugated iron roofing. Concrete foundation and flooring.
- Rovers Clubhouse (post 1960s, date unknown) – Steel frame and corrugated iron cladding,

¹ The Friends of Baden Powell Reserve hold an extensive collection of information relative to Percy Hope and his role in the Western Australian community as a surveyor and the Scouting movement.

² Garden City Movement, Wikipedia, [Garden city movement - Wikipedia](#)

³ Surveyor's Field Notes (P G S Hope) as supplied by the Friends of Baden Powell Reserve.

⁴ Melville Road Board Minutes, 18 November 1952; as quoted in P25100 Assessment by the Department of Planning Lands and Heritage, 2013.

⁵ Original lease document dated 11 July 1953. Heritage Centre, Scouts WA, as quoted in documentation provided by the Friends of Baden Powell Reserve.

concrete flooring.

- Storage sheds (post 1960s, date unknown) – Steel frame and corrugated iron cladding, concrete flooring.

The Scout Hall was designed by architect Milton J. Boyce and the structural steel used in the building is believed to have been recycled from the Fremantle harbour anti-submarine boom gates.⁶ Milton Boyce was a leader in the profession during the 1950s and 1960s through his position as an architect for the City of Perth during the period of preparation for the Empire Games in 1962. He designed Beatty Park Aquatic Centre and other facilities for the Games.

Baden Powell Reserve is currently used by various organisations associated with The Scout Association of Australia - Western Australia Branch, including the 1st Applecross Scouts and Guides Groups, Venturers and Rovers, and the Waylen Bay Sea Scouts. The Guide Hall is frequently used by various other groups for events and meetings.⁷

The bird life attracted to the mature trees on the site has been described by the Friends of Baden Powell Reserve as contributing to the diversity of wildlife in the area.⁸

ASSOCIATIONS:

- Carl Hopish Klem, Planner.
- Percy George Samuel Hope, Planner and Surveyor.
- Milton J Boyce, architect.

HISTORIC THEMES:

- Social and Civic Activities: Community services and utilities
- Demographic Settlement and Mobility: Land allocation and subdivision

CONSTRUCTION MATERIALS: N/A

STATEMENT OF SIGNIFICANCE

- Baden Powell Reserve is associated with Surveyors Percy Hope and Carl Klem and their work on the Garden City principles in Perth. Percy Hope also had a significant role in the Scouting Movement in Western Australia as an office holder.
- The Scout Hall has historic value for its association with architect Milton J. Boyce who designed the building and was significant to the profession in the 1950s and 1960s.
- Baden Powell Reserve has been associated with the activities of the Scouting movement (and associated organisations) for over sixty years. Over that time, it has maintained its status as a camping area for children and young people in an increasingly urban setting.
- The layout of the site, incorporating the campfire as the centre of the reserve, is evocative of the importance of camping and outdoor activities to the Scouts, Venturers and Rovers organisations.
- The place provides an important space for community activities for a range of groups within the City of Melville, including dog walkers and locals, and sporting and other community groups such as the Scouts, Guides, Venturers and Rovers, and contributes to the local community's sense of place.
- The place has some aesthetic value as a reserve, campsite and bird habitat within the surrounding urban environment.

⁶ Further research is being undertaken by the Friends of Baden Powell Reserve to determine the origin of the structural elements.

⁷ Information from the P25100 Assessment by the Department of Planning Lands and Heritage, 2013.

⁸ Information provided by the Friends of Baden Powell Reserve.

SIGNIFICANT ELEMENTS: Boundaries of the park and its relationship to the surrounding residential lots.
Campfire location and form.

LEVEL OF SIGNIFICANCE: Some / Moderate Significance

MANAGEMENT CATEGORY: Category 3

DEVELOPMENT CONTROL CODE: Local

MAIN SOURCES:

- Information supplied by Friends of Baden Powell Reserve, February 2022.
- P25100 Assessment Documentation prepared by Department of Planning Lands and Heritage, December 2013.
- Aerial photographs, Landgate.

ASSESSMENT DATE: February 2023

ASSESSOR: Hocking Heritage + Architecture

ADDITIONAL PHOTOGRAPHS: February 2023







CONFIRMED

CITY OF MELVILLE, WESTERN AUSTRALIA
LOCAL HERITAGE SURVEY

PLACE RECORD FORM

PLACE REFERENCE NO:

NAME: Marguerite Smith Reserve

OTHER NAMES: Reserve 25045

PIN NO. (Landgate):

LAND DESCRIPTION: Lot 6371, Plan 6226



LOCATION: 31 Lawlor Road Attadale

CONSTRUCTION DATE: c1952

PLACE TYPE:

USE: **Original Use:** Social / Recreational: Other Community Hall / Centre
Current Use: Social / Recreational: Other Community Hall / Centre

HERITAGE LISTINGS: None

ARCHITECT:

BUILDER: N/A

ARCHITECTURAL STYLE: N/A

CONDITION: Good

PHYSICAL DESCRIPTION:

This enclosed park is located within a roughly triangular shaped suburban block bound by Lawlor, Davidson and Wichmann Roads. The park is located at the rear of the residential lots and is accessed by three laneways.

All accessways are closed to public access with locked gates which is inconsistent with the original planning for the site. The pathway from Davidson Road appears to be more regularly accessed. Access to this site was not possible at the time of this assessment.

Aerial photographs indicate that a large shed occupies the majority of the site with the surrounding area predominantly cleared. Several mature trees are present on the lot and another smaller shed.

HISTORICAL NOTES:

This area of Attadale was approved for subdivision in 1952. The surveyor was Percy George Samuel Hope who was one half of the well-established planning firm Hope & Klem. Hope & Klem were significant in the development of town planning in Western Australia and particularly influential in the creation of urban plans on Garden City principles.

The Garden City, or Garden Suburb Movement was a 20th century urban planning movement promoting satellite communities surrounding the central city and separated with greenbelts. These Garden Cities would contain proportionate areas of residences, industry, and agriculture. The intention was to capture

the primary benefits of the countryside and the city while avoiding the disadvantages presented by both.¹

In Western Australia, the movement found particular expression in the new suburbs of Floreat and City Beach where the road layout followed the contours of the land, and the provision of parks was a priority.

The original subdivision plan for this area of Attadale has some elements of the Garden City principles including the curved road layout following the contours of the land and the provision of this park. It is not clear if there was a specific purpose assigned to this park at the time of subdivision.

An aerial photograph of this area of Attadale in 1953 demonstrates there had been little development at that time, and later photographs demonstrate that development largely occurred in the 1960s.

In 1958, the lot was designated as Reserve in 1958 for the purpose of Recreation.

The shed in the centre of the park was built between 1965 and 1970. It is likely that the Scouting movement had a lease of this property from this time.

In 1983, the City of Melville proposed that the park be named in honour of Mrs Marguerite Smith who served the scouting movement in the South Perth, Melville, Bickton and Attadale areas since 1937. Marguerite Smith (1918-2009) lived nearby in Galloway Street Attadale with her husband Gordon Smith who worked as a teacher.

Since the place has been used by the Scouts since the late 1960s, the reserve has not served the function as a public reserve. The permanent closure of the laneways have diminished the potential for wider community access.

HISTORIC THEMES:

- Social and Civic Activities: Community services and utilities
- Demographic Settlement and Mobility: Land allocation and subdivision

CONSTRUCTION MATERIALS: N/A

STATEMENT OF SIGNIFICANCE:

- Marguerite Smith Reserve is associated with Surveyors Percy Hope and Carl Klem and their work on the Garden City principles in Perth.
- Marguerite Smith Reserve has been associated with the activities of the Scouting movement.
- The place has some aesthetic value as a reserve and bird habitat within the surrounding urban environment.

The closed pathways to the Marguerite Smith Reserve are intrusive and detrimental to the social significance of the place

SIGNIFICANT ELEMENTS: Boundaries of the park and its relationship to the surrounding residential lots.

LEVEL OF SIGNIFICANCE: Little Significance

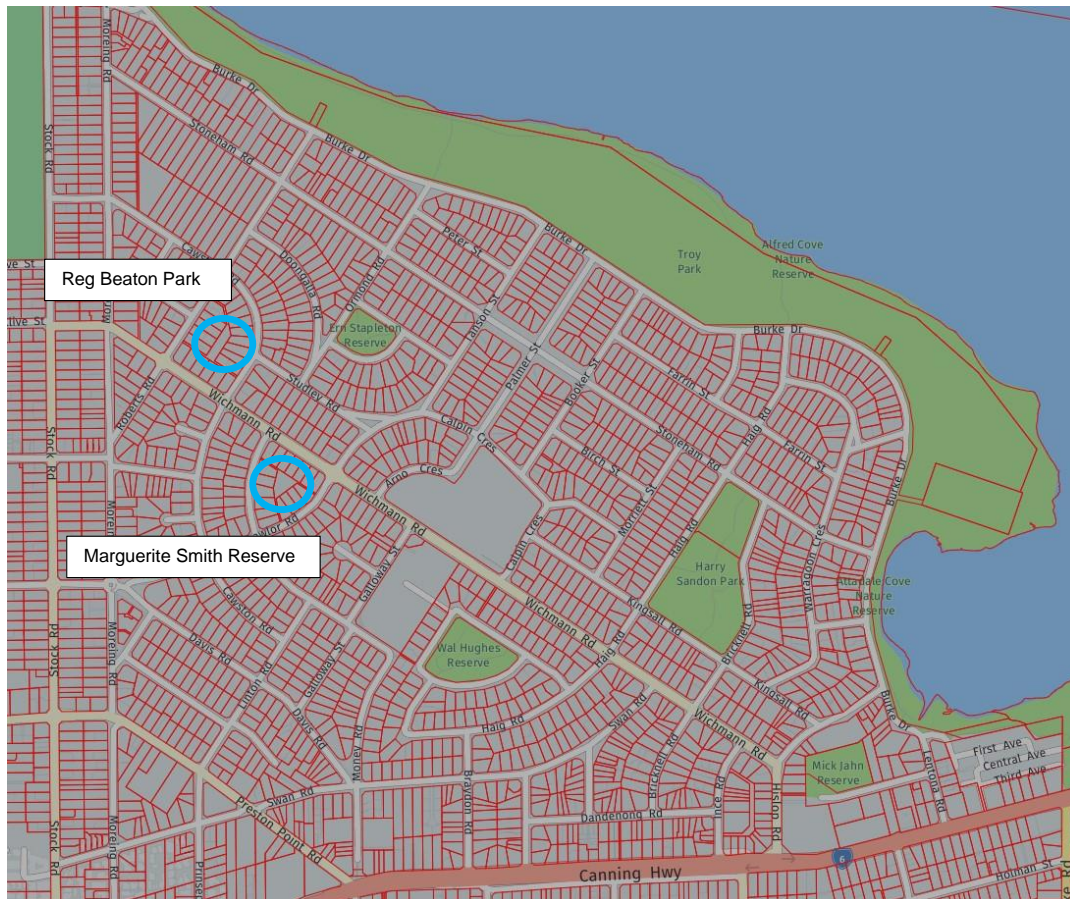
MANAGEMENT CATEGORY: Category 4

DEVELOPMENT CONTROL CODE: Local

¹ Garden City Movement, [Garden city movement - Wikipedia](#)

MAIN SOURCES:

- Landgate aerial photographs, 1953-2022.
- Landgate survey information.
- Geographic Names Database of topographic features, Landgate.
- Information supplied by Friends of Baden Powell Reserve, February 2022.
- Australian Electoral Rolls.

ASSESSMENT DATE: February 2023**ASSESSOR:** Hocking Heritage + Architecture

Lot boundaries in Attadale in subject area show that parks and reserves are largely accessed from the street. Reg Beaton Park and the nearby Marguerite Smith Reserve are the only parks with no street frontage.

ADDITIONAL PHOTOGRAPHS: February 2023

	
<p>1953 – Courtesy Landgate</p>	<p>2022 – Courtesy Nearmap</p>
	

**CITY OF MELVILLE, WESTERN AUSTRALIA
LOCAL HERITAGE SURVEY**

PLACE RECORD FORM

PLACE REFERENCE NO:

NAME: Reg Beaton Park

OTHER NAMES:

PIN NO. (Landgate): 1438425

LAND DESCRIPTION: Lot 136 Plan 5837



LOCATION: 13 Roberts Road, Attadale

CONSTRUCTION DATE: c1939

PLACE TYPE: Urban Open Space

USE: Original Use: Park / Reserve
Current Use: Park / Reserve

HERITAGE LISTINGS: None

ARCHITECT: Hope & Klem, planners and surveyors

BUILDER: N/A

ARCHITECTURAL STYLE: N/A

CONDITION: Good

PHYSICAL DESCRIPTION:

This enclosed park is located within a randomly shaped suburban block bound by Roberts, Cawston and Wichmann Roads. The park is located at the rear of the residential lots and is accessed by three grassed laneways. The two pathways from Roberts Road have treated pine log barricades to restrict access to pedestrians. The Cawston Road entry is open to vehicle traffic to enable maintenance by the City of Melville.

The park is enclosed by a diverse range of residential fences, some of which incorporate gates providing access to the private gardens within the adjacent lots.

The park is characterised by mature trees, shrubs and grass. There are no formal garden beds but there are some areas of informal plantings and sculptural elements which demonstrate that the park is used by members of community.

HISTORICAL NOTES:

This area of Attadale was approved for subdivision in 1939. The surveyor was Percy George Samuel Hope who was one half of the well-established planning firm Hope & Klem. Hope & Klem were significant in the development of town planning in Western Australia and particularly influential in the creation of urban plans on Garden City principles.

The Garden City, or Garden Suburb Movement was a 20th century urban planning movement promoting

satellite communities surrounding the central city and separated with greenbelts. These Garden Cities would contain proportionate areas of residences, industry, and agriculture. The intention was to capture the primary benefits of the countryside and the city while avoiding the disadvantages presented by both.¹

In Western Australia, the movement found particular expression in the new suburbs of Floreat and City Beach where the road layout followed the contours of the land, and the provision of parks was a priority.

The original subdivision plan for this area of Attadale demonstrates some aspects of the Garden City principles including the curved road layout following the contours of the land and the provision of this park. It is not clear if there was a specific purpose assigned to this park at the time of subdivision.

An aerial photograph of this area of Attadale in 1953 demonstrates there had been little development and later photographs demonstrate that development largely occurred in the 1960s.

In 1984, the City of Melville proposed that the park be named in honour of Reginald George Beaton (1939-1985), the Superintendent of Reserves for the City of Melville from 1964 to 1974.²

There is little evidence of the place being used widely by the community although the park does appear to be used as a thoroughfare for pedestrians. The laneways therefore continue to have relevance to users.

HISTORIC THEMES:

- Social and Civic Activities: Community services and utilities
- Demographic Settlement and Mobility: Land allocation and subdivision

CONSTRUCTION MATERIALS: N/A

STATEMENT OF SIGNIFICANCE:

- The place has some aesthetic value as a reserve and bird habitat within the surrounding urban environment.
- The place has some social/historic value providing a means of connection through the space, based on the original design principles for the park.

SIGNIFICANT ELEMENTS: Boundaries of the park and its relationship to the surrounding residential lots.

LEVEL OF SIGNIFICANCE: Little Significance

MANAGEMENT CATEGORY: Category 4

DEVELOPMENT CONTROL CODE: Local

MAIN SOURCES:

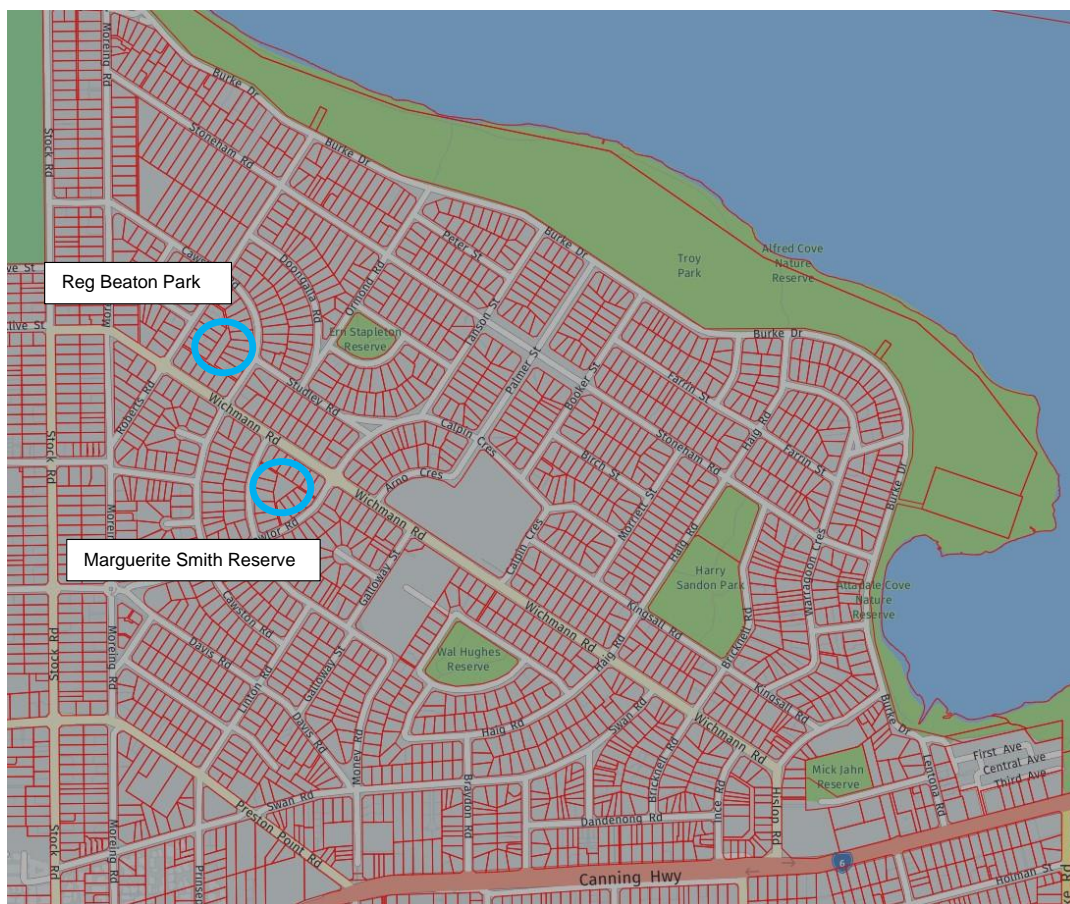
- Landgate aerial photographs, 1953-2022.
- Landgate survey information.
- Geographic Names Database of topographic features, Landgate.
- Information supplied by Friends of Baden Powell Reserve, February 2022.
- P25100 Assessment Documentation prepared by Department of Planning Lands and Heritage, December 2013.

ASSESSMENT DATE: February 2023.

ASSESSOR: Hocking Heritage + Architecture.

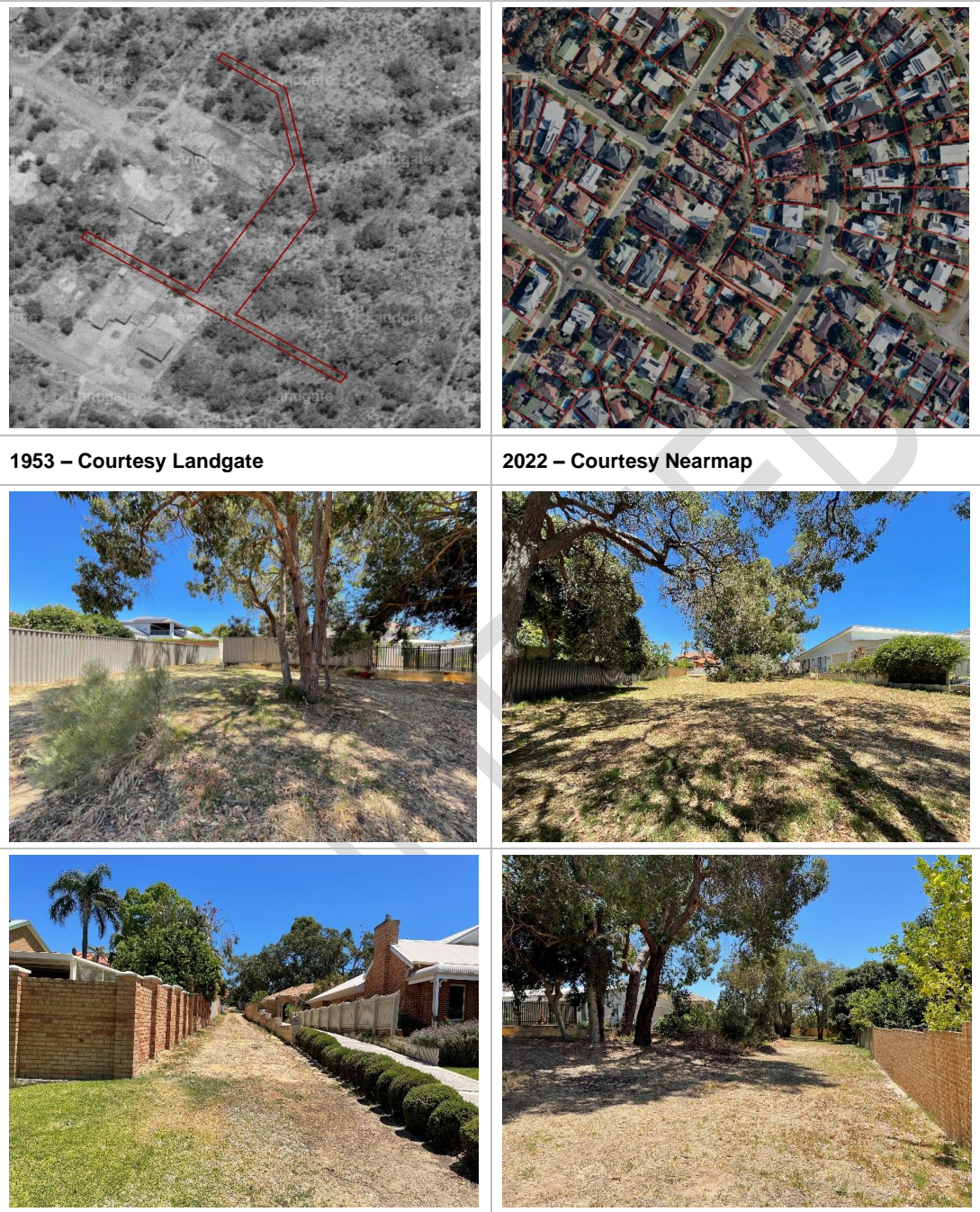
¹ Garden City Movement, [Garden city movement - Wikipedia](#)

² Geonoma database of Topographic Names, Landgate.



Lot boundaries in Attadale in the subject area show that parks and reserves are largely accessed from the street. Reg Beaton Park and the nearby Marguerite Smith Reserve are the only parks with no street frontage.

ADDITIONAL PHOTOGRAPHS: February 2023.



MACLEOD STREET, APPLECROSS – NO. 82A & 82B (LOTS 1 & 2 PROPOSED SIX STOREY (PLUS BASEMENT) APARTMENT

Form 1 – Responsible Authority Report
(Regulation 12)

DAP Name:	Metro Inner South Joint Development Assessment Panel	
Local Government Area:	City of Melville	
Applicant:	Gary Batt & Associate Architects	
Owner:	Ranieri Nominees Pty Ltd	
Value of Development:	\$4.5 million <input type="checkbox"/> Mandatory (Regulation 5) <input checked="" type="checkbox"/> Opt In (Regulation 6)	
Responsible Authority:	City of Melville	
Authorising Officer:	Mr P Varelis	
LG Reference:	DAP-2023-3	
DAP File No:	DAP/23/02469	
Application Received Date:	23 March 2023	
Report Due Date:	14 June 2023	
Application Statutory Process Timeframe:	90 Days	
Attachment(s):	1. Development Plans 2. Landscape Plan 3. Waste Management Plan 4. Transport Impact Statement 5. Acoustic Report 6. Sustainable Design Assessment Report 7. Design Review Panel Meeting Minutes	
Is the Responsible Authority Recommendation the same as the Officer Recommendation?	<input type="checkbox"/> Yes <input type="checkbox"/> N/A	Complete Responsible Authority Recommendation section
To be completed after the Council Meeting	<input type="checkbox"/> No	Complete Responsible Authority and Officer Recommendation sections

Responsible Authority Recommendation

That the Metro Inner South JDAP resolves to:

Approve DAP Application reference DAP/23/02469 and accompanying plans (SK.01 Site Plan, SK2.01 Lower Ground Floor Plan, SK2.02 Upper Ground Floor Plan, SK2.03 First Floor Plan, SK2.04 Second Floor Plan, SK2.05 Third Floor, SK2.06 Fourth Floor, SK2.07 Fifth Floor, SK2.09 Roof Plan, SK3.01 Elevation, SK3.02 Elevation, SK4.01 Section A, SK4.02 Section B SK5.01 3D Rendering SK5.02 Overshadowing Plan and Landscape Plan) in accordance with Clause 68 of Schedule 2 (Deemed Provisions) of the *Planning and Development (Local*

Planning Schemes) Regulations 2015, and the provisions of the City of Melville Local Planning Scheme No. 6, subject to the following conditions:

1. Pursuant to clause 26 of the Metropolitan Region Scheme, this approval is deemed to be an approval under clause 24(1) of the Metropolitan Region Scheme.
2. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
3. The development the subject of this approval must comply with the approved plans at all times unless otherwise approved in writing by the City of Melville or the Joint Development Assessment Panel.
4. Access of service vehicles to the property including deliveries and the operation of forklifts shall not occur before 7:00am or after 7:00pm Monday to Saturday and shall not occur at all on Sundays and Public Holidays.
5. All stormwater generated on site is to be retained on site in accordance with a plan approved in writing by the City. Prior to the commencement of development, a stormwater design plan is to be submitted (an ARI of 1 in 100 year for a 24-hour storm duration is recommended) for the approval of the City. Prior to initial occupation of the development a Certificate of Compliance certifying that the development has been constructed in accordance with the approved plan is to be submitted to the City.
6. A minimum of 30 days prior to the lodgement of a demolition application, the applicant shall submit a Construction Management Plan (CMP) to the City of Melville for approval. The CMP shall be prepared having regard to the provisions of Local Planning Policy 1.22 Construction Management Plans. Once approved in writing by the City, the development is to be carried out in accordance with the CMP to the satisfaction of the City. Any modifications to the CMP are to be approved by the City in writing.
7. Prior to the initial occupation of the development, the major openings and communal open space of the development (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 approved by the City that complies with *State Planning Policy 7.3 Residential Design Codes Volume 2*. The screening measures must thereafter be retained in perpetuity to the ongoing satisfaction of the City.
8. In accordance with Local Planning Policy *LPP1.4 Provision of Art in Development Proposals*, prior to the commencement of development, a public art proposal shall be submitted to and approved in writing by the City in consultation with the City's Public Art Panel. Once approved, the public art shall be installed prior to the initial occupation of the development and thereafter be maintained for the life of the development to the satisfaction of the City. In lieu of provision of art on site, a cash in lieu contribution may be made as per LPP 1.4.

9. The development shall be constructed and operate in accordance with the recommendations set out in the Acoustic Report [Herring Storer Acoustics *SPP 5.4 Noise Management Plan*, Reference No. 30725-2-23048, dated February 2023 & *DA Acoustic Report* Reference No.30726-1-23048, dated February 2023] to the satisfaction of the City.
10. Notwithstanding the requirements of Condition 9 above, a minimum of 30 days prior to the lodgement of a building permit, an Acoustic report is to be prepared by a suitably qualified Acoustic Consultant and submitted to the City of Melville for approval. The acoustic report shall demonstrate that all mechanical services associated with the intended use, are capable of complying with the "Assigned Noise Levels" contained in the *Environmental Protection (Noise) Regulations 1997*, when the noise is received at any adjoining "Noise Sensitive Premises".
11. The development is to be constructed and operated in accordance with the Waste Management Plan dated [26/05/2023] and the City's Waste Management Guideline for New Developments, to the satisfaction of the City.
12. Prior to the initial occupation of the development, all redundant vehicle crossover(s) shall be removed, and the kerbing, verge, and footpath (where relevant) reinstated with grass or landscaping to the satisfaction and specifications of the City.
13. Prior to commencement of construction, a crossover application shall be submitted to and approved in writing by the City of Melville. The crossovers shall be designed to be:
 - a) a maximum width as shown on the development plans.
 - b) located a minimum of 2m away from the outside of the trunk of any street tree; and
 - c) minimum of 1m from any existing street infrastructure.
14. Prior to the initial occupation of the development, all vehicle parking bays, a minimum of 10 bicycle parking facilities, manoeuvring areas, line markings, directional arrows and points of ingress and egress shall be provided in accordance with the approved plans to the satisfaction of the City. These shall be retained for the life of the development.
15. Prior to the initial occupation of the development, the visitor car parking bays must be individually marked on site as 'Visitor Bays'. The visitor bays must be always made available for use by visitors, to the satisfaction of the City of Melville
16. The sightline truncation areas shown on the approved plans shall be retained without compromise or encumbrance for the life of the development.
17. Prior to the commencement of works, details of the exterior colours, materials and finishes are to be submitted and approved in writing, by the City. The development shall thereafter be constructed in accordance with those approved details.
18. Any roof mounted or freestanding plant or equipment shall be located and/or screened so as not to be visible from the surrounding street(s) prior to the initial occupation of the development to the satisfaction of the City.

19. The approved landscaping and reticulation plan shall be fully implemented within the first available planting season after the initial occupation of the development and maintained thereafter, to the satisfaction of the City.
20. Unless otherwise approved in writing by the City, all trees located on the verge adjacent to the land on which the development is to take place shall be protected throughout construction of the development via the installation of a Tree Protection Zone (TPZ). Each TPZ shall be installed prior to commencement of development, in accordance with the following criteria:
- a) A free-standing mesh fence erected around each street tree with a minimum height of 1.8m and a 2m minimum radius measured from the outside of the trunk of each tree.
 - b) If an approved crossover, front fence, footpath, road or similar is located within the 2m radius of the TPZ, the TPZ fencing shall be located the minimum distance from the approved works that is required to complete the works.
 - c) Fixed signs are to be provided on all visible sides of the TPZ fencing clearly stating 'Tree Protection Zone – No Entry'.
 - d) The following actions shall not be undertaken within any TPZ:
 - i. Storage of materials, equipment, fuel, oil dumps or chemicals.
 - ii. Servicing or refuelling of equipment or vehicles.
 - iii. Attachment of any device to any tree (including signage, temporary service wires, nails, screws, winches, or any other fixing device).
 - iv. Open-cut trenching or excavation works (whether for laying of services).
 - v. Changes to the natural ground level of the verge.
 - vi. Location of any temporary buildings including portable toilets; or
 - vii. The parking of vehicles or machinery.
21. Prior to the initial occupation of the development, the bin compound(s) as shown on the approved plans is to be constructed and maintained in perpetuity to the satisfaction of the City. The bin compound(s) are to be constructed to satisfy the following requirements:
- (a) Provided with a tap and connected to an adequate supply of water. The tap is to be in a position so that it will not be susceptible to being damaged by the bins being removed for collection.
 - (b) Constructed of brick, concrete, corrugated compressed fibre cement sheet or other material of suitable thickness.
 - (c) Having walls not less than 1.8 metres in height and having an access point of not less than 1 metre in width for resident/tenants to access the area and fitted with a self-closing gate.
 - (d) Access point for collection is to be of suitable size for the size of the bins used and the collection method proposed.
 - (e) Containing a smooth and impervious floor of not less than 75 millimetres in thickness; and provided with adequate and appropriate drainage to sewer. This pertains to commercial properties where approval is required from the Water Corporation for discharge of liquid waste.
 - (f) Where located within a building, the bin compound is to be ventilated in accordance with Australian Standard 1668.2: The Use of Ventilation and Air Conditioning in Buildings (as amended).

- (g) Conveniently located for disposal of waste and recyclables by residents/tenants.
 - (h) Not readily accessible by the public.
22. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, sales, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures are to be located so not to obstruct vehicle sight lines of the subject site, the adjacent road network or of adjoining properties to the satisfaction of the City and are to be removed prior to initial occupation of the development.
23. Prior to the issue of a Building Permit, revised Development Plans being submitted for the proposal with driveway and vehicle access being modified to the satisfaction of the City of Melville.
24. Prior to commencement of construction, amended plans shall be submitted to and approved in writing by the City's to ensure:
- (a) The driveway materials match the foot path to emphasize pedestrian priority
 - (b) There are selected paving materials used to signal a pedestrian zone over a vehicular zone once inside the lot; and
 - (c) There is a decorative screen gate at the southern entry to terminate sight lines from the public domain.

Advice Notes:

1. In regard to Condition 23, the City of Melville will have regard for the Vehicle Access requirements of Clause 3.8 of State Planning Policy 3.7 – the Residential Design Codes Volume 2 and relevant Australian Standards (AS/NZS 2890.1:2004).

Reasons for Responsible Authority Recommendation

To be completed after the Council Meeting.

Details: outline of development application

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Urban
Local Planning Scheme	City of Melville – Local Planning Scheme 6
Local Planning Scheme - Zone/Reserve	Centre C2 (RAC0)
Structure Plan/Precinct Plan	Riseley Centre Structure Plan
Structure Plan/Precinct Plan - Land Use Designation	Precinct 2
Use Class and permissibility:	Multiple Dwelling (Apartment) – Permitted Use
Lot Size:	773sqm
Existing Land Use:	Residential (Grouped Dwellings)

State Heritage Register	No
Local Heritage	<input checked="" type="checkbox"/> N/A <input type="checkbox"/> Heritage List <input type="checkbox"/> Heritage Area
Design Review	<input type="checkbox"/> N/A <input checked="" type="checkbox"/> Local Design Review Panel <input type="checkbox"/> State Design Review Panel <input type="checkbox"/> Other
Bushfire Prone Area	No
Swan River Trust Area	No

Proposal:

The development application proposes the demolition of two existing grouped dwellings and the construction of a six-storey apartment development at Lot 1 (No. 82A) Macleod Street and Lot 2 (No. 82B) Macleod Street, Applecross (the subject site). The proposed development includes; twelve apartments, a basement carpark, communal area, onsite and verge landscaping.

Proposed Land Use	Residential Apartments
Proposed Net Lettable Area	N/A
Proposed No. Storeys	6
Proposed No. Dwellings	Twelve apartments

Background:

Approval is sought for the construction of a six-storey apartment development comprising of 12 multiple dwellings at the subject site.

The subject site is located within the Precinct 2: The Canning Corridor of the Riseley Activity Centre Structure Plan (ACP). The objectives of the ACP for Precinct 2 - Canning Corridor are as follows:

- *Encourage larger scaled development with a high-quality mix of commercial and residential land uses*
- *Establish a sense of arrival to the activity centre through the development of landmark buildings and architectural features*
- *Improve streetscapes and public spaces*
- *Encourage active street frontages along Canning Highway if possible*
- *Encourage residential dwellings as a vital component of the Precinct, whilst protecting ground floor active uses from being displaced by residential land uses.*

The subject site has good access to the regional road network including Canning Highway and the Kwinana Freeway. It is well connected to public transport as both Riseley Street and Canning Highway are designated high frequency bus routes. The site also has good access to the Perth Bicycle Network via Riseley Street and Macrae Road.

The existing built form surrounding the subject site is primarily single and two storey single and grouped dwellings, along with existing apartment developments to the south

and east of the subject site. The subject site sits approximately 50m north of Canning Highway.

Legislation and Policy:

Legislation

1. Planning & Development Act 2005
2. Metropolitan Region Scheme
3. Planning & Development (Local Planning Schemes) Regulations 2015 (the Regulations)
4. City of Melville Local Planning Scheme No. 6
5. City of Melville Local Planning Strategy
6. SPP7.3: Residential Design Codes Volume 2 - Apartments

State Government Policies

1. SPP3.0: Urban Growth and Settlement
2. SPP4.2: Activity Centres for Perth and Peel
3. SPP5.4 Road and Rail Noise
4. SPP7.0: Design of the Built Environment
5. SPP 7.3 – Residential Design Codes Volume 2 – Apartments

SPP 4.2 Activity Centres for Perth and Peel

Under the provisions of State Planning Policy 4.2 (SPP4.2), the Riseley Centre is classed as a District Centre. District Centres have a focus on servicing the daily and weekly needs of residents. Their relatively smaller scale catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchments.

City of Melville Local Planning Scheme No 6

Under the provisions of Local Planning Scheme No. 6 (LPS6), the site is within a Centre Zone C2. This is consistent with the status of Riseley Street as a District Centre in SPP4.2.

Development controls for the Centre C2 zone are contained within the ACP.

Structure Plans/Activity Centre Plans

The ACP was prepared by the City of Melville (City) in consultation with State Government agencies.

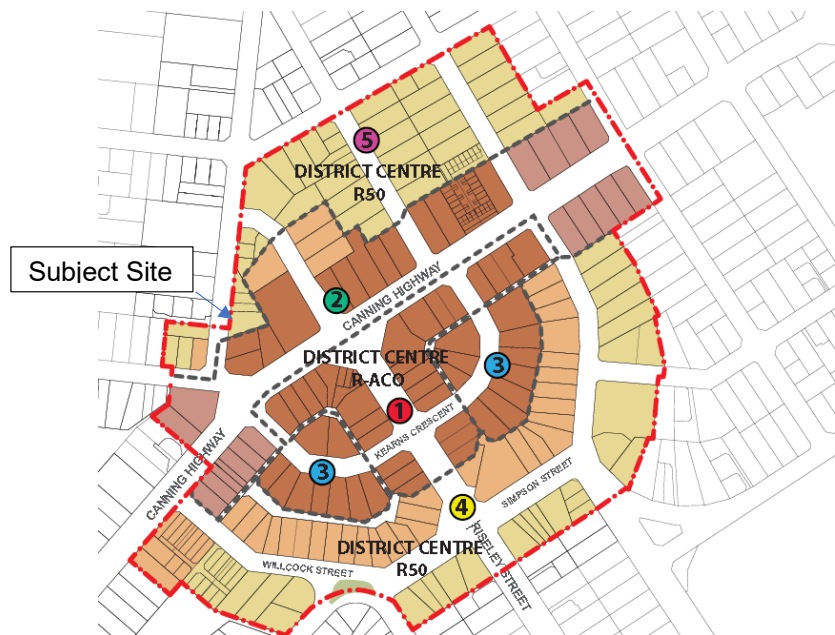


Figure 1 – Subject site located within Precinct 2 - Canning Corridor of the Riseley Activity Centre Structure Plan



Figure 2 – Aerial View of No. 82A & 82B Macleod Road, Applecross

Local Policies

1. CP-029: Street Tree Policy
2. LPP1.1: Planning Process and Decision Making
3. LPP1.2: Design Review Panel

4. LPP1.3: Waste and Recyclables Collection for Multiple Dwellings, Mixed Use and Non-Residential Developments
5. LPP1.4: Provision of Public Art in Development Proposals
6. LPP1.5: Energy Efficiency in Building Design
7. LPP1.8: Crime Prevention Through Environmental Design of Buildings Policy
8. LPP 1.22 – Construction Management Plans

Consultation:

Public Consultation

The DA was advertised for comment in accordance with the provisions of LPP 1.1. This consultation exercise occurred during the period 4 May 2023 and 25 May 2023.



Figure 3 Extent of Advertising via Written Correspondence

Nine (14) submissions were received: two (2) asking general questions, two (2) in support of the proposed development and nine (10) in opposition. The issues raised by these submissions are summarised in the table below.

Submission	Officer Comment
Two submissions submitted supporting the proposed development noting the following: <ol style="list-style-type: none"> 1. the location is perfect for mid-rise accommodation to the Canning Hwy precinct, 2. the location is perfect for this type of development, 3. will help future generations enjoy the amenity of the area and help build a more sustainable future for the region. 4. The design and mix of apartments encourages diversity. 	Noted.

Traffic issues

Concerns expressed regarding the impact of traffic generated by this proposal, particularly around peak times and the two crossovers proposed which may present a hazard to pedestrians.

Concerns were also expressed in relation to the intersection of Macleod Road, Conon Road and Canning Highway in regards to traffic congestion and rat running has made our street dangerous.

The Traffic Impact Statement (TIS) and development plans were considered by the City from a Road Safety and Engineering perspective. Based on the review, the City is supportive of the TIS.

The TIS detailed that the traffic generated by the development was acceptable and would not have an adverse impact on existing users.

The TIS is provided as Attachment 4.

Regarding the intersection, the following is noted:

1. The section of Macleod Road south of Riseley Street and Conon Road are classified as Local Street in the Metropolitan Road Hierarchy. The maximum desirable traffic volume in local street is 3000 vehicles per day (vpd) with legal speed of 50km/hr.
2. The latest traffic survey conducted (17 February 2021) in Macleod Road 100m south of Riseley Street in front of no. 87 Macleod Road revealed an average daily traffic of 841vpd. The peak hour traffic recorded was 82 vehicles per hour with 85th percentile traffic speed of 47km/h.
3. Main Roads WA Crash Map shows that no crash has been recorded at the intersection of Macleod Rd/Conon Road in the last five years from January 2018 to December 2022.
4. The intersection is treated with a splitter traffic island to control traffic manoeuvres at this intersection. As the result of the traffic island motorists entering Macleod will do so at a lower speed. There is adequate sight distance for traffic entering the road from no. 82A Macleod Road or traffic turning from Conon Road

	<p>onto Macleod Road to stop before entering the conflict point.</p> <p>Regarding the number of crossovers, the following is noted:</p> <ol style="list-style-type: none"> 1. The City's Crossover Specification permits up to two crossovers with a maximum combined width of up to 9m with no individual crossover exceeding 6m, and no crossover less than 3m. The proposed crossover to the development aligns with this requirement.
<p><i>Parking</i></p> <p>The development does not have sufficient parking</p>	<p>. Twenty six parking bays are provided in lieu of twenty one required under the R-Codes Volume 2.</p>
<p><i>Noise</i></p> <p>The nature of the development would produce significant noise which is likely to impact on the amenity of the locality</p>	<p>An Acoustic Report was prepared by the applicant in support of the proposal. This detailed that the proposal could achieve compliance with the Environmental Health Noise Regulations (1997). The City has assessed the report from an Environmental Health perspective. Based on the review, the City is supportive of the Acoustic Report .</p> <p>A condition of planning will require the development to comply with the Environmental Health Noise Regulations (1997) and the Acoustic Report.</p>
<p><i>Impact on Land Value</i></p> <p>The development will negatively impact property values of adjoining sites.</p>	<p>Property value is not a material planning consideration.</p>
<p>Questions regarding start time for the development, duration of construction, setback to boundary line and noise during construction.</p>	<p>If the development is approved, a Construction Management Plan will be required to be submitted to the City outlining how construction impacts will be managed during construction. A copy of LPP 1.22 Construction Management Plan was emailed to the resident.</p>
<p>Concerns regarding the height of the proposed development.</p>	<p>The DA initially proposed a 7 storey structure which was subsequently amended to be 6 storeys.. At 6 storeys, the proposed development satisfies the height provisions of the ACP.</p>
<p>Questions regarding side setbacks, impact on sunlight and privacy.</p>	<p>Advice in respect of the concerns raised was provided to the submitter. It is noted</p>

	that the development as proposed complies with the development controls provided by the ACP and/or the R Codes.
Concerns regarding views.	The height of the proposed development is consistent with the ACP.
Is the development for affordable housing.	The City is not aware of any specific proposals as part of the development to deliver affordable housing.

Referrals/consultation with Government/Service Agencies

No external referrals with State Government departments or service agencies were required to be undertaken for this DA. Design Review Panel Advice

The application was presented to the City's Design Review Panel (DRP) on 3 occasions, 1 February 2023, 12 April 2023 and 3 May 2023. The minutes of these meetings are attached to this report (refer to attachment 7). The DRP was generally supportive of the development as proposed, and the opportunities for improvement suggested by the DRP were taken on board by the applicant as the design review process progressed.

At the final meeting of the DRP, several further suggestions for improvement were made. These were:

1. Further detail in relation to the surface treatments within the verge.
2. Provide detail of a decorative screen at the southern crossover point.
3. Amend the details provided in respect of the internal layout in order to improve amenity.

The applicant has either responded to these opportunities or a condition of planning approval is recommended in order to ensure the final design is aligned with the outcome of the design review process.

Other Advice

The details of the proposed development were circulated for comment to relevant internal stakeholders within the City. None of the stakeholders consulted have raised objections to the development as proposed, subject to conditions of planning approval being applied in the event the DA is approved as recommended.

Planning Assessment:

The table below details the matters which require a performance assessment, the applicable planning controls, a brief description of the proposal. Details of the assessment are outlined in the Officer Comment section of the report below.

Provision	ACP Requirements/R Code Element Objectives	Proposed	Assessment
Building Design			

Side Setback ACP Clause 10.15 Setbacks to adjoining properties outside Precinct 2	Development over 3 storey in height is to have a minimum setback of at least 8 metres. (Northern Side)	Floors 3 & 4 range between 4.8m – 6m Floor 5 ranges between 6 – 8m.	Supported. See planning assessment below under the 'Side Setback' section for further details.
Clauses 3.8 R- Codes Vol 2: Vehicle access including access ramp gradient.	Vehicle access points are designed and located to reduce visual impact on the streetscape.	Access ramp with gradients complemented by traffic light management, partial sightline truncations, installation of convex mirrors, and reliance on 6.1m level access plane within the verge between the property boundary and adjoining footpath.	Supported. See planning assessment below under 'Vehicular Access' section for further details
ACP Clause 9.21: Overshadowing	The design of buildings within Precincts 1, 2 and 3 should minimise overshadowing in the middle of the day on public spaces and residential dwellings also located within Precincts 1, 2 and 3.	Proposed building height and setbacks satisfy the provisions of this clause.	Supported. See planning assessment below under 'Overshadowing' section for further details
ACP Clause 9.16 & 9.17 Private Open Space	A private terrace, balcony or courtyard that is connected to an internal living space such as a lounge room or dining room is to be provided at a minimum of 15 square metres per dwelling. Minimum dimension (width or length) is 3 metres.	Unit G01 - 13sqm Unit 101 13sqm	Supported. See planning assessment below under 'Private Open Space' section for further details

The development controls for the subject site are contained within the ACP. As noted previously in the report, the ACP is required to be given due regard as part of the development assessment process. The ACP (Clause 9.18) defers to the R Codes Vol 2 in respect of street surveillance, parking, design of car parking spaces, vehicular access, stormwater management, and dwelling size (housing diversity).

Clauses 9 and 10 of the ACP provide the built form controls for development. These constitute a standard of development to be achieved having regard to the ACP objectives. No associated performance criteria are provided.

To consider the merits of the design matters outlined in the table above, regard is given to the objectives of the ACP, the relevant provisions of State Planning Policy 7.3 Residential Design Codes, Volume 2 (the R-Codes) and any other relevant planning considerations. For the purposes of assessment within the ACP area, the provisions of the ACP take precedence over those of the R Codes except where the ACP specifically defers to the R Codes (refer to Clause 9.18 of the ACP).

Side Setbacks

The adjoining property to the north is located outside of Precinct 2 of the ACP. Clause 10.15.2 of the ACP states that for development above 3 storeys in height the setback shall be a minimum of 8m.

Given there are no performance criteria contained within the ACP, and for the purposes of this assessment, reliance is placed upon the performance criteria provided by Clause 2.4 of the R Codes Vol 2.

These state in the Element Objectives that setbacks should provide adequate separation between buildings, allow for tree retention or deep soil planting and provide for a transition between sites with different intensity of development.

The ACP objectives seek to create attractive and high-quality development which contributes to the centre. The side setbacks meet the Element Objectives of the R-Codes and the ACP provisions as outlined below and are supported on that basis:

1. The proposed building bulk is managed via articulation to all floors. This assists to reduce the bulk associated with the building. The articulation also allows for the provision of a number of landscape components including a number of shade trees which will further reduce the building bulk. In the most recent DRP meeting, it noted the aesthetics of the proposal are supported with comments made that the 'General facade arrangement and presentation, including materiality, screens, and on-structure landscape has potential to make a contribution to the urban context'.
2. The development is located on the southern side of the adjoining lot therefore any future development will maintain access to natural light and cross ventilation. There are no adverse overshadowing impacts, and the siting is appropriate for the scale of building. As such, the setbacks provided on each floor are considered acceptable.
3. The site abuts Precinct 5 to the north which permits a nil setback to a maximum height of 2 storeys where the site abuts Precinct 2.
4. Visual privacy matters are to be addressed through the imposition of a condition of approval requiring the screening of overlooking windows.

Public Domain Interface, Pedestrians Access, Vehicle Access and Entries

The R-Codes recognises the interface between buildings and the public domain is an important contributor to the quality and character of the street. The R-Codes

recognises these three elements are interrelated and should be considered holistically in design to achieve the desired a high-quality street interface.

The design of the main building entries and access ways provide the key connection between the public and private realm and therefore, they should be easy to find, while being well integrated into the overall design of the development and the streetscape.

Furthermore, vehicle access points should be well-designed with a focus on safety and functionality for users. Poorly considered vehicle access may compromise the safety of pedestrians, residents and traffic, as well as having a detrimental effect on the appearance and amenity of the streetscape.

The R Codes element objectives, Clause 3.8 Vehicle Access state:

Clause 3.8 Vehicle Access

- O 3.8.1 *Vehicle access points are designed and located to provide safe access and egress for vehicles and to avoid conflict with pedestrians, cyclists and other vehicles.*
- O 3.8.2 *Vehicle access points are designed and located to reduce visual impact on the streetscape."*

To achieve the Element Objectives, the R-Codes, which adopt a purely performance based approach providing a number of Acceptable Outcomes as well as Design Guidance designed to assist in undertaking a performance assessment. It is noted that there is no deemed to comply route to approval in respect of Volume 2 of the R Codes.

Acceptable outcome 3.8.1 limits vehicle access to one per 20 metres of street frontage. This acceptable outcome is not met in this case. The remainder of the acceptable outcomes have been met by the proposed design. The design of the driveways allows for vehicles to enter and exit the site in forward movement. The safe movement of vehicles in and out of the proposed development is further enhanced with the provision of a controlled traffic light system.

The application proposes the inclusion of two separate and fully functioning vehicle access points into the development. These have been assessed by the City's Engineers who comment that two crossovers are permitted by the City's Crossover Specifications with a maximum combined width of up to 9m with no individual crossover exceeding 6m, and no crossover less than 3m. The proposed two separate crossovers to the development align with these requirements given they are each 3m in width, and 6m wide in total.

In respect of the R Codes performance criteria, it is considered that the two crossovers as proposed, taking into account their individual and cumulative width can be supported on the basis that the development will engage positively with the street. This view is endorsed by the DRP.

Driveway Gradient and Sightlines

The proposed gradient of the access ramps of each vehicle access point has been assessed against the provisions of Clause 3.8 of the R Codes Vol 2. As there are no specific deemed to comply provisions in respect of Clause 3.8, the proposed access

ramp gradients have been considered as proposed. The City's Engineers have expressed concern that the ramp gradients and associated sightlines should align with the requirements of AS/NZS 2890.1:2004 (the Standard).

In respect of the City Engineer's concerns, the applicant was requested to amend the plans to reflect the standard but declined to do so on the basis that the development as proposed is designed to satisfy the performance requirements of Clause 3.8 of the R Codes. It is noted that the traffic impact statement submitted in support of the DA also concludes this to be the case.

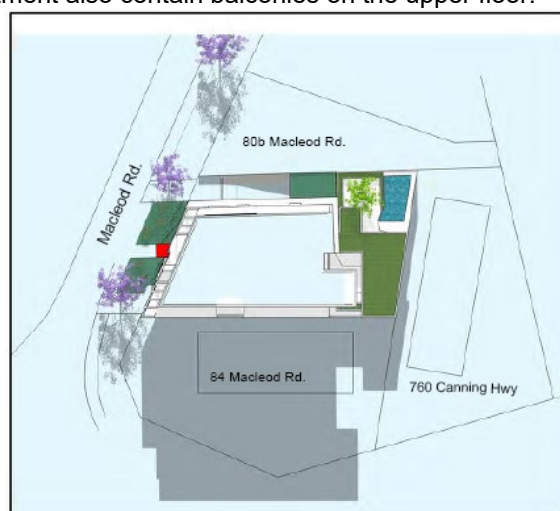
Pedestrian safety is a key consideration for the City. In the context of the advice received by the City's Engineers, Condition 23 and Advice Note 1 has been recommended to ensure provision of an acceptable access arrangement.

In considering satisfaction of proposed Condition 23, the City of Melville will have regard for the Vehicle Access requirements of Clause 3.8 of State Planning Policy 3.7 – the Residential Design Codes Volume 2 and the Standard.

Overshadowing

Under the provisions of the ACP, buildings are permitted up to a height of six storeys with a zero lot boundary setback for the first 5 storeys.

The building is setback from the rear (eastern boundary) reducing shadow cast to properties to the south of the site. Whilst some overshadowing occurs towards the adjoining existing apartment development to the south (No. 84 MacLeod Road) the areas affected are largely non-habitable. It is considered that adequate natural light will be available to the apartments ground floor and upper floor via large windows on the southern side and on the western side of the building. The southern and western sides of the apartment also contain balconies on the upper floor.



21 June: 12pm

Overshadowing Diagram

Private Open Space

Under the provisions of the ACP, balconies shall have a minimum floor space of 15m² and a minimum dimension of 3.0 metres in width or depth. This requirement exceeds the minimum standard under the R-Codes Volume 2 which allow for balconies between 8 and 12 m² with a minimum dimension of 2.0 metres or 2.4m metres.

While most of the balconies exceed the requirements set out in the ACP, the balconies to apartments G01 & 101 require a performance assessment.

Apartment G01 is 13 m² and exceeds 3m x 3m whilst apartment 101 balcony is 13 m², has a width greater than 3 metres, and due to the shape of the balcony a portion of balcony does not achieve a 3 metre depth. These balcony variations are considered acceptable for the reasons below.

1. The balconies still provide good access to a suitably sized private open space which will provide residential amenity.
2. They are sited, oriented and designed to provide an acceptable area of outdoor living for residents.
3. The balconies are designed so that they integrated into the overall architectural form of the building.

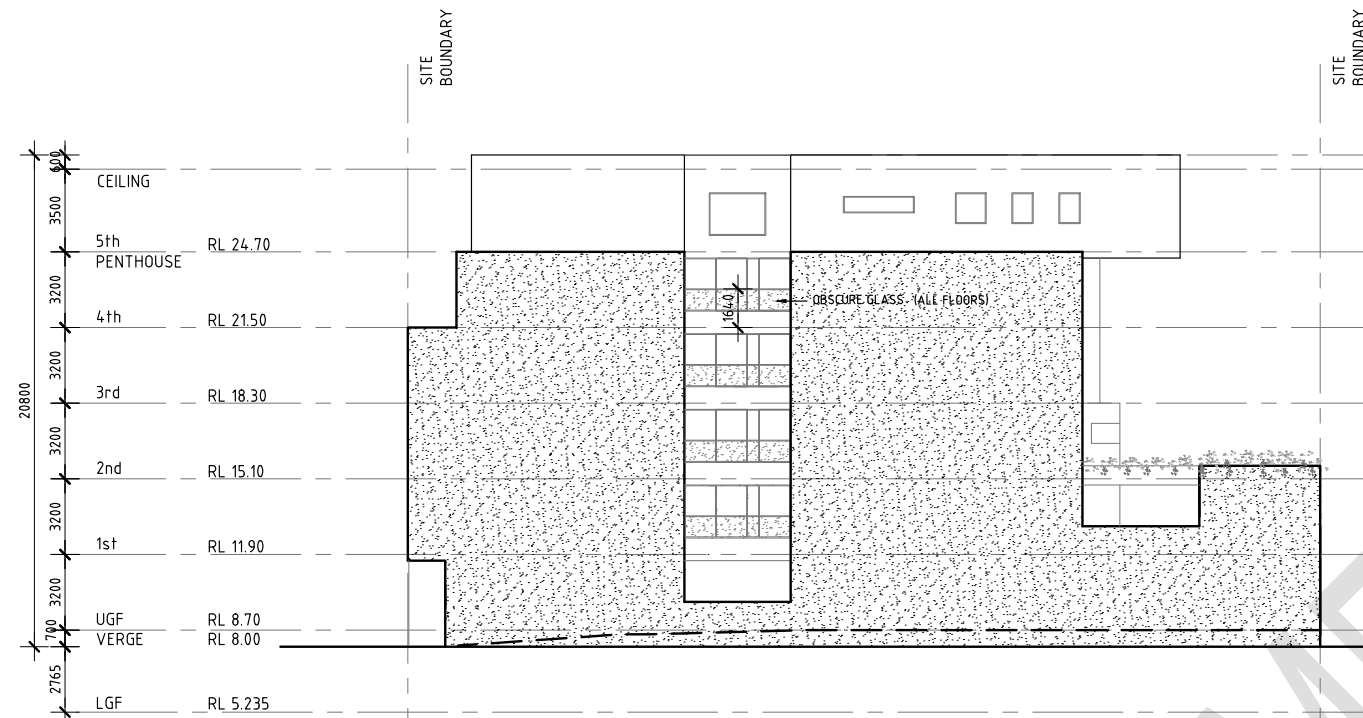
Conclusion:

The proposed development has been assessed against the prevailing planning policy framework, in particular the requirements of the ACP and the R Codes Vol 2. As stated, the development is considered to generally meet the associated requirements and where a performance based assessment is sought, the application of discretion has been justified and demonstrated.

It's recommended that the application be approved, subject to conditions.

Alternatives

To be completed if necessary after the OCM



KEY/LEGEND

WB: WINDOW BOX SHADING ELEMENT

VL: VERTICAL LOUVRES (PRIVACY + SHADING)

BL: 1000h BALUSTRADE

HB: HORIZONTAL FEATURE BATTENS

GW: GREEN WALL PANELS

FSC: FEATURE STONE/TILE CLADDING

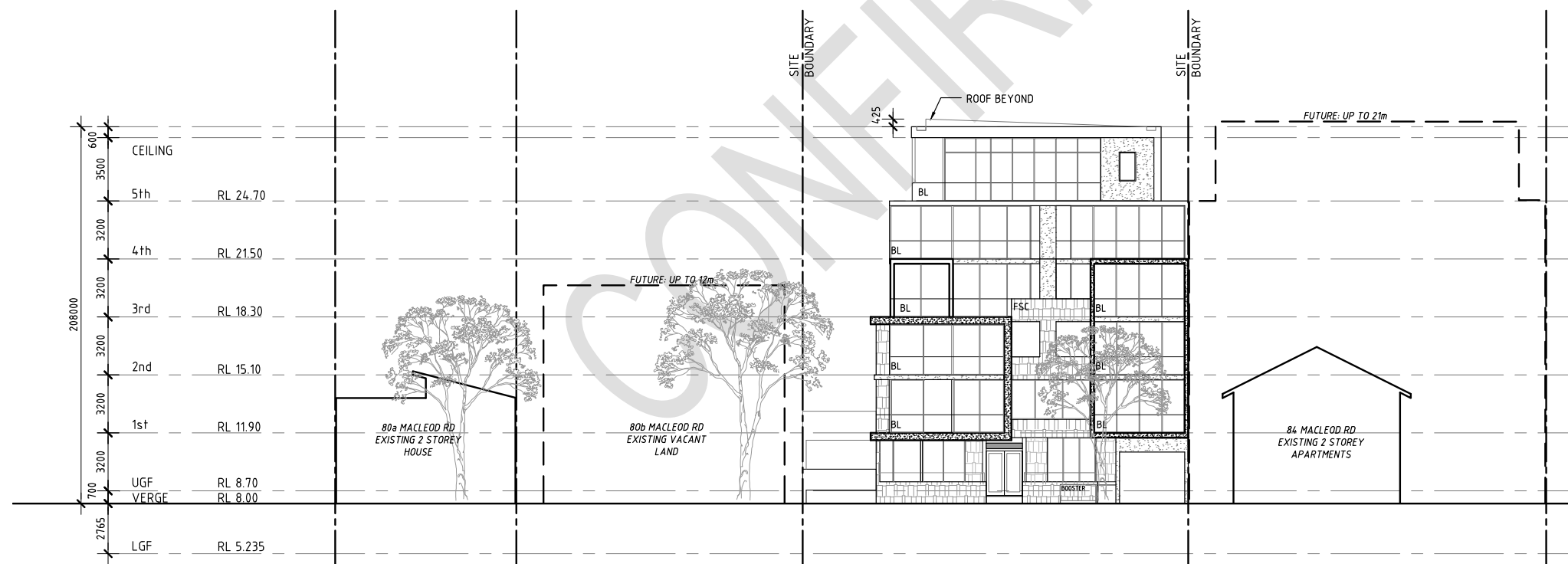
VC: VERTICAL CLADDING

SC: STONE/TILE CLADDING

 ACRYLIC TEXTURE COAT

SOUTH ELEVATION

Scale 1 : 200



WEST (STREET) ELEVATION

Scale 1 : 200

APARTMENTS - 82 MACLEOD RD, APPLECROSS

ELEVATIONS 1



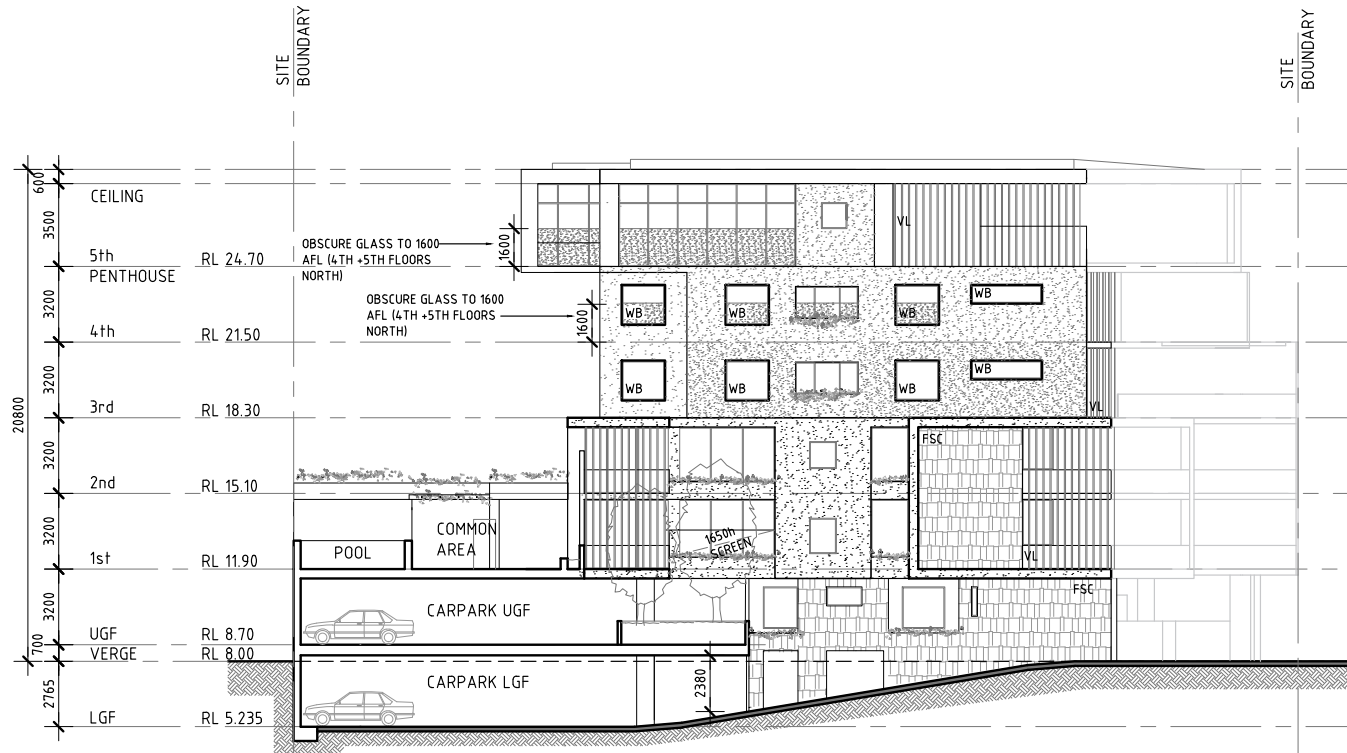
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1:200 @ A2
MAY 19 2023

GARY BATT
ASSOCIATES
ARCHITECTS



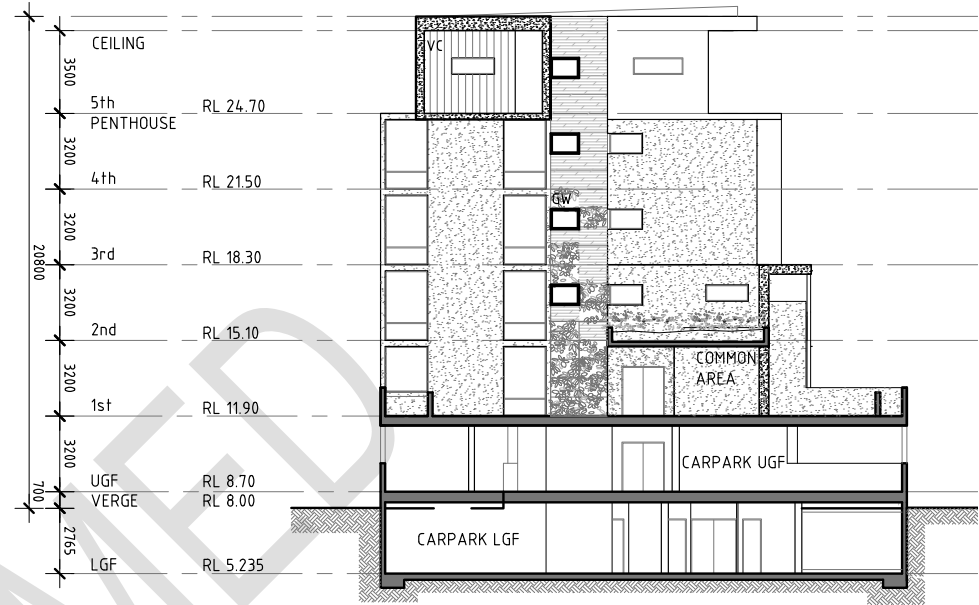
KEY/LEGEND

- WB: WINDOW BOX SHADING ELEMENT
- VL: VERTICAL LOUVRES (PRIVACY + SHADING)
- BL: 1000h BALUSTRADE
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- VC: VERTICAL CLADDING
- SC: STONE/TILE CLADDING
- ACRYLIC TEXTURE COAT



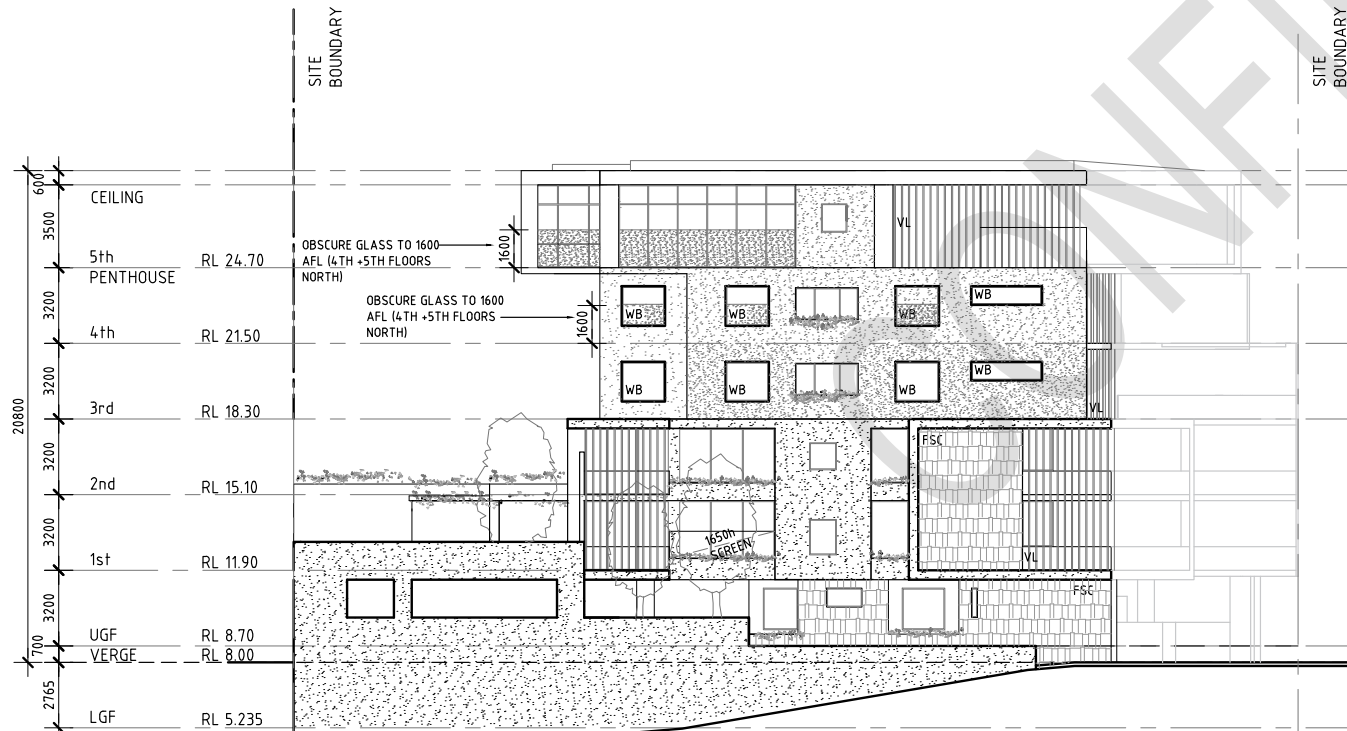
NORTH ELEVATION (PART SECTION)

Scale 1: 200



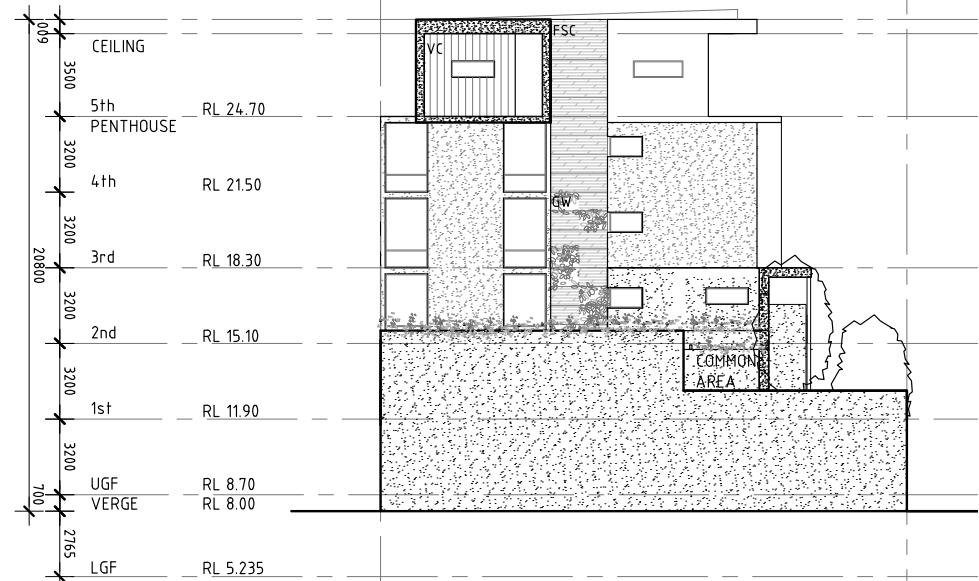
EAST ELEVATION (PART SECTION)

Scale 1: 200



NORTH ELEVATION

Scale 1: 200



EAST ELEVATION

Scale 1: 200

APARTMENTS - 82 MACLEOD RD, APPLECROSS

ELEVATIONS 2



SK3.02
1:200 @ A2
MAY 30 2023

GARY BATT
ASSOCIATES
ARCHITECTS





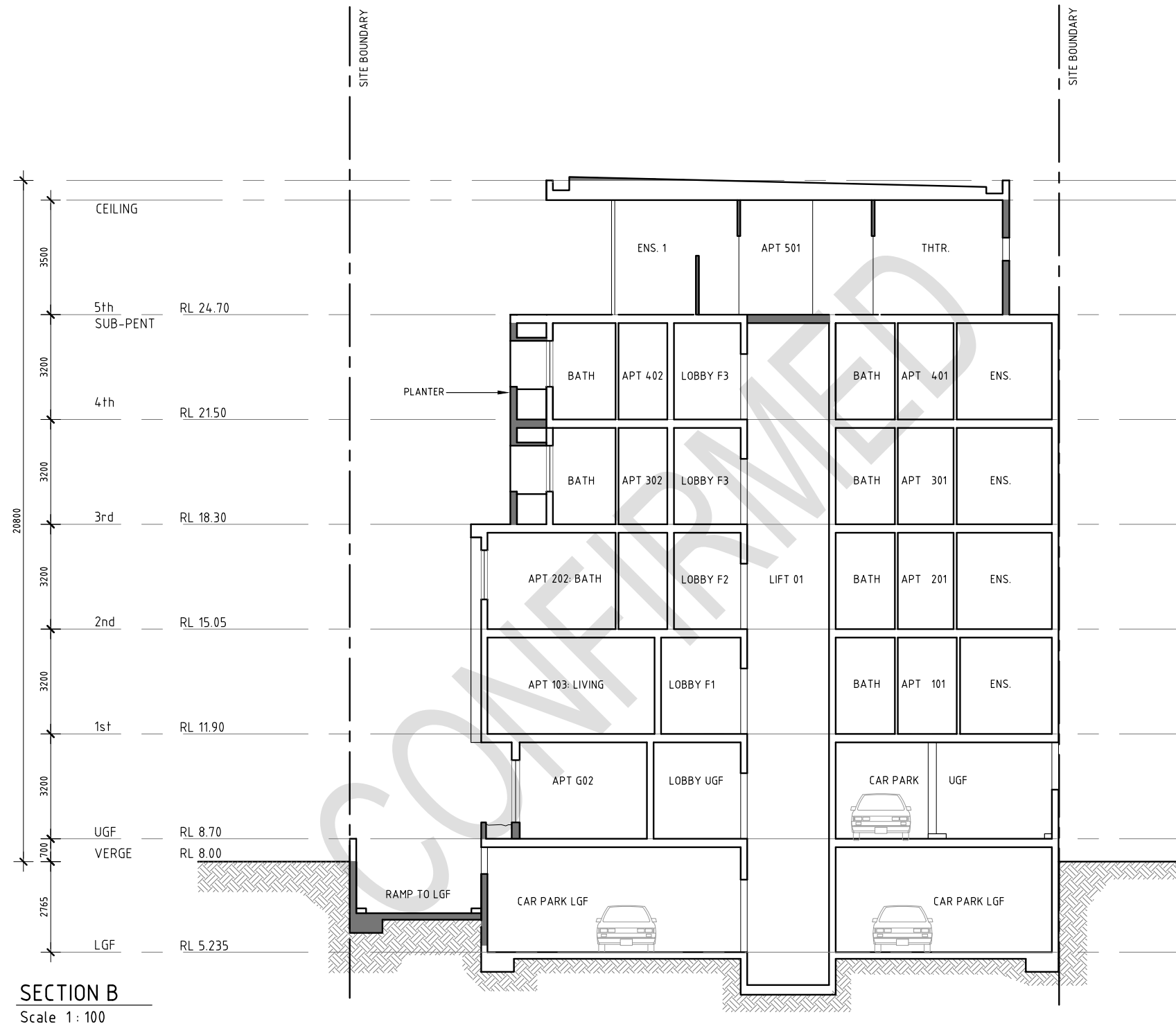
APARTMENTS - 82 MACLEOD RD, APPLECROSS

SECTION A

SK4.01
1:100 @ A2
25 APRIL 2023

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APARTMENTS - 82 MACLEOD RD, APPLECROSS

SECTION B

SK4.02
1:100 @ A2
19 MAY 2023

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APARTMENTS - 82 MACLEOD RD, APPECROSS

FIRST FLOOR PLAN



SK2.03
1:100 @ A2
19 MAY 2023

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APARTMENTS - 82 MACLEOD RD, APPECROSS

SECOND FLOOR PLAN



SK2.04
1:100 @ A2
19 MAY 2023

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APARTMENTS - 82 MACLEOD RD, APPECROSS

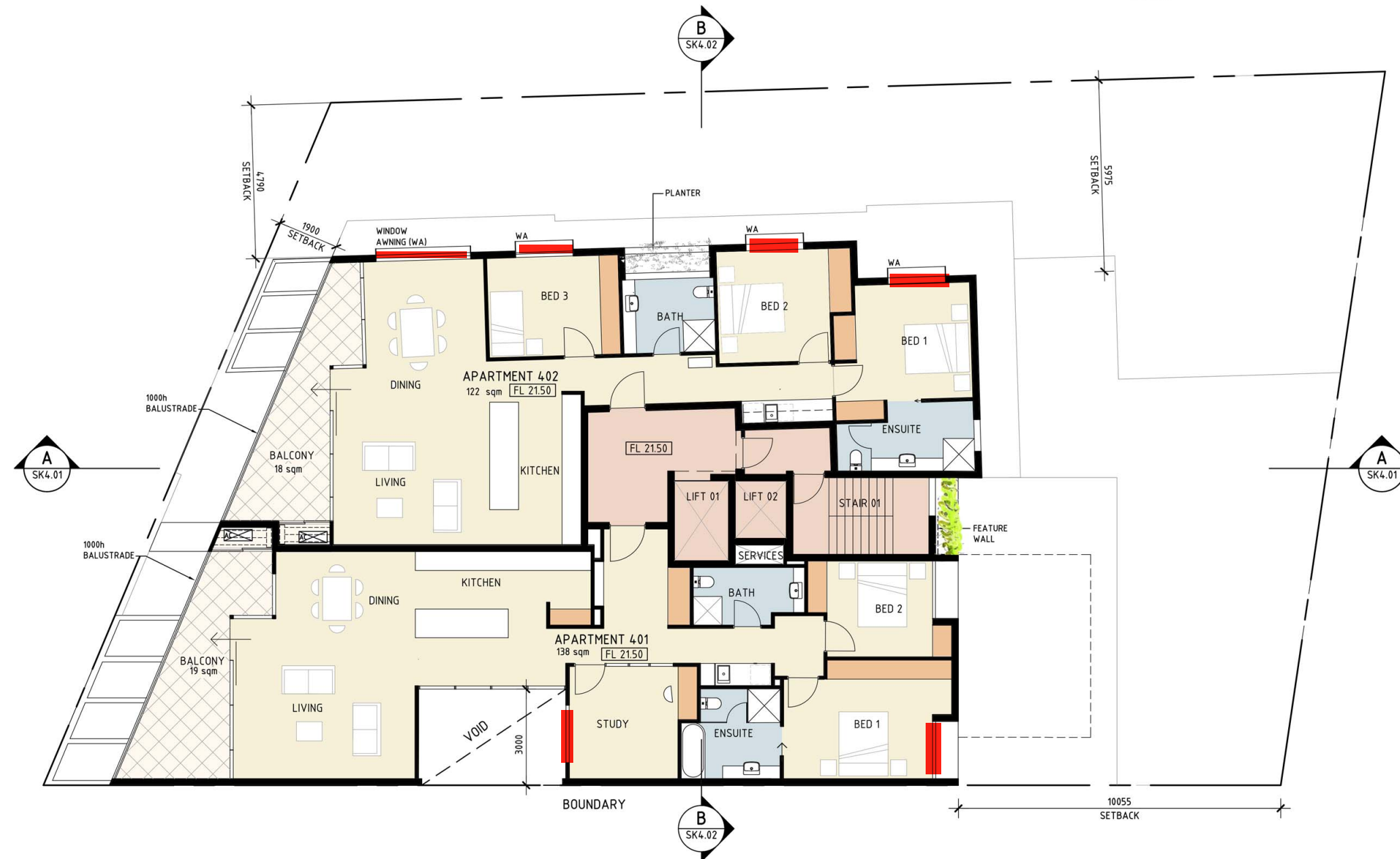
THIRD FLOOR PLAN



SK2.05
1:100 @ A2
19 MAY 2023

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APARTMENTS - 82 MACLEOD RD, APPECROSS

FOURTH FLOOR PLAN



SK2.06
1:100 @ A2
MAY 19 2023

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APARTMENTS - 82 MACLEOD RD, APPECROSS

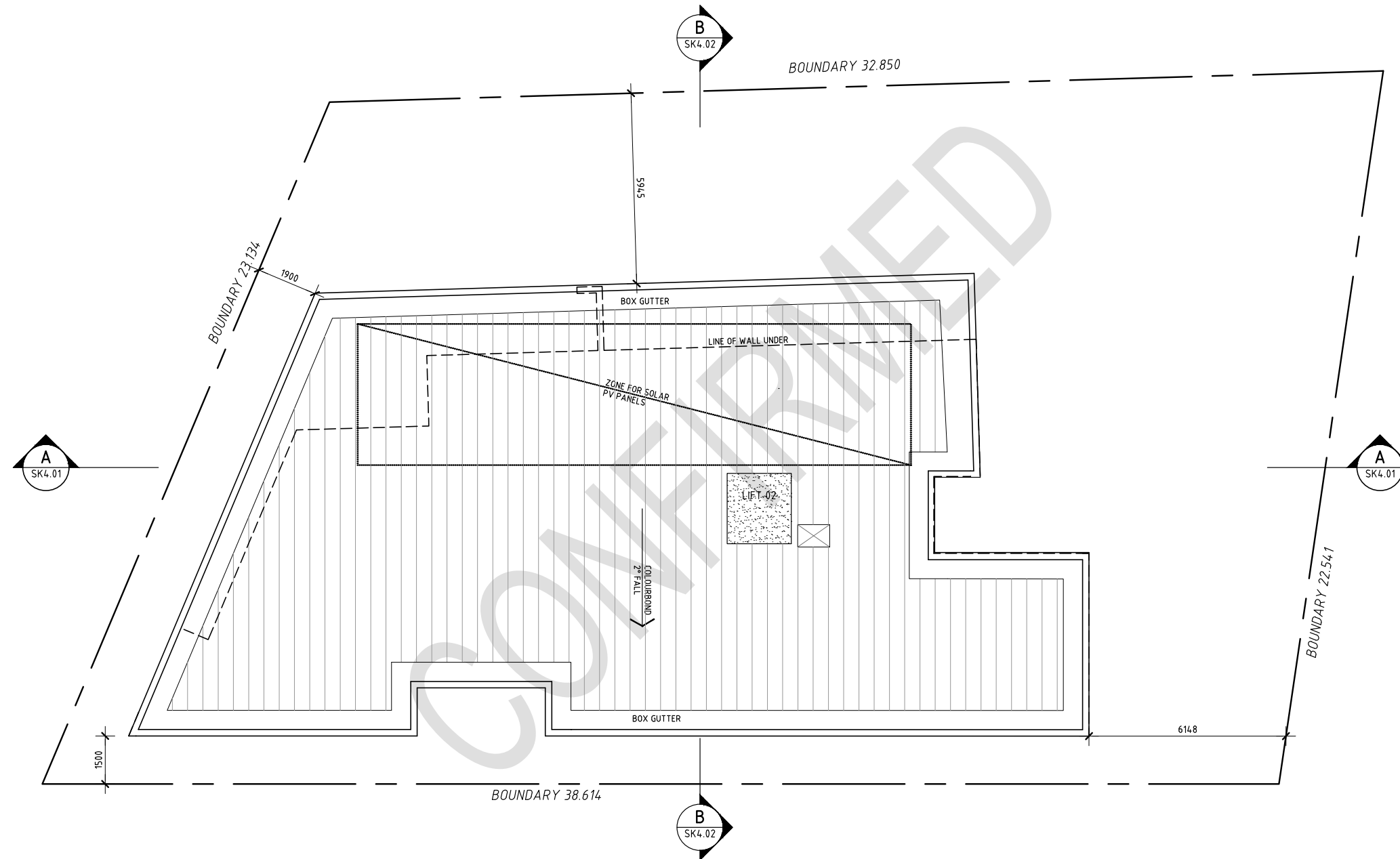
FIFTH FLOOR PLAN



SK2.07
1:100 @ A2
MAY 19 2023

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APARTMENTS - 82 MACLEOD RD, APPECROSS

ROOF PLAN



SK2.09
1:100 @ A2
25 APRIL 2023

GARY BATT
ASSOCIATES
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82 Macleod Road Development Application Landscape

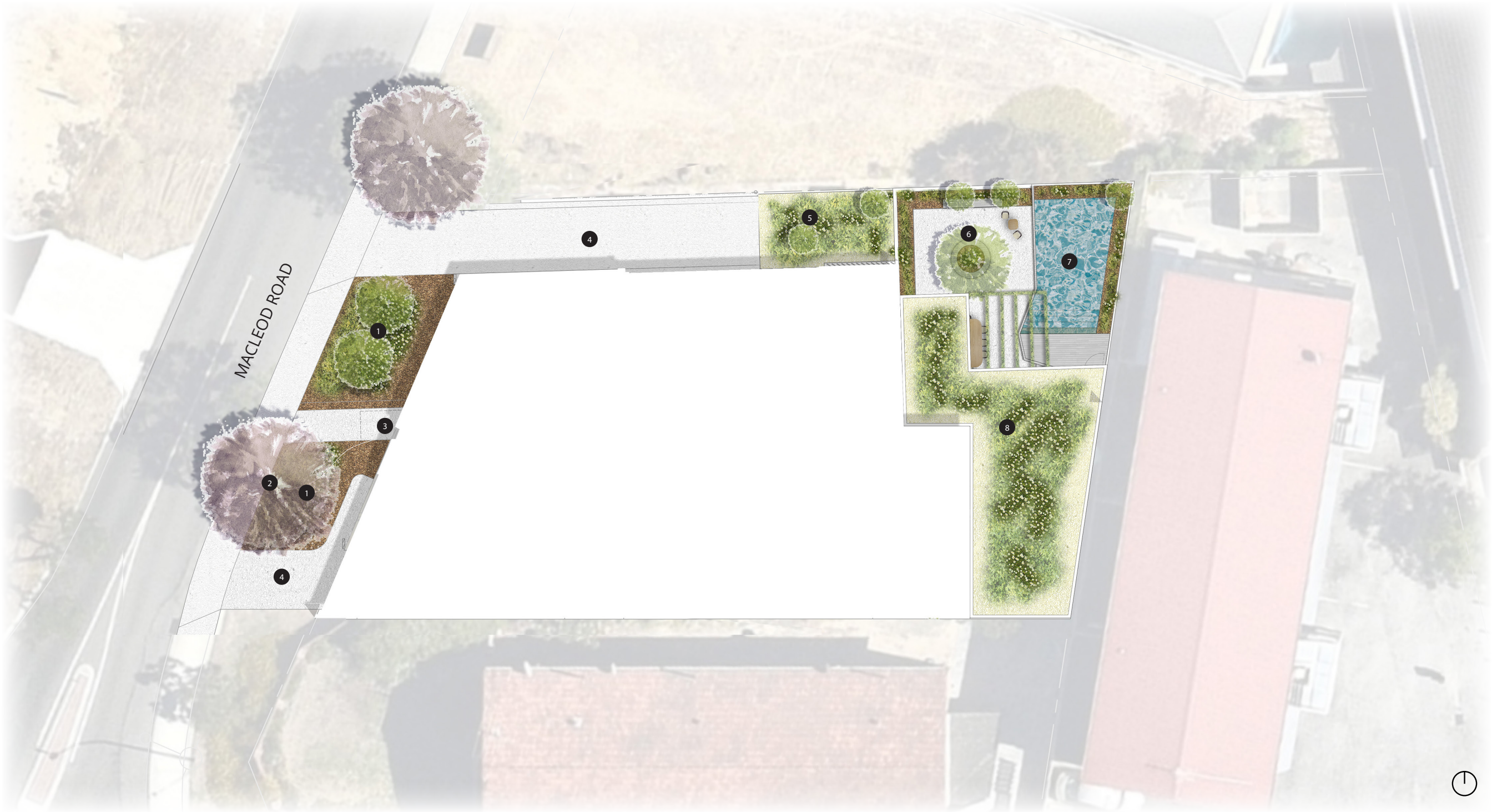
22/05/2023

Jack-Henry Bresa, MLA

82 Macleod Road, Applecross WA 6153

Prepared for:
Gary Batt Associates

Landscape Plan



SITE PLAN

1	Feature Entry Garden Bed	6	Outdoor Dining Area
2	Retained Jacaranda Trees	7	Pool Area
3	Building Entrance	8	Green Roof
4	Driveway		
5	Deep Soil Planter w/ Feature Trees		

Note

The trees shown in the illustrative plan above are indicative and the tree canopy section is to be referred to for accurate calculations. For additional information on the tree planting strategy, refer to the landscape quality page.

82 Macleod Rd

Scale 1:200

Landscape Plan



GROUND FLOOR PLAN	
1	Proposed Garden Bed
2	Retained Jacaranda Trees
3	Proposed Trees
4	Building Entrance
5	Footpath
6	Driveway

Note

The trees shown in the illustrative plan above are indicative and the tree canopy section is to be referred to for accurate calculations. For additional information on the tree planting strategy, refer to the landscape quality page.

82 Macleod Rd

Scale 1:100

Landscape Plan



82 Macleod Rd

Scale 1:100

Landscape Quality

Feature Green Wall

The landscape enhancements are to include a feature green wall on the eastern side of the building. These living, breathing artworks improve air quality, increase biodiversity and provide sound insulation.

This feature wall is to be achieved by either a green facade or a living wall, which is to be explored in future stages. The green facade features climbing plants or cascading groundcovers supported by cables, mesh or trellis. Best suited to plants like *hibbertia scandens*, *trachelospermum jasminoides* and *pandorea jasminoides*. Where the living wall uses a more robust system utilising multiple modular elements. Best suited to *Lomandra 'Tanika'*, *sedum crassulaceae* and *liriope 'Evergreen Giant'*.

Climbing Installation & Maintenance

The selected plant species will be tolerant to the daylight, and poor soil conditions therefore no soil improvement will be required during the installation. Having a planter at the base of the pergola structure will ensure that it has substantial support to permit vertical growth. A large, heavy-duty standard 'hoop' on top of the structural post will be required.

If trailing along a wall or fence, use heavy wire and fixtures. If possible, have the wire standing at least 10cm from the wall or fence face to ensure adequate space for growth.

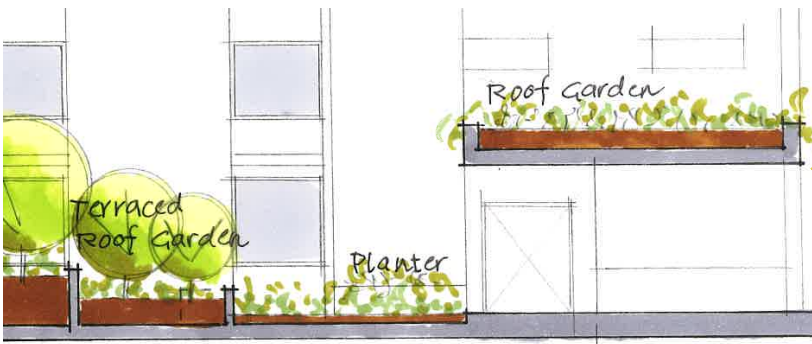
Once established, it will require very little care beyond pruning. Fertilise annually in spring with a quality controlled-release fertiliser.

Green Roof

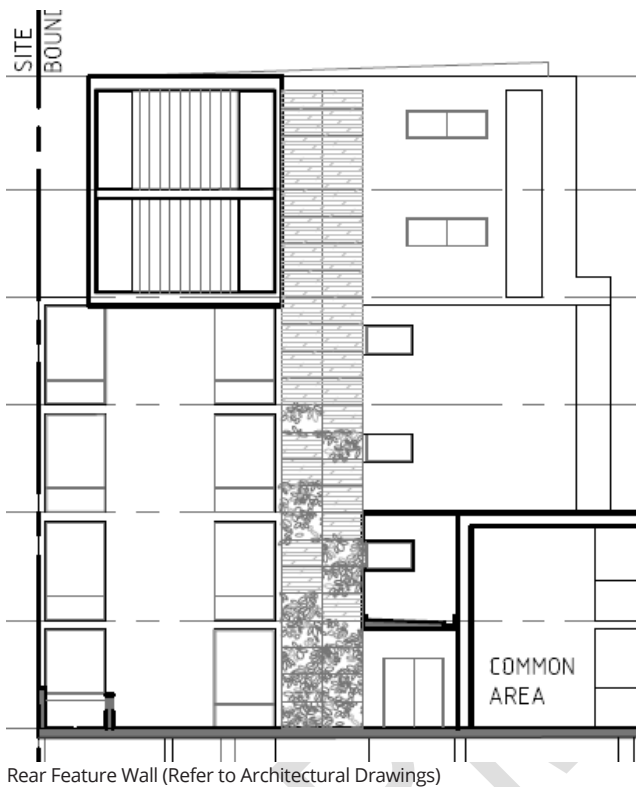
The project will utilize green roof principles & design in order to contribute to the landscape quality. This will feature 'extensive green roofs' that have a shallow profile & resilient shrub and groundcover planting.

The key features of these roofs are as follows:

- Shallow growing medium,
- Roof structure similar to conventional roof coverings;
- Vegetation generally limited to low, shallow-rooting and groundcover plants that tolerate drought, wind exposure and temperature fluctuations.



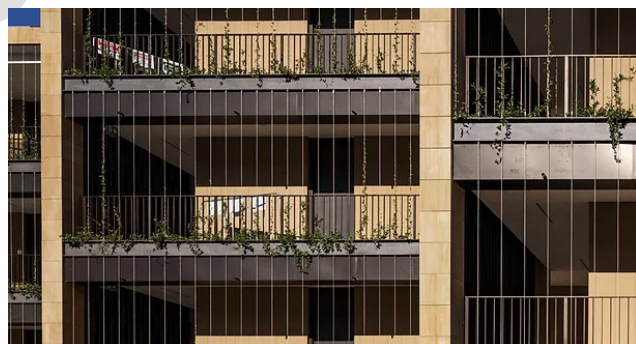
Roof Garden / Green Roof Concept Section



Rear Feature Wall (Refer to Architectural Drawings)



Green Living Wall



Green Facade / Vertical Climbing System



Roof Garden / Green Roof Concept

1 - Green Roof

2 - Deep Soil Planter

Water Efficient Irrigation System

Trees and plants will be irrigated by a water efficient irrigation system. The irrigation water demand volumes will not be excessive, however, a constant and uninterrupted supply must be maintained especially during dry and hot periods.

Where possible, plants will be hydro- zoned according to water requirements. This allows the reticulation to the endemic plantings to be separately controlled and greatly reduced following their establishment period.

A holistic irrigation strategy will be prepared for the project that aims to include the following initiatives:

- Hydro-zoning of plants
- Waterwise planting and use of local species
- High quality and improved soils with good moisture and nutrient holding capacity
- Organic mulch

Landscape Quality

Materials Strategy

A refined palette of robust and low maintenance materials are proposed that are in keeping with the project context and Architecture. This approach acknowledges innovation and distinctiveness of the region and its crafted history. Through the use of recycled materials, a unique character and materiality can resonate that is of place, and representative of local vernaculars where possible.

The Material strategy will:

- Seek to include recycled materials where possible.
- Use materials that are sympathetic to the local context and are appropriate to their location and use.
- Form a structured palette that is coordinated to create visual unity and integrity within the landscape but allow for variations in texture and colour that can be used to define function and character.
- Give consideration to long-term performance, durability and maintenance requirements.
- Consider impact on the environment and sourcing, cost and project sustainability.
- High Quality Fair Faced Concrete - Raw, contemporary finishes
- Muted Colours - Utilise a light colour palette to emphasise the natural tones. Only use bright colours as highlights.

Planting Strategy

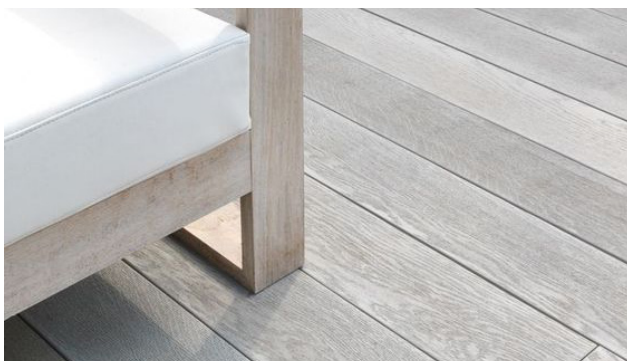
The selected plant species will be tolerant to the daylight, wind, and soil conditions of the artificial environment of the planted locations.

The planting is intended to:

- Use landscape elegantly to create identity and maximise amenity for the occupants and the broader precinct
- Enhance ecological diversity.
- Match the anticipated mirco climate
- Incorporate soil volume and irrigation within the constraints of the site
- Reduced temperatures of external areas through evapotranspiration
- Noise Mitigation & Habitat Creation
- Contribute to the City of Melville Urban Forest Strategy Guidelines..
- Be robust, suited to the available aspect, work with ambient wind levels and minimise water use
- Have low watering, and low maintenance requirements.

Tree Strategy

The proposed tree strategy is to maximise tree canopy & deep soil to suit the landscaped areas. The existing Jacaranda street tree that is located on the site is to be celebrated & enchanced by understorey planting & complimented by trees throughout the site.



Composite Decking



Crushed Limestone



Exposed Aggregate



Pool Deck



Steel Retaining & Edging



Terraced Garden



Planting Examples

Planting Palette



Groundcovers/Strappy/Grasses

- Acaica cognata 'Limelight' (7)
- Conostylus candicans (1)
- Ficinia nodosa (5)
- Hibbertia scandens (3)
- Leucophyta brownii (dwarf)
- Lomandra 'Seascape' (4)
- Myoporum parvifolium (6)
- Phormium tenax (8)
- Darwinia citriadora (2)



Shrubs

- Adenanthos sericeus (4)
- Correa backhouseana (2)
- Correa alba (8)
- E. pulverulenta (clipped) (1)
- Limonium perezii (3)
- Olearia axillaris (7)
- Rhaphiolepis hybrid Oriental Pearl (5)
- Westringia fruticosa 'Jervis Gem' (6)



Hanging / Climbing Plants

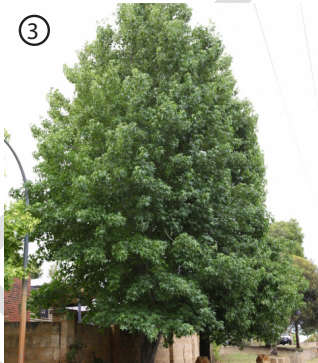
- Hardenbergia Purple Spray (1)
- Pandorea pandorana (2)
- Trachelospermum jasminoides (3)
- Wisteria floribunda (4)
- Hibbertia scandens
- Pandorea jasminoides

Planting Palette



Interior Trees

Lagerstroemia tuscaraora 'Crepe Myrtle' (1)
Magnolia 'Greenback' (2)
Melaleuca quinquenervia (3)
Eucalyptus victrix(4)



Verge Trees (200L)

Jacaranda mimosifolia - Retained
Liquidambar styraciflua (3)
Delonix regia (2)
Agonis flexuosa (4)

Species to be consistent with City of Melville
Urban Forest Strategy Guidelines.



Green Roof

Westringia fruticosa
Dichondra argentea 'Silver Falls' (1)
Viola hederacea (2)
Hardenbergia violacea 'Happy Wanderer'
Callistemon viminalis
Myoporum parvifolium (3)
Themeda australis 'Mingo'
Lomandra 'Seascape'
Olearia axillaris (4)

Tree Canopy & Deep Soil

Deep Soil & Tree Canopy Strategy

The landscape strategy has been to ultimately provide the maximum amount of deep soil & tree canopy to contribute to the city's urban greening strategy. However due to site constraints this is only achieved by including the verge enhancements & the additional planting on structure. It is important to note that the Riseley St Centre Structure Plan notes RDC landscape requirements are not applicable.



Lot Area: 775m²

Deep Soil Requirement (10%): 77.5 m²

Tree Requirement: 2 Medium Trees
Tree Canopy: 2 Medium Trees (38m²) = 76m² canopy coverage

		Soil			
Level	Planter	Deep Soil Planting [m ²]	Verge Deep Soil [m ²]	Planting on structure in lieu of deep soil [m ²]	Total
		Counted at 100%	Counted at 100%	Counted at 50%	
Ground Floor	1		24		
First Floor	2		36		
	3			25	
	4			8	
	5			8	
	6			2	
	7			31	
	8			11	
	9			3	
	10			2	
	11			96	
Second Floor Roof					
Total		0	60	187	246
DSP to be provided (at 10% of Site Area): 78 DSP achieved: 246					
Deep Soil Requirement Achieved					

Trees				
	Large Tree (Requiring 64m ²)	Medium Tree (Requiring 38m ²)	Small Tree (Requiring 9m ²)	Total
Canopy m ²	64	38	9	
Ground Floor			2	
First Floor			11	
Total Trees	0		13	13
Total Canopy	0	0	117	117
Trees Required 2 Trees Provided 13 Canopy Require 76 Canopy Provided 117				
Tree Requirement Achieved ✓				

Attachment 1: Waste Management Plan Template

WASTE MANAGEMENT PLAN

Dated 26/05/23_____

For

Development A six storey residential Apartment building (class 2) of 12 dwellings and basement parking.

Address 82 Macleod Rd Applecross 6153

This form is intended to be a template for Applicants to utilise to assess and detail the waste and recycling requirements of a proposed development. This template is based upon the requirements of Local Planning Policy LPP1.3: Waste and Recyclable Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments.

Where an Applicant considers that particular requirements of the Local Planning Policy are not applicable to a subject development, the justification and alternative approach can be detailed within the Waste Management Plan.

INTRODUCTION

This waste management plan pertains to the following:

Development: A six storey residential Apartment building (class 2) of 12 dwellings and basement parking.

Address: 82 Macleod Rd Applecross 6153

This waste management plan is to address the operational phases of the development and is to be in accordance with Local Planning Policy LPP1.3 Waste and Recyclable Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments.

Once approved by the City, waste collection and disposal is to be undertaken in accordance with this Waste Management Plan, subject to any additional conditions of planning approval.

The development consists of:

☒ Residential

If yes, how many dwellings? 12 _____

☐ Non-Residential Tenancies

If yes, complete the table below:

<i>Land Use</i>	<i>No. of Tenancies</i>	<i>Total Public Floor Area (PFA) or Gross Floor Area (GFA)</i>

WASTE AND RECYCLABLES CAPACITY (from VM LPP1.3_rev 1, Oct 2022)

Residential Waste, Recycling and FOGO Calculations (from VM LPP1.3_rev 1, Oct 2022)			
	<i>Waste Requirement</i>	<i>Recycling Requirement</i>	<i>FOGO Requirement</i>
3 bedrooms or Greater (4 of)	70L/week 280	120L/week 480	30L/week 120
2 bedrooms (6 of)	60L/week 360	80L/week 480	20L/week 120
1 bedroom (2 of)	40L/week 80	60L/week 120	10L/week 20
Total Litres	720	1080	260
Min. Bins Req. (240l per week)	3	5	2
Total Provided	5	7	2

Other Waste Requirements

Liquid or hazardous waste generated on-site? Yes / No

If Yes, please detail collection arrangements:

No

Medical waste products controlled by the *Environmental Protection (Controlled Waste) Regulations 2004* generated on-site? Yes / No

If Yes, please detail collection arrangements:

No

Will processing, retail and/or wholesale of animal products occur on-site? Yes / No

If Yes, please detail collection arrangements:

No

BIN SELECTION

Type of bins to service the development:

Residential

Please circle selected bin size:

Waste: 240L / 660L / 1100L

Recyclables: 240L / 660L / 1100L

Total number of bins required: See above table

Non-Residential

Please circle selected bin size:

Waste: 240L / 660L / 1100L

Recyclables: 240L / 660L / 1100L

Total number of bins required: N A _____

Council collection: **Yes** / ~~No~~

Where No, frequency of collection: **Weekly / Fortnightly** / ~~Other~~

BIN COMPOUNDS

Size and location to be detailed on the development plans submitted for development approval in accordance with Clause 5 of Local Planning Policy LPP1.3 Waste and Recyclable Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments.

A compound of 6m x 2.7m is provided in the lower ground floor

COLLECTION

Collection points are to be located in accordance with Clause 6 of Local Planning Policy LPP1.3 Waste and Recyclable Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments.

The relevant bins will be brought up from the lower ground floor by a caretaker utilizing an electric bin tug. These will be placed neatly on the verge based on the fortnightly staggering of waste and recyclable bin pickups a maximum of 7 bins will be placed out at a time.

☐ On-Site

☒ Street Collection

TRANSPORT IMPACT STATEMENT

Lot 2 (No. 82) MacLeod Road,
Applecross

May 2023

Rev D



HISTORY AND STATUS OF THE DOCUMENT

Revision	Date issued	Reviewed by	Approved by	Date approved	Revision type
Rev A	10.01.2023	M Kleyweg	M Kleyweg	10.01.2023	Issued for Review
Rev B	14.02.2022	M Kleyweg	M Kleyweg	14.01.2022	Issued for Review
Rev C	19.05.2022	M Kleyweg	M Kleyweg	19.05.2022	Proposed layout amended
Rev D	24.05.2022	M Kleyweg	M Kleyweg	24.05.2022	Proposed layout amended

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Appendices

Appendix 1 - The layout of the proposed development

Appendix 2 - Transport Planning and Traffic Plans

Appendix 3 - Vehicle Turning Circle Plans

1. Executive Summary

Site Context

- The subject site fronts MacLeod Road to the west. It is situated within the Riseley Centre area.
- A single residential dwelling currently occupies the subject site. The proponent seeks to demolish the existing dwelling and construct a six-storey building comprising a residential development with 12 residential apartments and a common area (such as a gym, pool etc) accessible to residents only.
- The proposed plans are enclosed in Appendix 1 for reference.

Technical Findings

- The navigability of the proposed development was checked with a B99 passenger vehicle. All parking bays and internal parking areas are navigable by a passenger vehicle. Plans are enclosed in Appendix 3 for clarity.
- The internal garage is generally suitable for two-way traffic; however proposed ramp allows only one-way traffic, so a traffic management system and convex safety mirrors are proposed for both ramps.
- The length, grade and grade transitions of both of the proposed ramps generally comply with the Australian Standard AS/NZS 2890.1/2004. Furthermore, vertical clearance analysis confirms there will be no scraping of the B99 passenger vehicle at any of the proposed ramps.
- It is expected that the delivery and service vehicles (such as waste removal vehicles) servicing the residential development will not require designated parking space, given that they can operate safely within the road reserve.
- The proposed development will be included in the standard waste collection practice. Bins will be collected from the verge, and waste collection vehicle will not enter the parking area.

Relationship with Policies

- According to State Planning Policy 7.3, the proposed development requires 15 parking bays. The proposed development plans show a total of 25 parking bays proposed spread within 2 garage levels approachable via separate ramps, leading to a surplus of 10 car parking bays included and ACROD bay.
- Proposed development plans indicate a total of 10 bicycle racks and therefore meet and exceed the requirements for bicycle parking set out in the State Planning Policy 7.3.
- Building Code of Australia ACROD Provision – plans do not show any accessible units; therefore, there is no requirement to provide an ACROD bay. However, 1 ACROD bay is proposed on an upper ground floor level.

Transport Impact Statement

KC01455.000 Lot 2 (No. 82) MacLeod Road, Applecross

Conclusion

- The proposed development is expected to generate additional 71 vehicle trips per day and 9 vehicle trips in the peak hour. According to WAPC Guidelines, this impact is considered low. KCTT believe that the impact of this development would be negligible when taken in the context of the surrounding road network.
- MacLeod Road is classified as Access Road as per MRWA classification with the maximum desirable volume of 3,000 vehicles per day. KCTT expected that with the added traffic from the subject site, the street would remain well under the maximum desirable traffic volume for Access Street roads.
- Other surrounding roads would absorb significantly less traffic than MacLeod Road; moreover, the traffic would be dispersed, so the impact can be considered negligible. In summary, KCTT believes that the proposed development will not negatively impact the surrounding road network.

2. Transport Impact Statement

2.1 Proposal

Hide Shigeyoshi engaged KCTT to prepare a TIS for the proposed Residential development planned to replace the existing dwelling on Lot 2 (No. 82) MacLeod Road, Applecross.

This report will primarily address the level impact of the proposed development and the requirements for integration of the proposed development with the surroundings, namely the existing and planned immediate road network.

2.2 Location

Lot Number 2
Street Number 82
Road Name MacLeod Road
Suburb Applecross
Description of Site The subject site fronts MacLeod Road to the west. It is situated within the Riseley Centre area.

The proponent seeks to demolish the existing dwelling and construct a fifth-storey building comprising a residential development with 12 residential apartments and a common area (such as a gym, pool etc) accessible to residents only.

The proposed plans are enclosed in Appendix 1 for reference.

2.3 Technical Literature Used

Local Government Authority	City of Melville
Type of Development	Residential development (Residential apartments and penthouses, private gym and pool)
Are the R-Codes referenced?	YES
If <u>YES</u>, nominate which:	State Planning Policy 7.3 Residential Design Codes Volume 2 - Apartments (Gazetted on 24 May 2019)
Is the NSW RTA Guide to Traffic Generating Developments Version 2.2 October 2002 (referenced to determine trip generation / attraction rates for various land uses) referenced?	YES
Which WAPC Transport Impact Assessment Guideline should be referenced?	Volume 4 - Individual Developments Volume 5 - Technical Guidance
Are there applicable LGA schemes for this type of development?	YES
If <u>YES</u>, Nominate:	
Name and Number of Scheme	City of Melville Local Planning Scheme No. 6
Are Austroads documents referenced?	YES

2.4 Land Uses

Are there any existing Land Uses

YES

If YES, Nominate:

Single residential dwelling

Proposed Land Uses

How many types of land uses are proposed?

One (1) – Residential Land Use
 Private Gym and Pool are for internal use only

Nominate land use type and yield

12 residential units:

- 2 one-bedroom apartments
- 5 two-bedroom apartments
- 4 three-bedroom apartments
- 1 penthouse apartment

Are the proposed land uses complementary with the surrounding land-uses?

The subject site is designated as "Centre C2" in the City of Melville's Local Planning Scheme No.6.

The subject lot is located within Riseley Activity Centre Structure Plan, Precinct 2: Canning Corridor, with residential coding RAC-O

According to the Land Use Permissibility Table, Residential Building land use is marked as "D", which "means that the use is not permitted unless the responsible authority has exercised its discretion by granting planning approval;"

2.5 Local Road Network Information

How many roads front the subject site?

1

Name of Roads Fronting Subject Site / Road Classification and Description:

Road Name

MacLeod Road

Number of Lanes

two way, one lane (no linemarking), undivided

Road Reservation Width

App.20m

Road Pavement Width

App.6.5m

Classification

Access Road

Speed Limit

50kph

Bus Route

NO

If YES Nominate Bus Routes

-

On-street parking

YES

Transport Impact Statement

KC01455.000 Lot 2 (No. 82) MacLeod Road, Applecross

Name of Other Roads within 400m radius of site, or roads likely to take increased traffic due to the development:

Road Name	Conon Road
Number of Lanes	two way, one lane (no linemarking), undivided
Road Reservation Width	App.20m
Road Pavement Width	App.6.0m
Classification	Access Road
Speed Limit	50kph
Bus Route	NO
If YES Nominate Bus Routes	-
On-street parking	NO

Road Name	Canning Highway
Number of Lanes	two way, two lanes per direction, divided
Road Reservation Width	App.30m
Road Pavement Width	App.7.0m+7.0m
Classification	Primary Distributor
Speed Limit	60kph
Bus Route	YES
If YES Nominate Bus Routes	111, 114, 115, 148, 158, 910
On-street parking	NO

2.6 Traffic Volumes

Road Name	Location of Traffic Count	Vehicles Per Day (VPD)	Vehicles per Peak Hour (VPH)				Heavy Vehicle %	Date of Traffic Count	If older than 3 years multiply with a growth rate
			AM Peak Time	AM Peak VPH	PM Peak Time	PM Peak VPH			
MacLeod Road	100m south Riseley Street (#87)*	840	08:00 – 92		17:00 – 78		n/a	May 2021	–
	30m north Riseley Street (#72)*	3,778	08:00 – 432		15:00 – 353		n/a	May 2021	–
	25m south Fletcher Street (#63)*	2,493	08:00 – 309		15:00 – 240		n/a	May 2021	–
Canning Highway	East of Riseley Street (SLK 7.89)	41,926	08:15 – 3,057		16:15 – 3,196		6.6%	2018/9	–
	East of Riseley Street**	41,006	09:00 – 3,201		17:00 – 3,151		n/a	Feb 2022	–
	West of Riseley Street (SLK 8.15)	36,151	07:00 – 2,706		16:45 – 2,790		7.1%	2021/2	–
	West of Riseley Street**	35,175	09:00 – 2,750		17:00 – 2,730		n/a	Feb 2022	–

Transport Impact Statement

KC01455.000 Lot 2 (No. 82) MacLeod Road, Applecross

Road Name	Location of Traffic Count	Vehicles Per Day (VPD)	Vehicles per Peak Hour (VPH)				Heavy Vehicle % <i>If HV count is Not Available, are HV likely to be in higher volumes than generally expected?</i>	Date of Traffic Count	<i>If older than 3 years multiply with a growth rate</i>
			AM Peak Time	AM Peak VPH	PM Peak Time	PM Peak VPH			
Riseley Street	South of Canning Highway **	12,903	09:00 – 1,081		17:00 – 1,081		n/a	Feb 2022	–
	North of Canning Highway **	4,721	09:00 – 486		17:00 – 385		n/a	Feb 2022	–

Note* - These traffic counts have been received from the City of Melville

Note** - These traffic volumes have been derived from SCATS data obtained through Main Roads for the intersection of Canning Highway and Riseley Street. Although SCATS should not be used as a sole source of data it is a good tool to verify fluctuations in flow.

2.7 Vehicular Crash Info

Is Crash Data Available on Main Roads WA website?

NO

If YES, nominate important survey locations:

Location 1

MacLeod Road (SLK 1.09 - 1.27)

Period of crash data collection

01/01/2017 - 31/12/2021

Message

The report has no data.

Summary Crash History

Road:
MacLeod Rd, From: Conon Rd; To: Riseley St; All

From Date: 2017/01/01
To Date: 2021/12/31

Crash Type: All
Severity: All
Summarise By Intx: No

Comment: No crashes were reported for the above crash data collection period. Therefore, currently, there are no safety concerns at the proposed location.

2.8 Vehicular Parking

Local Government

City of Melville

Local Government Document Utilised

- Riseley Activity Centre Structure Plan, March 2015
- Riseley and Canning Bridge Activity Centres – Parking Management Plan, Appendix E – Parking Management Principles⁴
- Local Planning Policy - Car Parking and Access (Policy No. LPP 1.6)
- Residential Design Codes - Volume 2 – Apartments (State Planning Policy 7.3)

Description of Parking Requirements in accordance with Scheme:

Riseley Activity Centre Structure Plan from March 2015, stipulates the following:

"Car Parking

9.31 On-site car parking is to be in accordance with an approved Parking Management Plan or local planning policy for the centre or otherwise in accordance with the Scheme and Residential Design Codes.

9.32 Basement car parking is strongly encouraged."

According to the Riseley and Canning Bridge Activity Centres – Parking Management Plan, Appendix E – Parking Management Principles" Residential parking permits will not be issued in the Parking Management Study Area as on-site parking should be provided".

City of Melville's Policy No. LPP 1.6 stipulates:

"Where residential development is proposed, it is to be assessed having regard to the relevant clauses relating to parking, design and access of the R-Codes."

Therefore, the parking requirements from the State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments should be used in this assessment.

Given that the subject location is within the 250m of High Frequency Bus Route No 910, the car parking requirements for Locations A apply, as per the State Planning Policy 7.3 table shown below.

Table 3.9 Parking ratio			
Parking types		Location A	Location B
Car parking ¹	1-bedroom dwellings	0.75 bay per dwelling	1 bay per dwelling
	2+ bedroom dwellings	1 bay per dwelling	1.25 bays per dwelling
	Visitor	1 bay per four dwellings up to 12 dwellings 1 bay per eight dwellings for the 13th dwelling and above	
Bicycle parking ¹	Resident	0.5 space per dwelling	
	Visitor	1 space per 10 dwellings	
Motorcycle/ Scooter parking ²	Developments exceeding 20 dwellings provide 1 motorcycle/scooter space for every 10 car bays		
Note ¹ Calculations of parking ratios shall be rounded up to the next whole number.			
Note ² For each five motorcycle/scooter parking bays provided in accordance with Table 3.9, car parking bays may be reduced by one bay.			
Definitions:			
- Location A: within 800m walkable catchment of a train station and/or 250m of a transit stop (bus or light rail) of a high-frequency route and/or within the defined boundaries of an activity centre.			
- Location B: not within Location A			

Transport Impact Statement

KC01455.000 Lot 2 (No. 82) MacLeod Road, Applecross

Calculation of Parking (in accordance with the State Planning Policy 7.3 Residential Design Codes Volume 2—Apartments)

Land Use	Requirements	Yield	Total Parking
Residential	0.75 bay per dwelling per 1-bedroom dwellings	2	1.5
	1 bay per 2+ bedroom dwellings	10 dwellings	10
	1 visitor bay per 4 dwellings up to 12 dwellings + 1 bay per 8 dwellings for the 13th dwelling and above	12 dwellings	3
	Total car parking requirements for residents:		12
	Total car parking requirements for residential visitors:		3
	Total car parking requirements		15
<i>Note*: Proposed common areas such as Gym, Pool and Barbeque proposed are accessible to the residents only; therefore, will not attract any additional parking requirements.</i>			
	Total Volume of Parking Provided by Proponent		25

Inclusive of: 15 car bays on the lower ground floor
10 car bays on the upper ground floor (Including 1 ACROD)

Justification

According to State Planning Policy 7.3, the proposed development requires 15 parking bays.

The proposed development plans show a total of 25 parking bays proposed spread over two (2) garage levels accessible via separate ramps. Parking provision includes 21 residential car bays expected to be assigned to each unit, 1 ACROD bay and 3 bays dedicated for visitors.

The subject development has a surplus of 10 car parking bays, including an ACROD bay. However, the surrounding streets offer an abundance of bus lines, some of which are high-frequency lines, and the residents should be encouraged to take advantage of these amenities.

Have Vehicle Swept Paths been checked for Parking? YES

If YES, provide description of performance:

The navigability of the proposed development was checked with a B99 passenger vehicle. All parking bays and internal parking areas are navigable by a passenger vehicle. Plans are enclosed in Appendix 3 for clarity.

2.9 Compliance with AS2890.1:2004 and AS2890.6

Number of Parking Bays on-site	25
Are Austroads documents referenced? If <u>YES</u> , Nominate:	<p>YES</p> <ul style="list-style-type: none"> Australian/New Zealand Standard, Parking facilities, Part 1: Off-street car parking - Originated as AS 2890.1—1986. Australian/New Zealand Standard, Parking facilities, Part 6: Off-street parking for people with disabilities - Originated as AS2890.6
Proposed development User Class	<ul style="list-style-type: none"> User Class 1A (Residential, domestic and employee parking) User Class 2 (Visitor's bays) User Class 4 (ACROD)

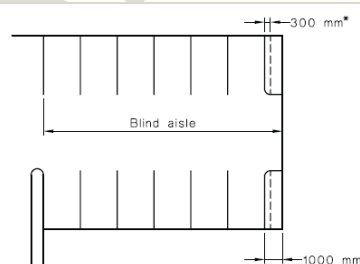
Total Number of Parking Bays on lower ground floor level				8 standard car bays + 8 (2x4) tandem bays		
AS2890.1:2004 Off-street car parking AS2890.6 Off-street parking for people with disabilities						
Parking Bay Type	Parking Bay Length		Parking Bay Width		Aisle Width	
	Required	Proposed	Required	Proposed	Required	Proposed
All bays at 90° (User Class 1A)	5.4m	5.5m and above	2.4m	2.4m/2.5m	5.8m	5.9m and above
All bays at 90° (User Class 2)	5.4m	5.5m and above	2.5m	2.5m	5.8m	5.9m and above

Total Number of Parking Bays on upper ground floor level				9 standard car bays + 1 ACROD		
AS2890.1:2004 Off-street car parking AS2890.6 Off-street parking for people with disabilities						
Parking Bay Type	Parking Bay Length		Parking Bay Width		Aisle Width	
	Required	Proposed	Required	Proposed	Required	Proposed
All bays at 90° (User Class 1A)	5.4m	5.4m / 5.5m	2.4m	2.4m/2.5m	5.8m	6.0m and above
ACROD Parking	5.4m	5.4m	2.4m–ACROD 2.4m–shared space	2.65m–ACROD 2.4m–shared space	5.8m	6.0m

Name the other requirements in the AS2890.1:2004 document.

‘At blind aisles, the aisle shall be extended a minimum of 1 m beyond the last parking space, as shown in Figure 2.3, and the last parking space widened by at least 300 mm if it is bounded by a wall or fence.

In car parks open to the public, the maximum length of a blind aisle shall be equal to the width of six 90 degree spaces plus 1 m, unless provision is made for cars to turn around at the end and drive out forwards.’



*Additional widening required if there is a wall or fence at the side of the last space, see Clause 2.4.1(b)(ii).

DIMENSIONS IN MILLIMETRES
 FIGURE 2.3 BLIND AISLE EXTENSION

KCTT comment:

Single-sided aisles	Increased.
Blind aisle	Extended by a 1 m.
Reversing bay	Reversing bay is provided on a lower carparking level while on the upper carparking level it is not provided. However, the traffic light system is provided on the entrances of the access ramps for both garage levels so KCTT expects that access will be controlled and permissible only to the residents and their visitors.

‘ 5.2 COLUMN LOCATION AND SPACING

The dimensions for locating columns in a short span structure shall be as given in Figure 5.1. The design envelope around a parked vehicle which is to be kept clear of columns, walls or other obstructions, is shown in Figure 5.2. If this requirement is met, the dimensions in Figure 5.1 will also be achieved.

NOTE: Columns should not be located at the edge of a parking aisle. The difficulty of manoeuvring into a parking space is increased by such a location. It is also desirable to avoid locating a column directly opposite a car door.”

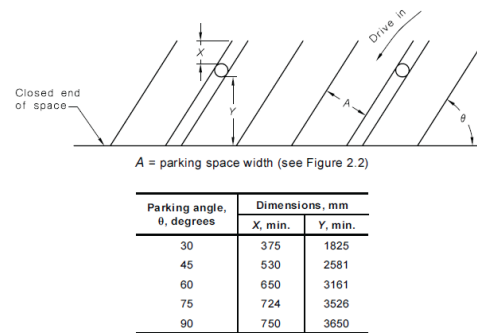
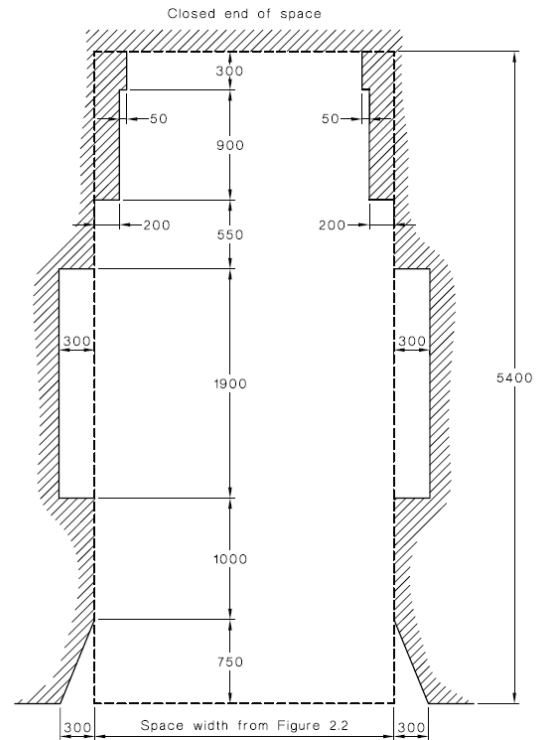


FIGURE 5.1 COLUMN LOCATION



DIMENSIONS IN MILLIMETRES

FIGURE 5.2 DESIGN ENVELOPE AROUND PARKED VEHICLE TO BE KEPT CLEAR OF COLUMNS, WALLS AND OBSTRUCTIONS

KCTT comment:

Column position

Proposed columns on both floor levels are positioned at appropriate locations in accordance with the AS2890.1:2004 requirement.

Does the parking area meet the requirements set in AS2890.1:2004?

KCTT reviewed the proposed development layout and concluded that the dimensions of all car parking bays and aisle width generally comply with the Australian Standard AS/NZS 2890.1/2004.

Does the parking area meet the requirements set in AS2890.6?

YES

2.10 Traffic Management Plan

Is the Traffic Management Plan required? YES

Justification

Internal circulation is generally suitable for two-way traffic; however, a traffic management system is required and proposed as the proposed ramps allow only one-way traffic.

ACROD bay should be designated through appropriate line marking and/or signage.

The traffic management system will comprise a signalling system. Standard red-green signalisation is anticipated. The internal area will have signalling lamps on the ceiling that are visible to all tenants. Each resident will be issued with the remote access key to activate the signalling system.

The signalling system will be programmed so that vehicles entering development have the right of access (green light) by default. This will minimise any potential for queuing on the driveway. Residents returning to the development can activate the signal in approach to the development.

Each resident getting ready to leave the development will press the activation button while they are still in the parking bay. The signalling system will allow 10-15 seconds for any vehicles coming down the ramp to clear the ramp.

When the internal green light is activated, the resident may leave their parking bay and drive up the ramp.

Given the homogenous use of the development (residential), opposing movements are expected to be minimal as this use has strong directional movement in peak hour.

Residents may allow their visitors to park in their designated parking spots. In this event, the resident is responsible for guiding the visitor safely inside and outside of the parking area without causing any disruption in traffic flow.

A potential widening of the proposed crossovers should be considered. This would allow for a passing bay and/or a waiting area before the vehicle approaches the ramps. This will raise safety and minimise the disruption in traffic flow on MacLeod Road.

Convex mirrors are proposed at both ramps. That will allow for drivers to spot any pedestrians walking along the verge, notwithstanding there is a footpath approximately 5m from the entry point.

2.11 Ramp design

Are Austroads documents referenced?

YES

If YES, Nominate:

AS/NZS 2890.1:2004

Proposed ramp design Description

The proposed development layout indicates the ramps as follows:

- **RAMP 1** - 3.2-metre-wide straight ramp down (one way at a time) enabling access to the garage area at lower ground floor level.
- **RAMP 2** - 3.0-metre-wide straight ramp up (one way at a time) enabling access to the parking area at upper ground floor level.

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Does the proposed ramp design meet existing standards? YES

Justification

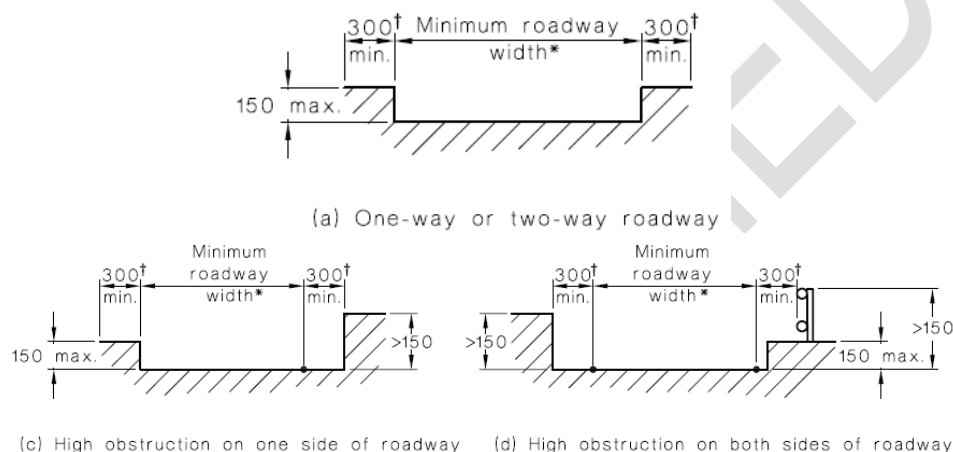
According to AS/NZS Standards 2890.01:2004 (page 22), design requirements and dimensions of ramps shall be as follows:

Straight roadways and ramps—as follows:

- (i) **One-way roadways or ramps—3.0 m minimum between kerbs (see also Item (c))**
- (ii) **Two-way roadways or ramps—5.5 m minimum between kerbs (see also Item (c)).**

Where there is to be a kerb or barrier higher than 150 mm and closer than 300 mm from one edge of the roadway or ramp, the roadway or ramp shall be widened to provide a minimum of 300 mm clearance to the obstruction. If there is to be a high kerb or barrier on both sides, the width increase shall be sufficient to provide 300 mm on both sides.

Below is an extract from Australian Standard with required cross-sections for two-way ramps.



Further, AS/NZS Standards 2890.1:2004 in Section 2.5.3 Circulation roadway and ramp grades states the following:

(a) *Straight ramps: public car parks—as follows:*

- (i) Longer than 20 m—1 in 6 (16.7%) maximum.
- (ii) Up to 20 m long—1 in 5 (20%) maximum. Grade change transitions will usually be required (see Item (d)). The allowable 20 m maximum length shall include any parts of grade change transitions at each end that exceed 1 in 6 (16.7%).
- (iii) A stepped ramp comprising a series of lengths each exceeding 1 in 6 (16.7%) grade shall have each two lengths separated by a grade not more than of 1 in 8 (12½%) and at least 10 m long.

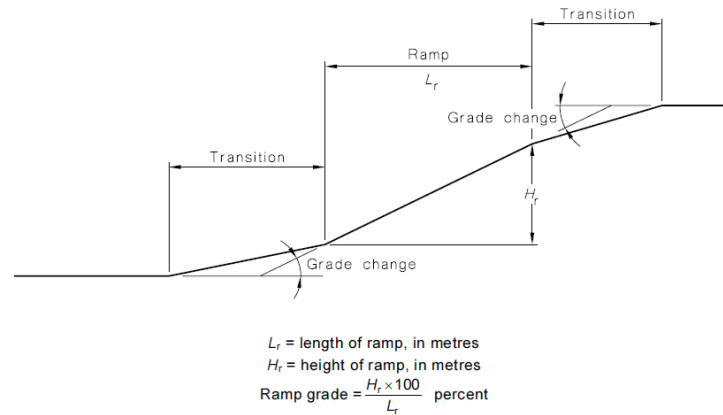
Straight ramps: private or residential car parks (other than domestic driveways, see Clause 2.6)—as follows:

- (i) Longer than 20 m—1 in 5 (20%) maximum.
- (ii) **Up to 20 m long—1 in 4 (25%) maximum.** The allowable 20 m maximum length shall include any parts of grade change transitions at each end that exceed 1 in 5 (20%).
- (iii) A stepped ramp comprising a series of lengths each exceeding 1 in 5 (20%) grade shall have each two lengths separated by a grade of not more than 1 in 8 (12½%) and at least 10 m long.

Grade change transitions will be required in both cases where grades are at or near the maximum, see Item (e).

*Grade transitions—*Transitions of 2.0 m in length will usually be sufficient to correct bottoming or scraping at grade changes up to 18 percent. They may be in the form of a simple chord with grade calculated as half the algebraic sum of the two adjacent grades, as illustrated, but for vehicle occupant comfort may be constructed as short vertical curves.

Extract from the Australian Standard below illustrates changes of grade on ramps.



The proposed section through the ramp needs to have a headroom clearance of 2.2m, in accordance with AS 2890.1:2004 – Off-Street Parking. Below is an extract from Australian Standard 2890.1:2004 – Off Street Parking (page 48): -

“To permit access for both cars and light vans, the height between the floor and an overhead obstruction shall be a minimum of 2200 mm.”

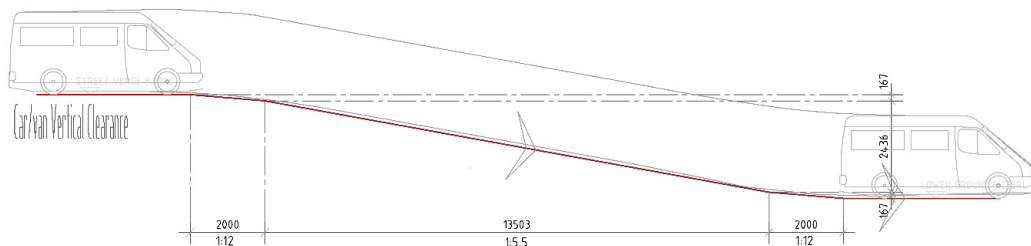
Does the ramp at the entrance meet the requirements?

Based on the key applicable requirements, KCTT believes the proposed length, grade and grade transitions of both proposed ramps generally comply with the Australian Standard AS/NZS 2890.1/2004.

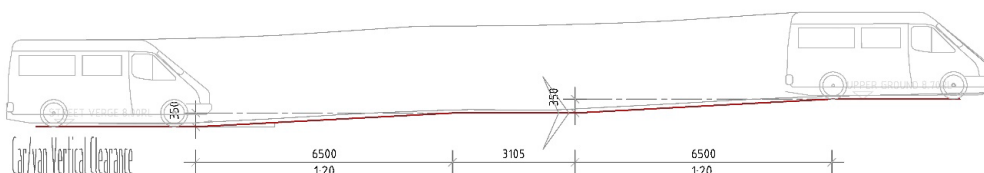
KCTT comment:

KCTT undertook the vertical clearance analysis, conducted with vehicle tracking software. As per the screenshots below, there will be no scraping of the B99 passenger vehicle at any of the proposed ramps.

The vertical clearance analysis of RAMP 1 (straight ramp down to the garage area at lower ground floor level)



The vertical clearance analysis of RAMP 2 (straight ramp up to the parking area at upper ground floor level)



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2.12 Driveway Design

Are Australian Standards documents referenced? YES

If YES, Nominate: AS/NZS 2890.1:2004

Proposed driveway design Description The proposed layout shows two crossovers.

- Northern crossover is 3.2m wide and leads to a RAMP 1 down (one way at a time) to the lower ground floor level garage area.
- Southern crossover is 3.0m wide and leads to the RAMP 2 up (one way at a time) to the parking area at the upper ground floor level.

Justification

According to AS/NZS Standards 2890.1:2004 (page 33), Section 3.3 GRADIENTS OF ACCESS DRIVEWAYS shall be as follows:

'At entry and exit points, the access driveway should be graded to minimize problems associated with crossing the footpath and entering the traffic in the frontage road.'

Maximum gradients on and near access driveways, other than at domestic properties (see Clause 2.6), shall be as follows:

- (a) *Property line/building alignment/pedestrian path—max. 1 in 20 (5%) between edge of frontage road and the property line, building alignment or pedestrian path (except as provided in Item (d)), and for at least the first 6 m into the car park (except as provided below).*

The grade of the first 6 m into the car park may be increased to 1 in 8 (12.5%) provided all three of the following conditions are met:

- (i) The grade is a downgrade for traffic leaving the property and entering the frontage road.*
- (ii) The user class is Class 1, 1A or 2 only.*
- (iii) The maximum car park size is—*
 - (1) for entry into an arterial road—25 car spaces, or*
 - (2) for entry onto a local road—100 car spaces.*

The maximum grade across the property line shall remain at 1 in 20 (5%).

- (b) Vehicular control points—max. 1 in 20 (5%) for at least 6 m prior to the control point.*
- (c) Queuing area—max. 1 in 10 (10%) for not less than 0.8 of the queue length determined in Table 3.3.*
- (d) Across footpaths—where the driveway crosses a footpath, the driveway grade shall be 1 in 40 (2.5%) or less across the footpath over a lateral distance of at least 1.0 m.*

Justification

Based on all above mentioned and analysed, KCTT concludes that the proposed driveway grades and transitions should be considered compliant with the Australian Standard AS/NZS 2890.1/2004 for the following reasons:

- The requirement for the first 6m of the ramp to be constructed at 1:20 grade is set to enable vehicles exiting the ramp and entering another roadway or circulation area to have clearer sightlines.
- Distance between the pedestrian path and the property line is sufficient for a vehicle to be positioned at an appropriate angle to have appropriate sight distances to both pedestrians on the footpath and vehicles on the carriageway.
- There is a number of precedents of recently approved developments similar in size and scope where additional 6m of 1:20 grade from the property boundary was not required, particularly when a wide verge is available.

2.13 Bicycle Parking

Local Government City of Melville
 Reference Document Utilised Residential Design Codes - Volume 2 – Apartments (State Planning Policy 7.3)

Description of Parking Requirements in accordance with Scheme:

For residential use the State Planning Policy 7.3 applies:

Resident - 0.5 space per dwelling

Visitor - 1 space per 10 dwellings

Note ¹ - Calculations of parking ratios shall be rounded up to the next whole number.

Parking Requirement in accordance with regulatory documents

Land Use	Requirements	Yield	Total Parking
Residential building	<i>Resident - 0.5 space per dwelling</i>	12 apartments	6.0
	<i>Visitor - 1 space per 10 dwellings</i>		1.2
Total Volume of Bicycle Parking Required			8
Total Volume of Bicycle Parking Provided by Proponent			10

Justification

Proposed development plans indicate 8 bicycle racks for residents on the lower ground floor level and 2 bicycle bays for visitors positioned adjacent to the future paving which leads to a proposed main entry. Therefore the bike provision meet and exceed the nominated requirements. KCTT believe this provision will help promote alternative means of transport.

2.14 ACROD Parking

Class of Building Class 1a
 Does this building class require specific provision of ACROD Parking? NO
 Reference Document Utilised Building Code of Australia
 Description of Parking Requirements:
 -

Justification

The development plans do not show any accessible units; therefore, there is no need to provide an ACROD bay. However, 1 ACROD bay is proposed on an upper ground floor level.

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2.15 Delivery and Service Vehicles

Guideline Document used as reference Requirements

NSW RTA Guide to Traffic Generating Developments

Residential flat buildings (< 200 flats or home Units) - 1 space per 50 flats or home units plus 1 space per 1,000 m² of public area set aside for bar, tavern, lounge and restaurant

Justification

It is expected that the delivery and service vehicles (such as waste removal vehicles) servicing the residential development will not require designated parking space, given that they can operate safely within the road reserve.

The proposed development will be included in the standard waste collection practice. Bins are planned to be collected from the verge, and the waste vehicle will not enter the parking area.

2.16 Calculation of Development Generated / Attracted Trips

What are the likely hours of operation?

Not applicable for residential land uses

What are the likely peak hours of operation?

07:30 - 08:30 in the AM peak
16:30 - 17:30 in the PM peak

Do the development-generated peaks coincide with existing road network peaks?
If YES, Which:

YES

Partially both AM and PM peak

Guideline Document Used

Rates from above document.

WAPC Transport Assessment Guidelines for Developments

Residential

- 0.8 vehicle trips per dwelling for the AM and PM peak hours, split as follows:
- AM peak 25 per cent IN:75 per cent OUT
- PM peak 67 per cent IN:33 per cent OUT

Guideline Document Used

Rates from above document.

NSW RTA Guide to Traffic Generating Developments

Residential

The NSW RTA Guide to Traffic Generating Developments suggests developments of this type in Sydney tend to generate between 4 and 5 vehicular trips per dwelling for medium to high density developments. In Perth, the Department of Planning and Infrastructure conducted a series of studies in the late 1990's / early 2000's which showed that higher density dwellings tended to average closer to 5.5 vehicle trips per day. These studies assumed that anywhere between 50% and 70% of commuters were travelling to work by car as a driver. KCTT propose to use an average VPD 6.7 vehicular trips per day per residential unit.

Does the site have existing trip generation / attraction?

YES - Single Residence

No of Daily Trips

9 VPD

No of AM Peak Hour Trips

1 VPH

No of PM Peak Hour Trips

1 VPH

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Land Use Type	Rate above	Yield	Daily Traffic Generation	Peak Hour Traffic Generation
Residential dwelling	9 vehicular trips per unit per day 0.8 vehicular trip per unit per peak hour	1 unit	9	1
Total Existing traffic on subject development site (A⁰)			9 VPD	1 VPH
Residential Building	6.7 vehicular trips per unit per day 0.8 vehicular trip per unit per peak hour	12 units	80	10
Total Expected traffic from the proposed development (A)			80 VPD	10 VPH
Total Additional Traffic from the proposed development (A-A⁰)			71 VPD	9 VPH

What is the total impact of the new proposed development?

The proposed development is expected to generate additional 71 vehicle trips per day and 9 vehicle trips in the peak hour.

According to WAPC Guidelines, this impact is considered low.

KCTT believe that the impact would be negligible when taken in the context of the surrounding road network.

2.17 Traffic Flow Distribution

How many routes are available for access/egress to the site?

KCTT will analyse only key routes for access and egress to the subject development.

Route 1 / Movement 1

Provide details for Route No 1

From the north via MacLeod Road >> subject development siter and reverse

Percentage of Vehicular Movements via Route No 1

10%

Route 2 / Movement 2

Provide details for Route No 2

From southwest via Canning Highway >> Conon Street >> MacLeod Road >> subject development siter and reverse

Percentage of Vehicular Movements via Route No 2

30%

Route 3 / Movement 3

Provide details for Route No 3

From southeast via Canning Highway >> Conon Street >> MacLeod Road >> subject development siter and reverse

Percentage of Vehicular Movements via Route No 3

55%

Route 4 / Movement 4

Provide details for Route No 4

From west via Conon Street >> MacLeod Road >> subject development siter and reverse

Percentage of Vehicular Movements via Route No 4

5%

Note - For more detailed plans of the estimated vehicular traffic volumes and distribution, please refer to the plans provided in Appendix 2.

2.18 Pedestrian Safety

Are sight distances adequate for pedestrian safety? YES

Justification

The verge of MacLeod Road (access street) is generously sized, compared to many other residential streets in inner-city local governments. There is 4.6m or more between the lot boundary, where proposed ramps starts, and the edge of the pedestrian path.

The vehicles departing grouped dwelling site are exiting in forward gear, and will; therefore, have clear sight lines to pedestrians in the verge or on the carriageway. The driver would be able to see the pedestrian well before any part of the vehicle encroaches the footpath. Clearance between the path and the ramps entrance (>4.6m) is more than sufficient for the pedestrians to clearly see and hear the vehicle leaving the driveway and to adjust their behaviour. Furthermore, convex mirrors can be added on the top of the ramp, to ensure that drivers exiting the development can see any pedestrian walking along the verge, no matter how unlikely that can be.

MRWA data base do not have any records of any incident along MacLeod Road occurring within last 5 years.

2.19 Vehicle Crossover Requirements

Are vehicle crossovers required onto existing road networks? YES

How many existing crossovers? 2

How many proposed crossovers? Both existing crossovers are planned to modified and retained

How close are proposed crossovers to existing intersections? Approx. 20m from the intersection with Conon Street

Does this meet existing standards? YES

Justification

According to AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street car parking, the user class of the access point is: User Class 1A - Residential, domestic and employee. Proposed development plans indicate a total of 27 parking bays and 2 crossovers.

Each crossover serves less than 25 parking bays from a local road, making it a "Category 1 driveway"

Therefore, the following requirements from AS/NZS 2890.1:2004 Parking facilities Part 1: Off-street car parking apply:

“(a) Driveway Categories 1 and 2: At unsignalized intersections of sub-arterial, collector or local streets with each other or with an arterial road, access driveways in Categories 1 and 2 (see Table 3.1) shall not be located in the sections of kerb shown by heavy lines in Figure 3.1. This requirement shall not apply to accesses to domestic driveways in the kerb section opposite the entering road at any intersection including signalized intersections.

Furthermore, it shall not apply to any access driveway serving a property which would otherwise be denied access due to the physical impossibility of meeting the requirement.

TABLE 3.1
SELECTION OF ACCESS FACILITY CATEGORY

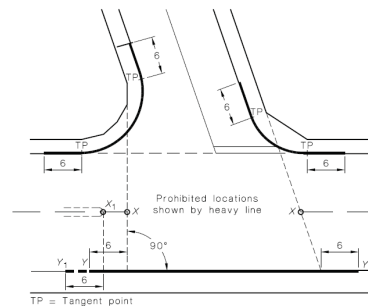
Class of parking facility (see Table 1.1)	Frontage road type	Access facility category				
		Number of parking spaces (Note 1)				
		<25	25 to 100	101 to 300	301 to 600	>600
1,1A	Arterial	1	2	3	4	5
	Local	1	1	2	3	4
2	Arterial	2	2	3	4	5
	Local	1	2	3	4	4
3,3A	Arterial	2	3	4	4	5
	Local	1	2	3	4	4

NOTES:

- 1 When a car park has multiple access points, each access should be designed for the number of parking spaces effectively served by that access.
- 2 This Table does not imply that certain types of development are necessarily suitable for location on any particular frontage road type. In particular, access to arterial roads should be limited as far as practicable, and in some circumstances it may be preferable to allow left-turn-only movements into and out of the access driveway.

At signalized intersections, the minimum distance from the intersection, measured from the property boundary along both legs, shall be increased as necessary to locate access driveways beyond the influence of normal queue lengths at the intersections. If this is not practicable, it may be necessary to provide-

- (i) an arrangement which confines traffic to turning left when either entering or leaving the car park;
- (ii) a signalized driveway with signals coordinated with the intersection signals; or
- (iii) other traffic management means of providing for safe and efficient operation of the driveway."



- NOTES:
- Accesses to domestic driveways are excluded from the prohibition in respect of the kerb section marked Y-Y (see Clause 3.2.3(a)).
 - The points marked X₁ and X₂ are respectively at the median end on a divided road and at the intersection of the main road centre-line and the extensions of the side road property lines shown as dotted lines, on an undivided road. On a divided road, dimension Y-Y extends to Point X₁.

DIMENSIONS IN METRES

FIGURE 3.1 PROHIBITED LOCATIONS OF ACCESS DRIVEWAYS

The proposed crossovers are not located in any of the areas shown by thicker lines and therefore comply with the AS/NZS 2890.1:2004 requirements.

2.20 Public Transport Accessibility

How many bus routes are within 400 metres of the subject site?

Several as listed below

How many rail routes are within 800 metres of the subject site?

None

Bus Route	Description	Peak Frequency	Off-Peak Frequency
111	Perth - Fremantle Station via Kwinana Freeway & Canning Highway	30 minutes	No Saturday, Sunday and Public Holiday service
114	Perth - Munster via Booragoon Bus Station	30 minutes	30 minutes on Saturday, Sunday and Public Holidays
115	Perth - Hamilton Hill via Booragoon Bus Station	15 minutes	30 minutes on Saturday 60 minutes on Sunday and Public Holidays
148	Applecross - Fremantle Station via Bicton & Attadale	30 minutes	60 minutes on Saturday 120 minutes on Sunday and Public Holidays
158	Perth - Fremantle Station via Bicton & Attadale	30 minutes	No Saturday, Sunday and Public Holiday service
510	Murdoch Station - Booragoon Bus Station via Murdoch Drive	18 minutes	60 minutes on Saturday 120 minutes on Sunday and Public Holidays
658	- Currently there are no timetables available online for this bus route	-	-
659	- Currently there are no timetables available online for this bus route	-	-
910	Perth - Fremantle Station via Canning Highway	15 minutes	15 minutes on Saturday, Sunday and Public Holidays

Note – according to the information available on Transperth.wa.gov.au, Transperth 'maps are currently being updated to include the new Airport Line.' Information of routes in the surrounding are sourced from the google maps while timetables are from Transperth.wa.gov.au.

Are there any high frequency bus routes in the vicinity of the subject site?

YES (Bus Route No 910)

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Are high frequency bus routes required to justify a reduction in parking? NO

Walk Score Rating for Accessibility to Public Transport.

49 - Some Transit. A few nearby public transportation options.

Is the development in a Greenfields area? NO

2.21 Pedestrian Infrastructure

Describe existing local pedestrian infrastructure within a 400m radius of the site:

Classification	Road Name
"Pedestrian Path"	Most streets within 400m from the subject location have pedestrian paths provided on one or both sides of the road reserve.
Does the site have existing pedestrian facilities	NO
Does the site propose to improve pedestrian facilities?	YES
If YES, describe the measures proposed.	
Proposed pedestrian ramp connecting lift lobby with the existing pedestrian path on MacLeod Road.	

What is the Walk Score Rating?

86 | Very Walkable. Most errands can be accomplished on foot.

2.22 Cyclist Infrastructure

Are there any PBN Routes within an 800m radius of the subject site? YES

If YES, describe:

Classification	Road Name
"Other Shared Path (Shared by Pedestrians and Cyclists)"	Canning Highway
"Good Road Riding Environment"	Willcock Street, Ness Road, Matheson Road, Millington Street, Cunningham Street, Coogee Road, Simpson Street, Bombard Street, Ardross Street, McCallum Crescent
"Perth Bicycle Network - Continuous Signed Routes"	Ness Road, Matheson Road, Macrae Road, Cunningham Street
"Bicycle Lanes or Sealed Shoulder Either Side"	Riseley Street

Are there any PBN Routes within a 400m radius of the subject site? YES

If YES, describe:

Classification	Road Name
"Good Road Riding Environment"	Willcock Street, Ness Road, Matheson Road
"Perth Bicycle Network - Continuous Signed Routes"	Ness Road, Matheson Road, Macrae Road
"Bicycle Lanes or Sealed Shoulder Either Side"	Riseley Street

Does the site have existing cyclist facilities? NO

Does the site propose to improve cyclist facilities? YES

If YES, describe the measures proposed.

Proponent provides bicycle parking facilities. Please refer to Appendix 1 for further details.

2.23 Site-Specific Issues and Proposed Remedial Measures

How many site-specific issues need to be discussed?

Site-Specific Issue No 1

Remedial Measure / Response

Parking Requirements

According to the Policy No. LPP 1.6 of the City of Melville's Local Planning Scheme No.6, the proposed development requires 15 parking bays.

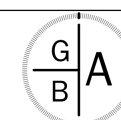
The proposed development plans show a total of 25 parking bays proposed spread over two (2) garage levels accessible via separate ramps. Parking provision includes 21 residential car bays expected to be assigned to each unit, 1 ACROD bay and 3 bays dedicated for visitors.

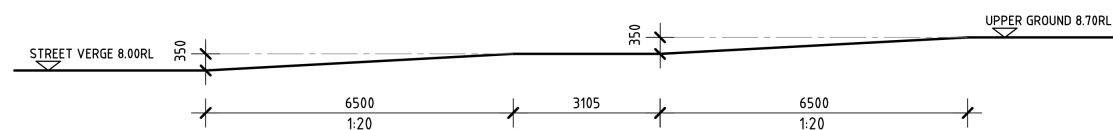
Appendix 1

The Layout of the Proposed Development

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RAMP SECTION (TO UPPER GROUND)
SCALE 1:100

APARTMENTS - 82 MACLEOD RD, APPLECROSS

UPPER GROUND FLOOR PLAN



SK2.02
1:100 @ A2
24 May 2023

GARY BATT
ASSOCIATES
ARCHITECTS



Appendix 2

Transport Planning and Traffic Plans

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PARKS AND RECREATION

WATERWAYS

PUBLIC PURPOSE

LOCATION BOUNDARY

ROAD

Hay Street

STREET NAME

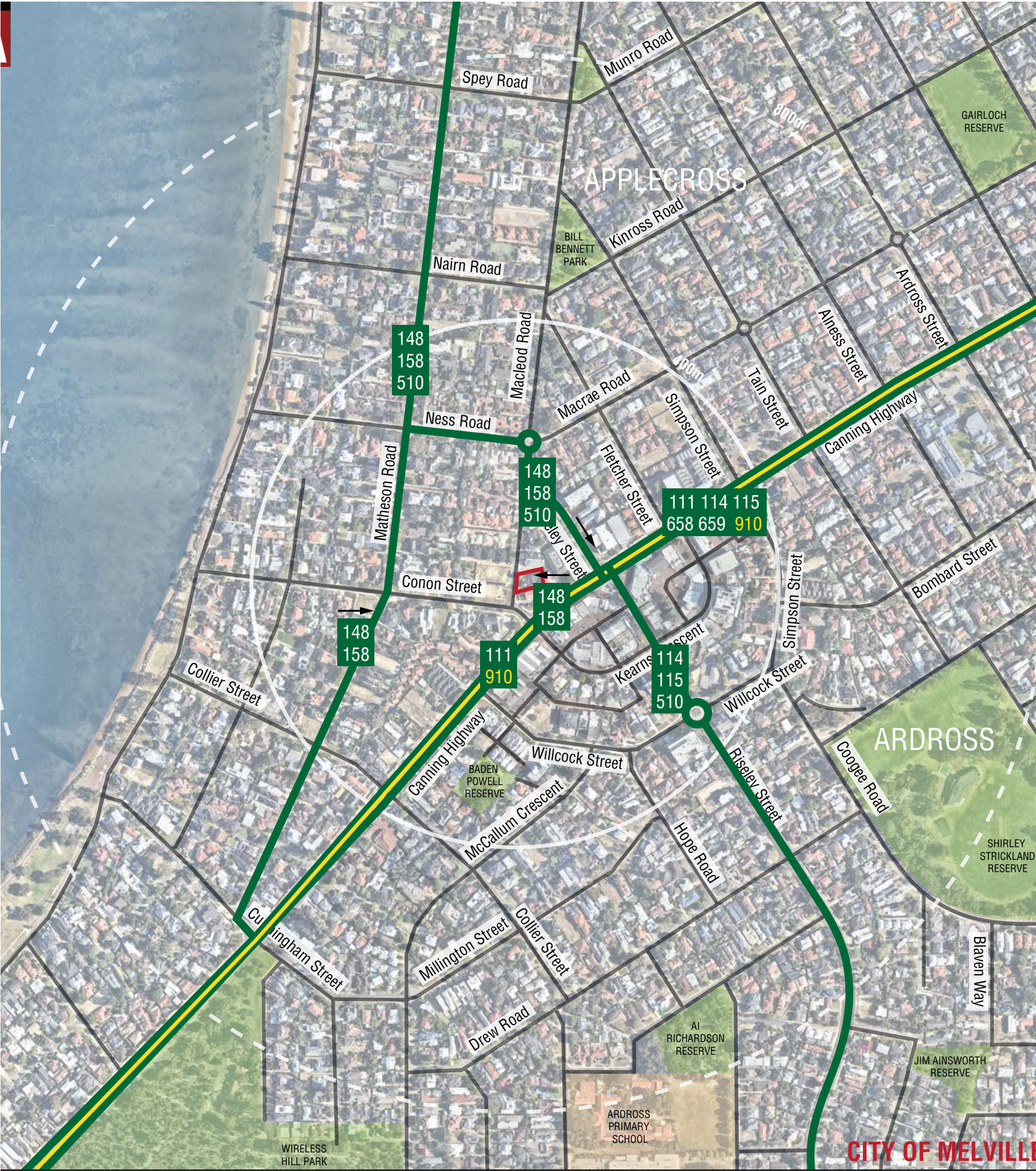
DISTANCE FROM LOCATION

ARDROSS

LOCAL GOVERNMENT NAME

LEGEND

			PROJECT: LOT 2 (NO. 82) MACLEOD ROAD, APPLECROSS	DRAWN BY:	<div>Civil & Traffic Engineering Consultants KCTT (Trading as KC Traffic and Transport Pty Ltd) PO Box 1456 Scarborough WA 6922</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div>kctt</div>
			TITLE: LOCALITY PLAN - 800M RADIUS		
A	16-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER: KC01455.000_ S01	J.S.	
Vo	DATE	AMENDMENT			



PARKS AND RECREATION

WATERWAYS

PUBLIC PURPOSE

LOCATION BOUNDARY

ROAD

Hay Street

STREET NAME

DISTANCE FROM LOCATION

ARDROSS

LOCAL GOVERNMENT NAME

BUS ROUTES

HIGH FREQUENCY BUS ROUTE

103

BUS ROUTE NUMBER

990

HIGH FREQUENCY BUS ROUTE NUMBER

NOTE: FOR MORE INFORMATION REGARDING THE DESCRIPTION OF BUS ROUTES AND THEIR INDICATIVE PEAK AND OFF-PEAK FREQUENCIES REFER TO THE REPORT.

LEGEND

			PROJECT: LOT 2 (NO. 82) MACLEOD ROAD, APPLECROSS	DRAWN BY:	<div>Civil & Traffic Engineering Consultants KCTT (Trading as KC Traffic and Transport Pty Ltd) PO Box 1456 Scarborough WA 6922</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div>kctt</div>
			TITLE: PUBLIC TRANSPORT PLAN - 800M RADIUS		
A	16-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER: KC01455.000_ S03	J.S.	
Vo	DATE	AMENDMENT			



PARKS AND RECREATION

WATERWAYS

PUBLIC PURPOSE

LOCATION BOUNDARY

ROAD

Hay Street

STREET NAME

DISTANCE FROM LOCATION

ARDROSS

LOCAL GOVERNMENT NAME

PSP

PRINCIPAL SHARED PATH (PSP)

OTHER SHARED PATH (SHARED BY PEDESTRIANS & CYCLISTS)

PEDESTRIAN PATH WITHIN 400M RADIUS FROM THE SUBJECT SITE

LEGEND

			PROJECT:	LOT 2 (NO. 82) MACLEOD ROAD, APPLECROSS	DRAWN BY:	<div>Civil & Traffic Engineering Consultants KCTT (Trading as KC Traffic and Transport Pty Ltd) PO Box 1456 Scarborough WA 6922</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div>kctt</div>
			TITLE:	PEDESTRIAN PATHS PLAN - 800M RADIUS		
A	16-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER:	KC01455.000_ S04	J.S.	
Vo	DATE	AMENDMENT				



PARKS AND RECREATION

WATERWAYS

PUBLIC PURPOSE

LOCATION BOUNDARY

ROAD

Hay Street

STREET NAME

DISTANCE FROM LOCATION

ARDROSS

LOCAL GOVERNMENT NAME

5,512

NUMBER OF VEHICLES PER DAY

AM 1145 – 381
PM 1630 – 480

NUMBER OF VEHICLES PER AM PEAK HOUR
NUMBER OF VEHICLES PER PM PEAK HOUR

2014

YEAR

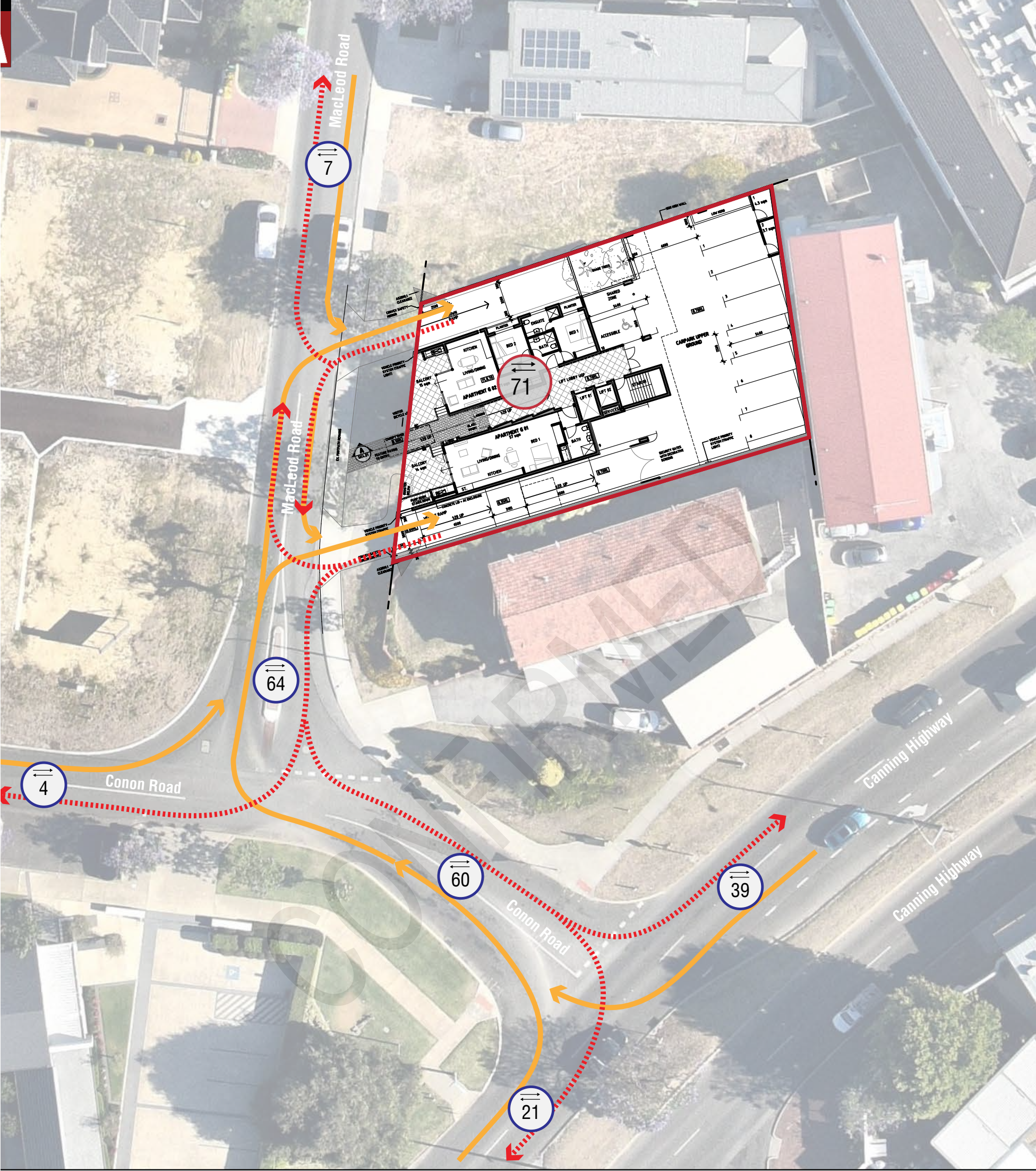
EAST OF HARLOW ROAD

LOCATION

NOTE**- THESE TRAFFIC VOLUMES HAVE BEEN DERIVED FROM SCATS DATA OBTAINED THROUGH MAIN ROADS FOR THE INTERSECTION OF RISELEY STREET & CANNING HIGHWAY. ALTHOUGH SCATS SHOULD NOT BE USED AS A SOLE SOURCE OF DATA IT IS A GOOD TOOL TO VERIFY FLUCTUATIONS IN FLOW.

LEGEND

			PROJECT: LOT 2 (NO. 82) MACLEOD ROAD, APPLECROSS	DRAWN BY:	Civil & Traffic Engineering Consultants KCTT (Trading as KC Traffic and Transport Pty Ltd) PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au
			TITLE: EXISTING TRAFFIC COUNTS - 800M RADIUS	J.S.	
A	16-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER: KC01455.000_ S05		
No	DATE	AMENDMENT			



LOCATION
BOUNDARY

ROAD NAME

1,389

Total Expected Additional Traffic Generation from the proposed development

503

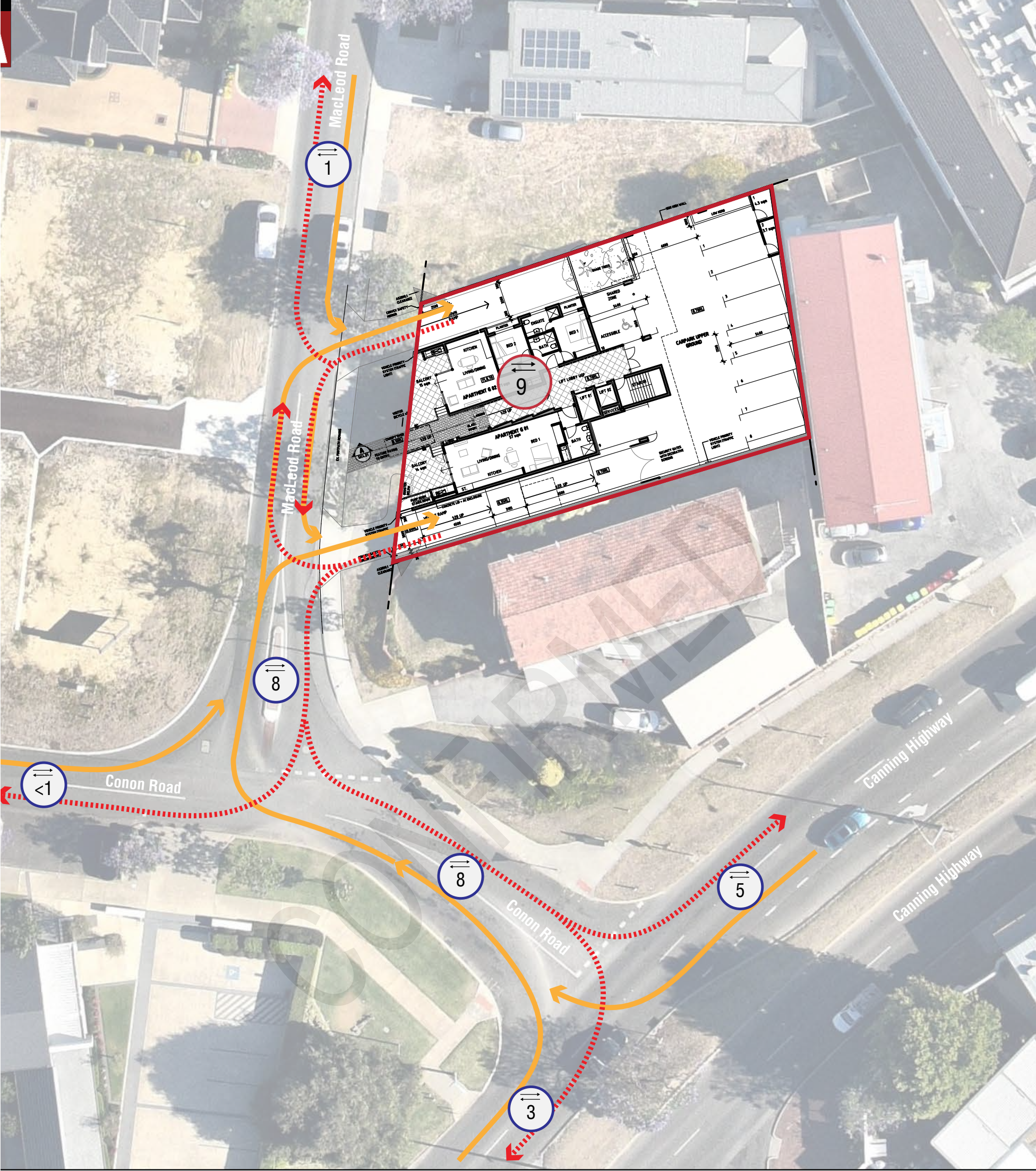
Total Expected Additional Traffic Generation from Subject Site on the specific section of road - IN and OUT direction

Traffic Flow IN Direction

Traffic Flow OUT Direction

NOTE: THE PLAN IS COURTESY OF GARY BATT ASSOCIATES ARCHITECTS

C	22-05-2023	PROPOSED LAYOUT AMENDED	PROJECT: LOT 2 (NO. 82) MACLEOD ROAD, APPLECROSS	DRAWN BY: J.S.	Civil & Traffic Engineering Consultants KCTT (Trading as KC Traffic and Transport Pty Ltd) PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au
	05-05-2023	PROPOSED LAYOUT AMENDED	TITLE: TRAFFIC FLOW DIAGRAM - DAILY		
	16-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER: KC01455.000_S06		
	DATE	AMENDMENT			



LOCATION
BOUNDARY

ROAD NAME

1,389

Total Expected Additional Traffic Generation from the proposed development

503

Total Expected Additional Traffic Generation from Subject Site on the specific section of road - IN and OUT direction

Traffic Flow IN Direction

Traffic Flow OUT Direction

NOTE: THE PLAN IS COURTESY OF GARY BATT ASSOCIATES ARCHITECTS

C	22-05-2023	PROPOSED LAYOUT AMENDED	PROJECT: LOT 2 (NO. 82) MACLEOD ROAD, APPLECROSS	DRAWN BY: J.S.	<div>Civil & Traffic Engineering Consultants KCTT (Trading as KC Traffic and Transport Pty Ltd) PO Box 1456 Scarborough WA 6922</div> <div>PH: 08 9441 2700 WEB: www.kctt.com.au</div> <div>kct</div>
	05-05-2023	PROPOSED LAYOUT AMENDED	TITLE: TRAFFIC FLOW DIAGRAM - PEAK HOUR		
	16-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER: KC01455.000_S07		
	No	DATE	AMENDMENT		

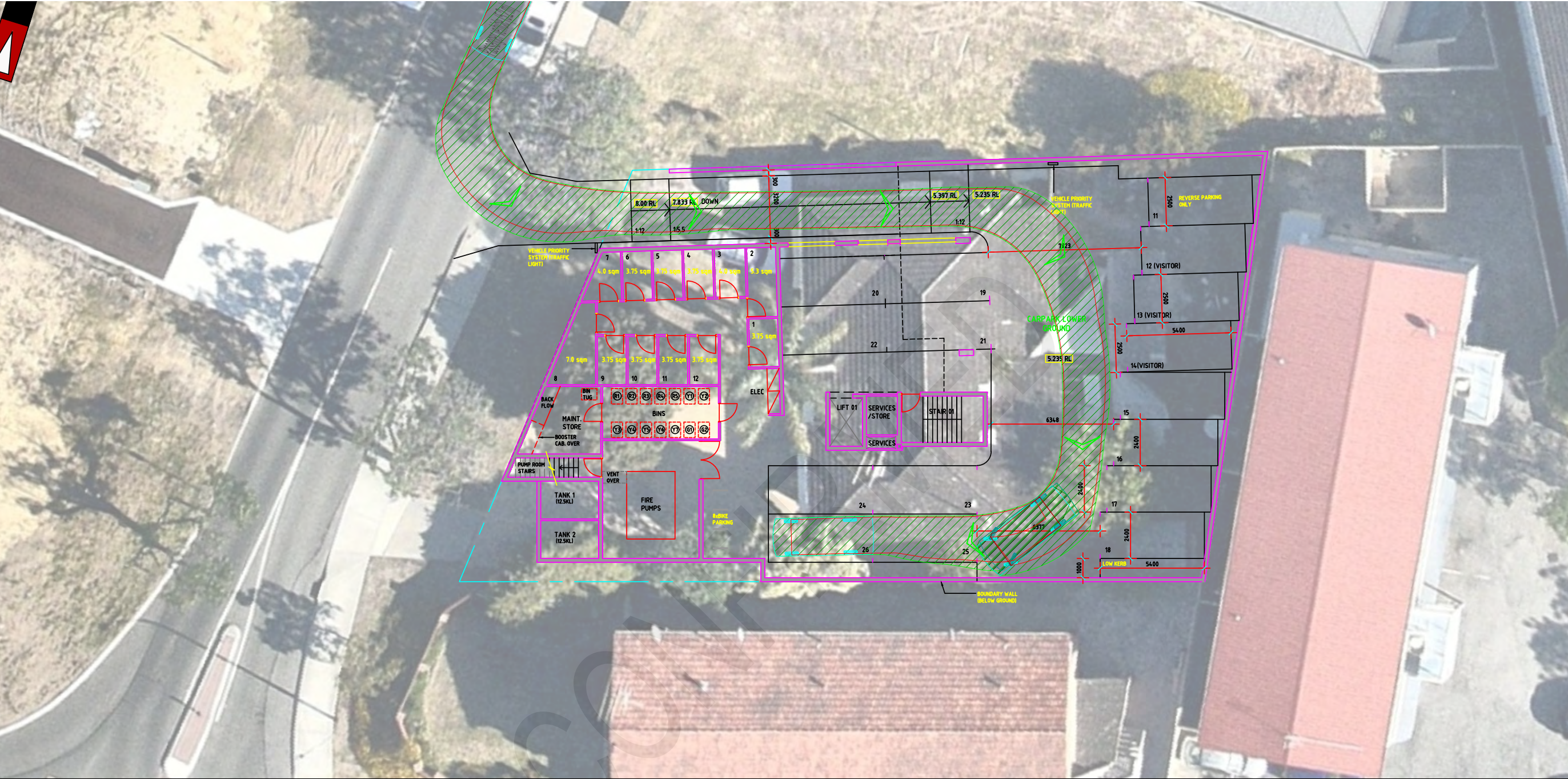
Appendix 3

Vehicle Turning Circle Plan

CONFIRMED

Transport Impact Statement | KC01455.000 Lot 2 (No. 82) MacLeod Road, Applecross





Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

Lot boundary

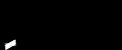
Wheel Path (Forward Vehicle Motion)

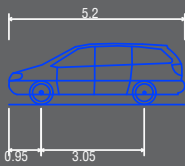
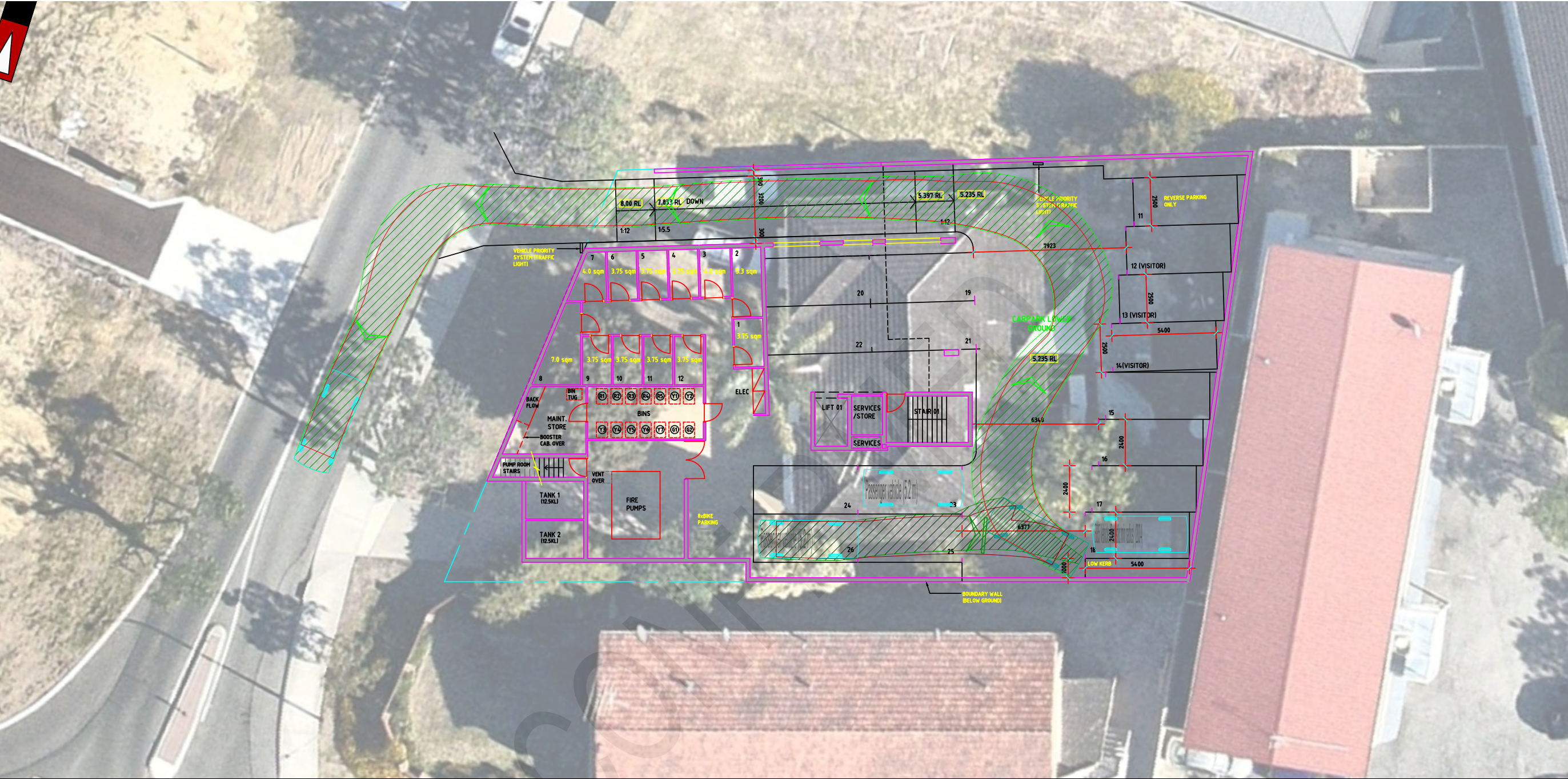
Vehicle Chasis Envelope (Forward Vehicle Motion)

Wheel Path (Reverse Vehicle Motion)

Vehicle Chasis Envelope (Reverse Vehicle Motion)

LEGEND

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au	
C	23-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.		
B	14-02-2023	PROPOSED LAYOUT AMENDED	DRAWING NUMBER: KC01455.000_S20			
A	12-01-2023	ISSUED FOR REVIEW				
IO	DATE	AMENDMENT				

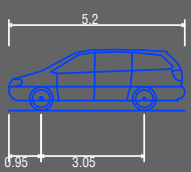
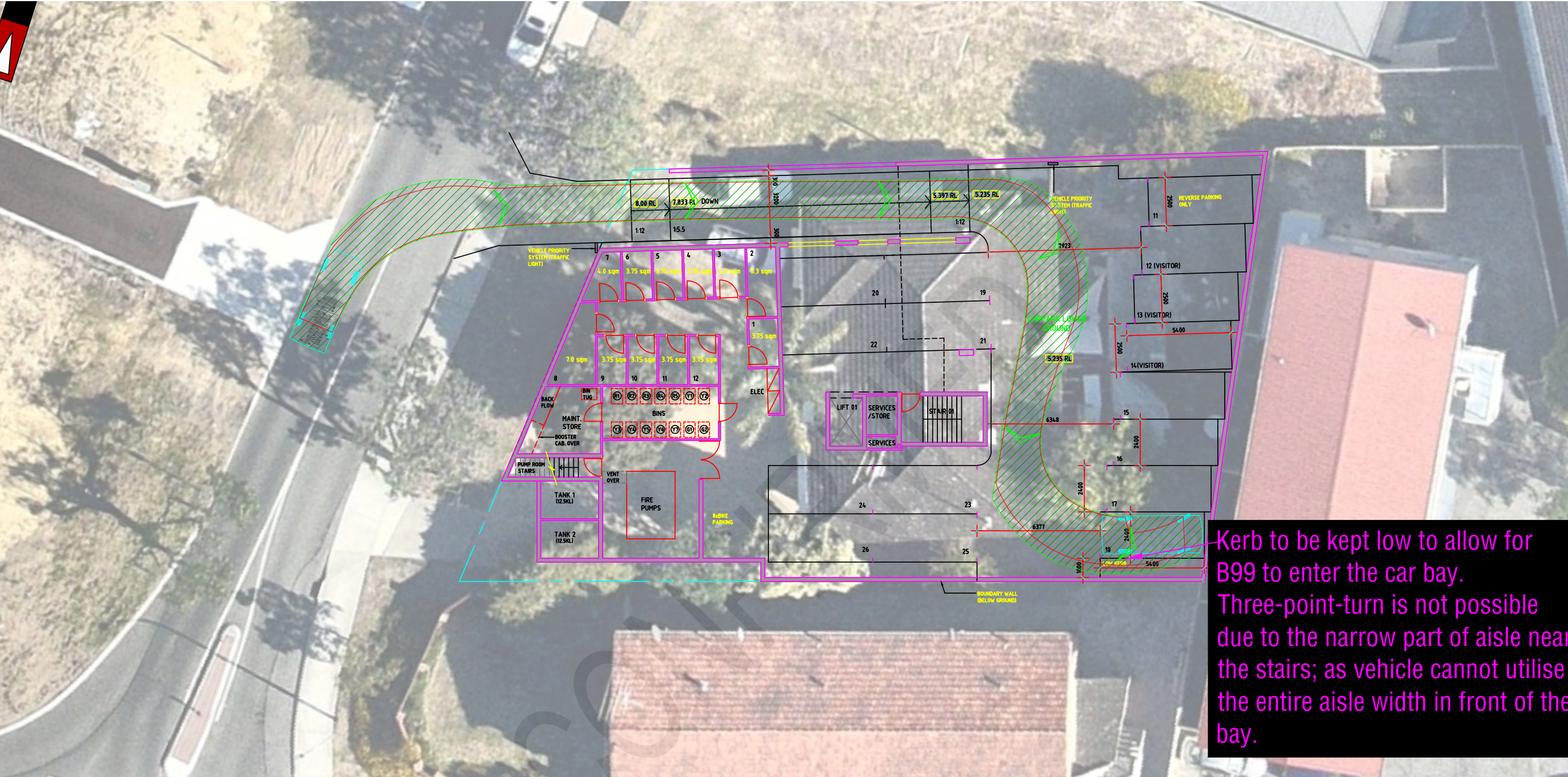


Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

- Lot boundary
- Wheel Path (Forward Vehicle Motion)
- Vehicle Chasis Envelope (Forward Vehicle Motion)
- Wheel Path (Reverse Vehicle Motion)
- Vehicle Chasis Envelope (Reverse Vehicle Motion)

LEGEND

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au kctt
C	23-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.	
B	14-02-2023	PROPOSED LAYOUT AMENDED	DRAWING NUMBER: KC01455.000_S21		
A	12-01-2023	ISSUED FOR REVIEW			
IO	DATE	AMENDMENT			

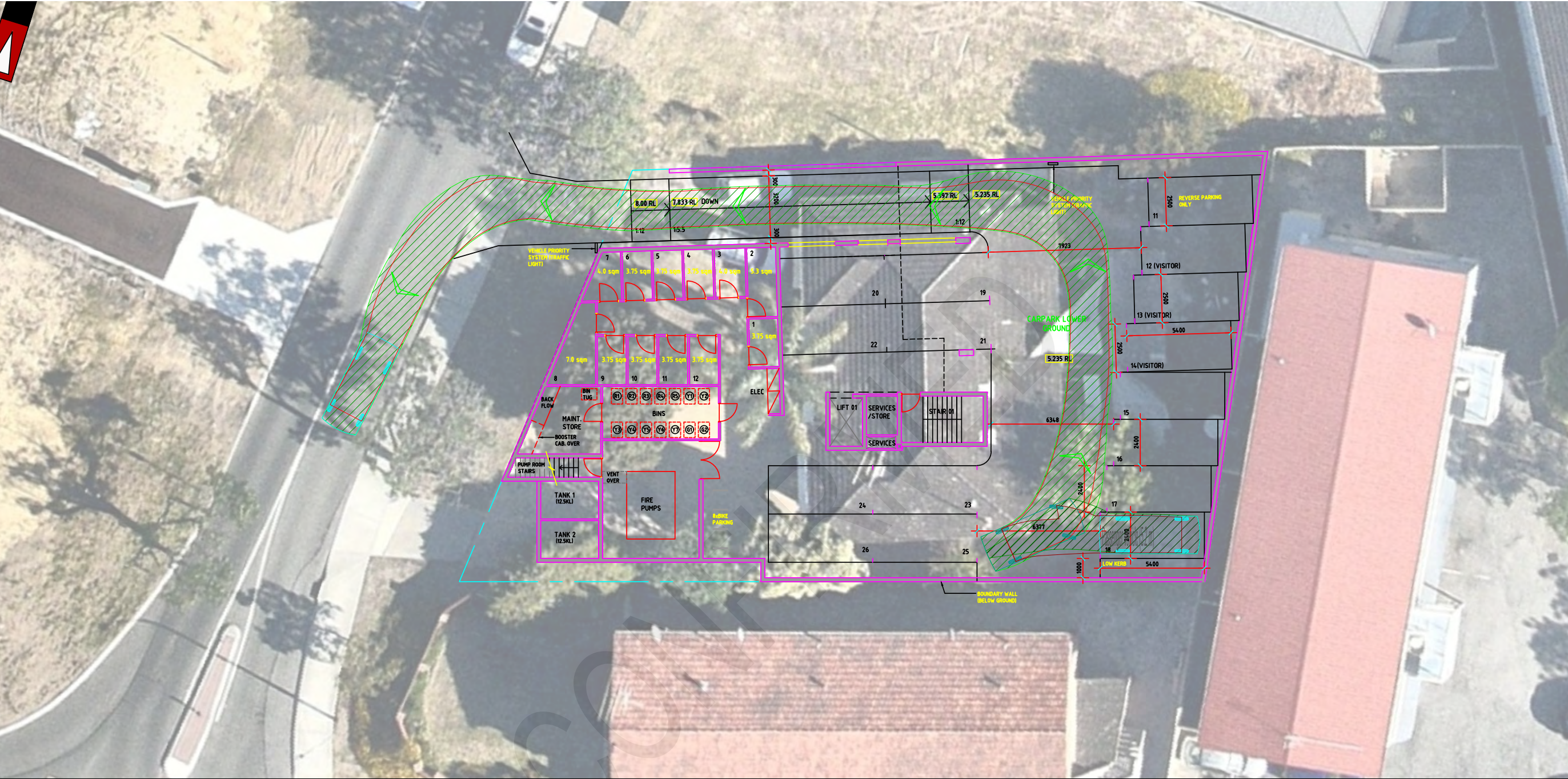


Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

- Lot boundary
- Wheel Path (Forward Vehicle Motion)
- Vehicle Chasis Envelope (Forward Vehicle Motion)
- Wheel Path (Reverse Vehicle Motion)
- Vehicle Chasis Envelope (Reverse Vehicle Motion)

LEGEND

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au kctt
C	23-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.	
B	14-02-2023	PROPOSED LAYOUT AMENDED			
A	12-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER: KC01455.000_S22		
IO	DATE	AMENDMENT			



Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

Lot boundary

Wheel Path (Forward Vehicle Motion)

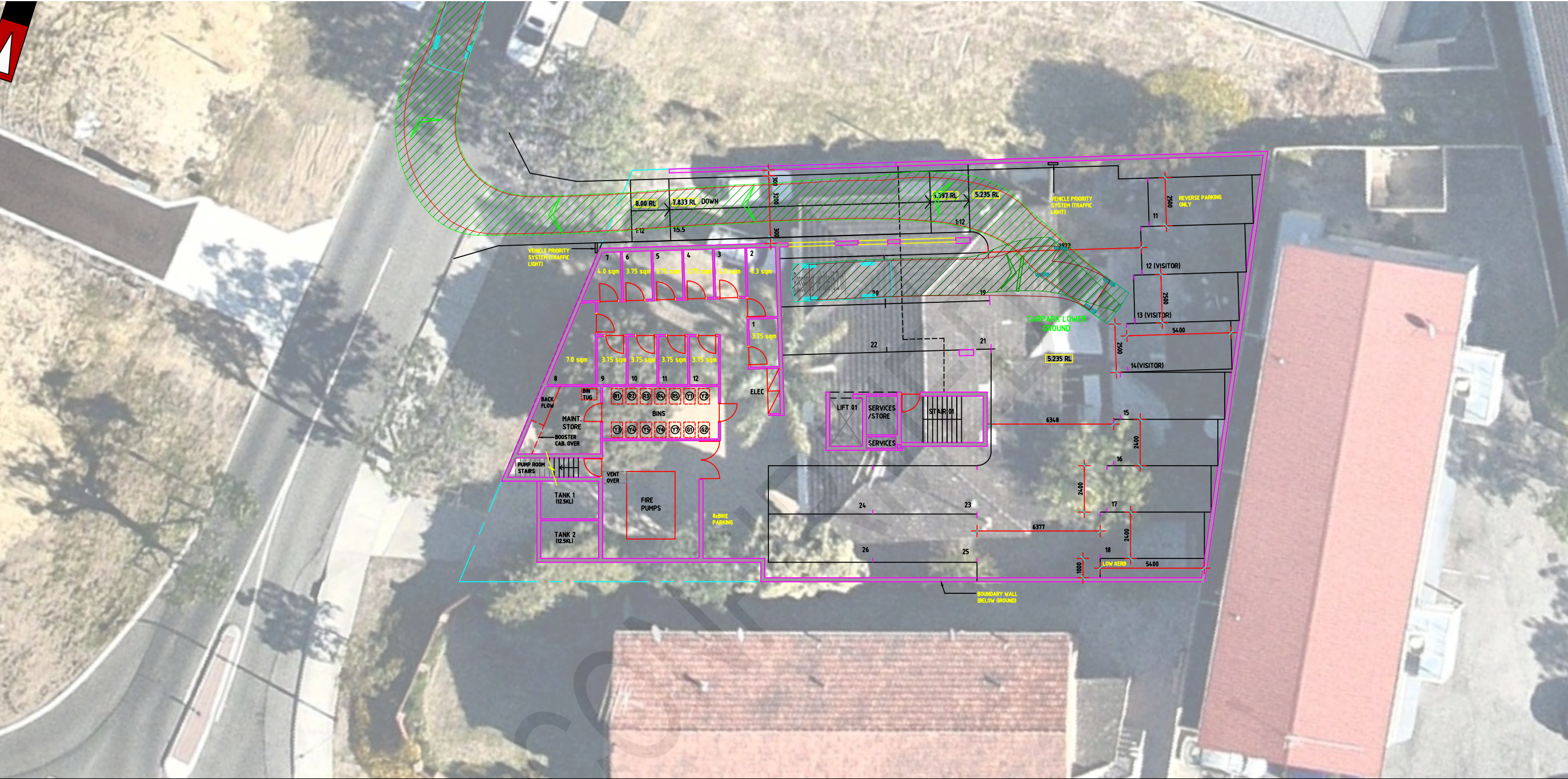
Vehicle Chasis Envelope (Forward Vehicle Motion)

Wheel Path (Reverse Vehicle Motion)

Vehicle Chasis Envelope (Reverse Vehicle Motion)

LEGEND

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au	
C	23-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.		
B	14-02-2023	PROPOSED LAYOUT AMENDED				
A	12-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER: KC01455.000_S23			
IO	DATE	AMENDMENT				



Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

Lot boundary

Wheel Path (Forward Vehicle Motion)

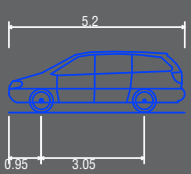
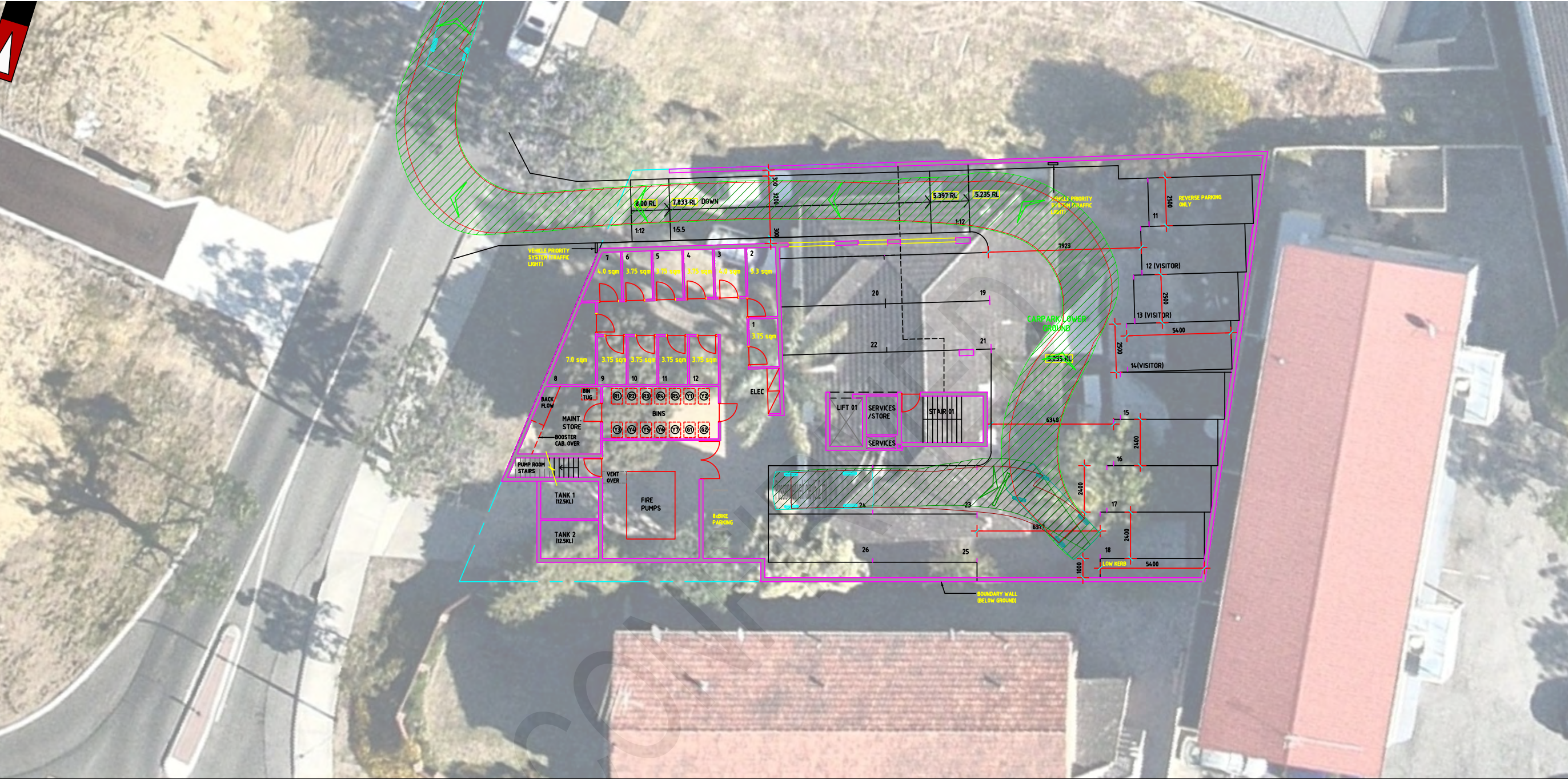
Vehicle Chassis Envelope (Forward Vehicle Motion)

Wheel Path (Reverse Vehicle Motion)

Vehicle Chassis Envelope (Reverse Vehicle Motion)

LEGEND

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au
C	23-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.	
B	14-02-2023	PROPOSED LAYOUT AMENDED			
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IO	DATE	AMENDMENT			

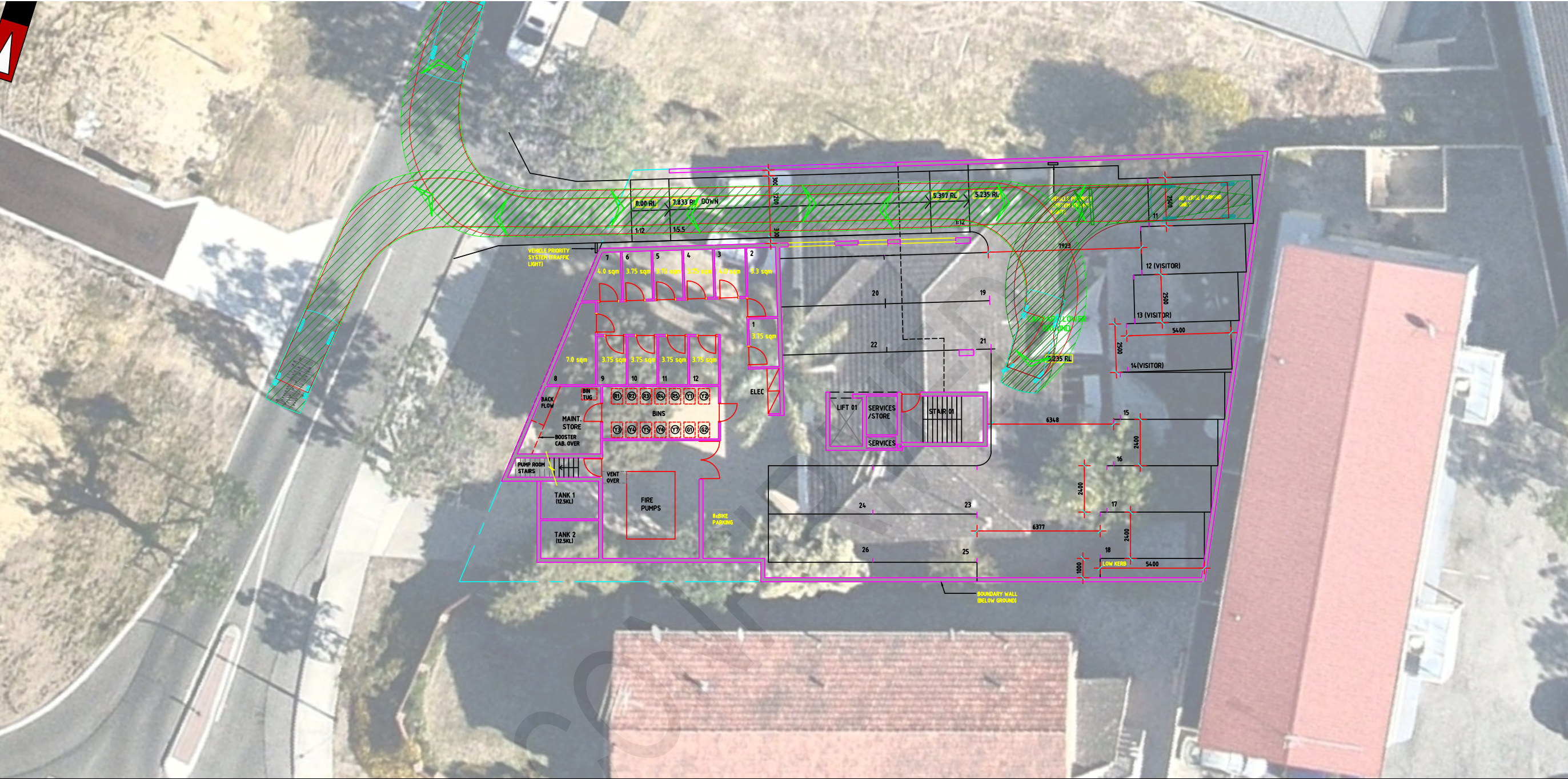


Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

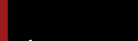
- Lot boundary
- Wheel Path (Forward Vehicle Motion)
- Vehicle Chassis Envelope (Forward Vehicle Motion)
- Wheel Path (Reverse Vehicle Motion)
- Vehicle Chassis Envelope (Reverse Vehicle Motion)

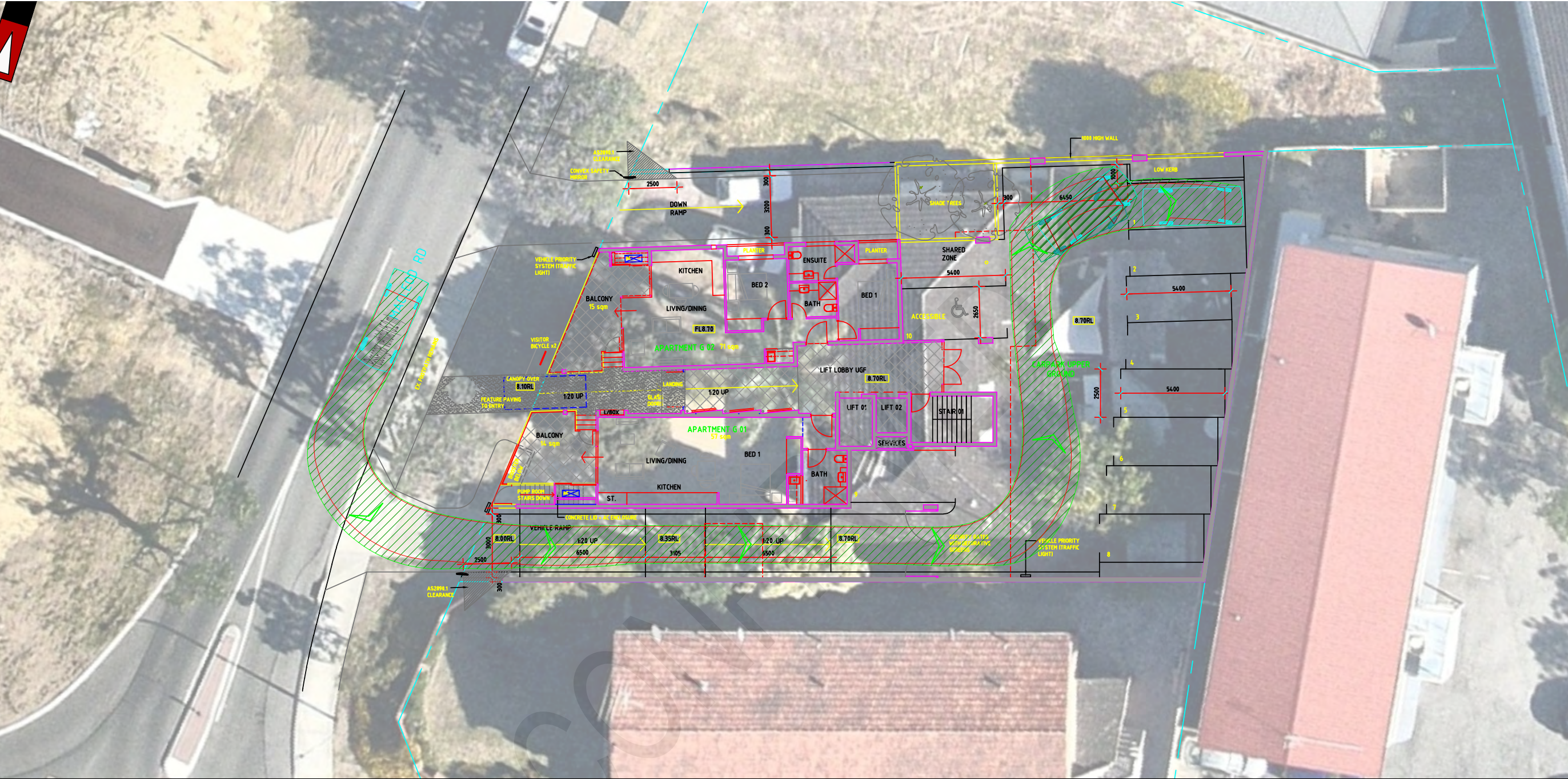
LEGEND

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au kctt
C	23-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.	
B	14-02-2023	PROPOSED LAYOUT AMENDED			
A	12-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER: KC01455.000_S27		
IO	DATE	AMENDMENT			



		Passenger vehicle (5.2 m)
Overall Length		5.200m
Overall Width		1.940m
Overall Body Height		1.804m
Min Body Ground Clearance		0.295m
Track Width		1.840m
Lock to Lock Time		4.00s
Kerb to Kerb Turning Radius		6.300m
Lot boundary		---
Wheel Path (Forward Vehicle Motion)		---
Vehicle Chasis Envelope (Forward Vehicle Motion)		---
Wheel Path (Reverse Vehicle Motion)		---
Vehicle Chasis Envelope (Reverse Vehicle Motion)		---

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au	
C	23-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.		
B	14-02-2023	PROPOSED LAYOUT AMENDED				
A	12-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER: KC01455.000_S28			
IO	DATE	AMENDMENT				



Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

Lot boundary

Wheel Path (Forward Vehicle Motion)

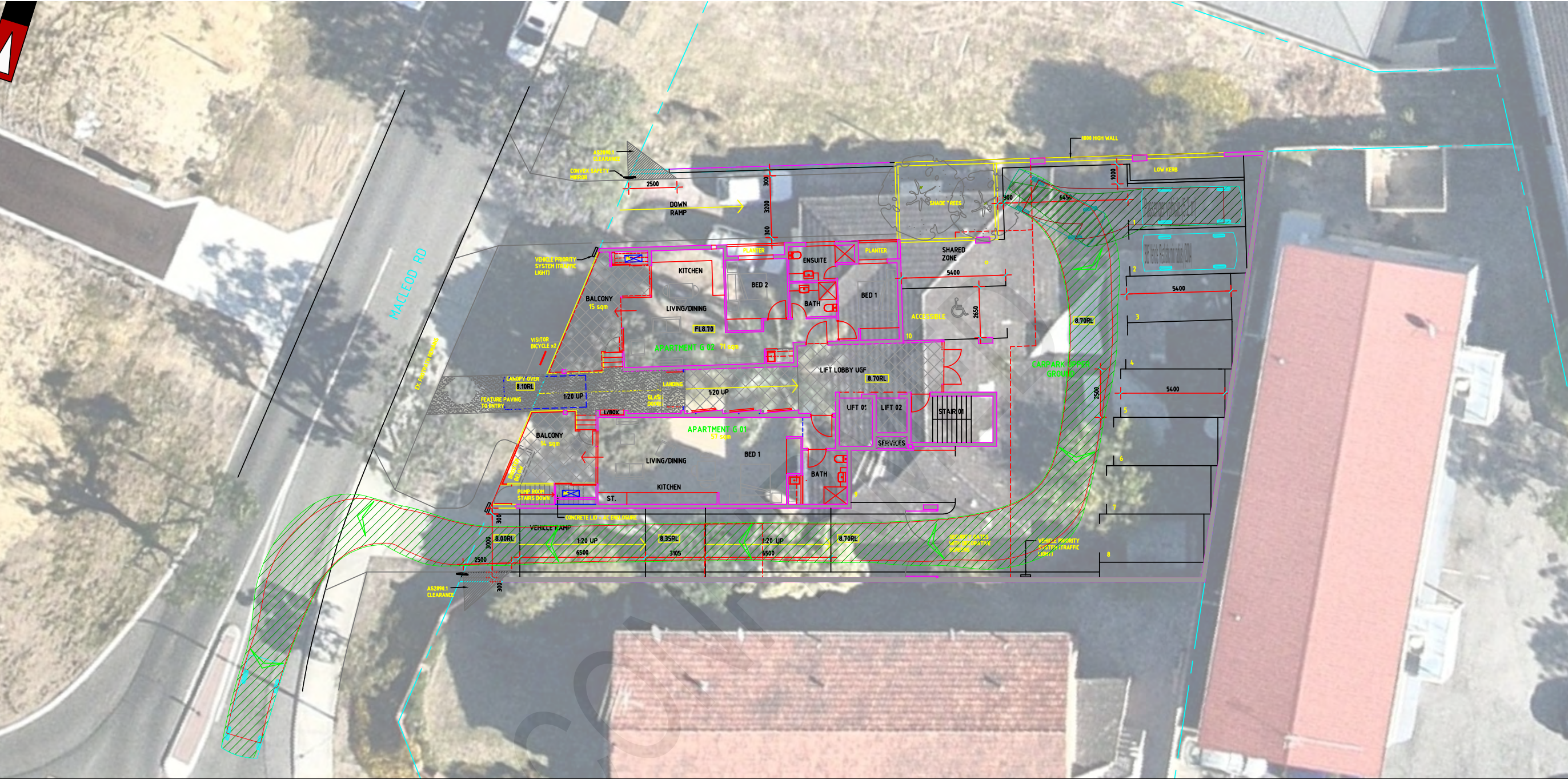
Vehicle Chasis Envelope (Forward Vehicle Motion)

Wheel Path (Reverse Vehicle Motion)

Vehicle Chasis Envelope (Reverse Vehicle Motion)

LEGEND

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au	
C	23-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.		
B	14-02-2023	PROPOSED LAYOUT AMENDED				
A	12-01-2023	ISSUED FOR REVIEW	DRAWING NUMBER: KC01455.000_S29			
IO	DATE	AMENDMENT				



Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

Lot boundary

Wheel Path (Forward Vehicle Motion)

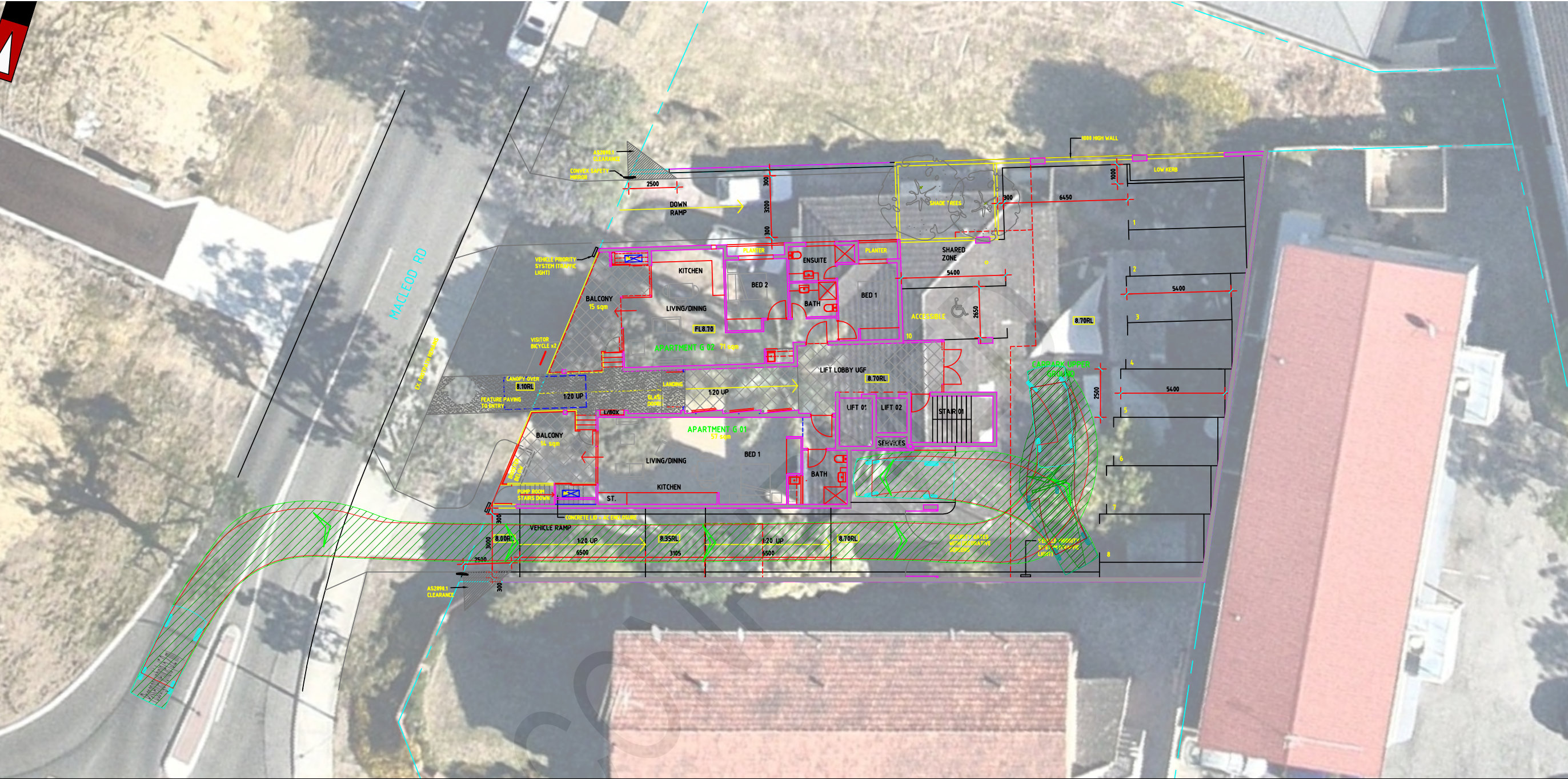
Vehicle Chassis Envelope (Forward Vehicle Motion)

Wheel Path (Reverse Vehicle Motion)

Vehicle Chassis Envelope (Reverse Vehicle Motion)

LEGEND

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au
C	23-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.	
B	14-02-2023	PROPOSED LAYOUT AMENDED	DRAWING NUMBER: KC01455.000_S30		
A	12-01-2023	ISSUED FOR REVIEW			
IO	DATE	AMENDMENT			



Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

Lot boundary

Wheel Path (Forward Vehicle Motion)

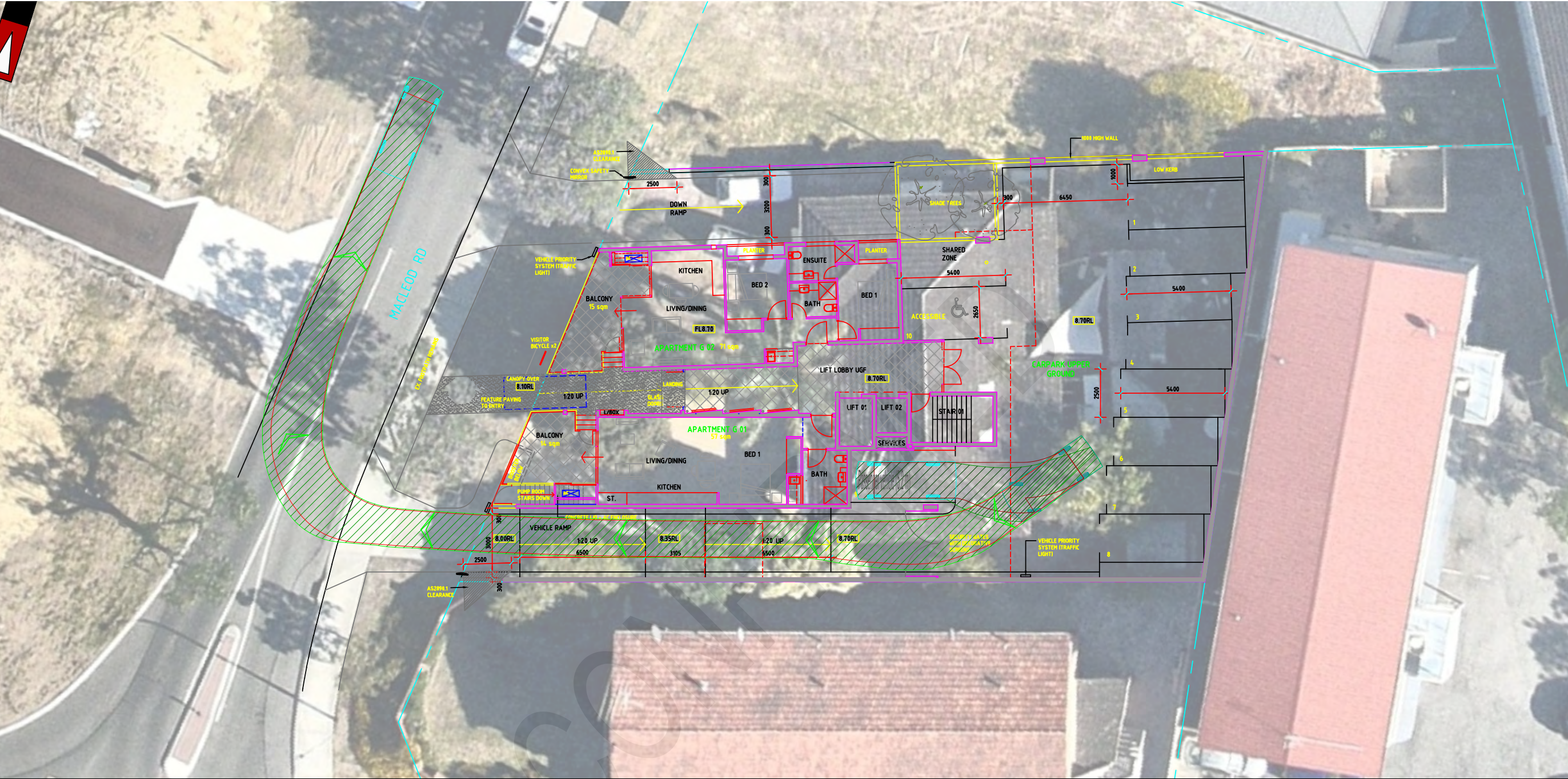
Vehicle Chassis Envelope (Forward Vehicle Motion)

Wheel Path (Reverse Vehicle Motion)

Vehicle Chassis Envelope (Reverse Vehicle Motion)

LEGEND

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au
C	23-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.	
B	14-02-2023	PROPOSED LAYOUT AMENDED			
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IO	DATE	AMENDMENT			



Passenger vehicle (5.2 m)
Overall Length 5.200m
Overall Width 1.940m
Overall Body Height 1.804m
Min Body Ground Clearance 0.295m
Track Width 1.840m
Lock to Lock Time 4.00s
Kerb to Kerb Turning Radius 6.300m

Lot boundary

Wheel Path (Forward Vehicle Motion)

Vehicle Chasis Envelope (Forward Vehicle Motion)

Wheel Path (Reverse Vehicle Motion)

Vehicle Chasis Envelope (Reverse Vehicle Motion)

LEGEND

			PROJECT: 82 MacLeod Road, Applecross	DRAWN BY:	Civil & Traffic Engineering Consultants PO Box 1456 Scarborough WA 6922 PH: 08 9441 2700 WEB: www.kctt.com.au 
C	19-05-2023	PROPOSED LAYOUT AMENDED	TITLE: Vehicle Turning Circle Plan - B99 Passenger Vehicle (5.2m)	N.M.	
B	14-02-2023	PROPOSED LAYOUT AMENDED	DRAWING NUMBER: KC01455.000_S32		
A	12-01-2023	ISSUED FOR REVIEW			
IO	DATE	AMENDMENT			

GARY BATT ASSOCIATES

**82 MACLEOD STREET
APPLECROSS**

SPP 5.4 NOISE MANAGEMENT PLAN

FEBRUARY 2023

OUR REFERENCE: 30725-2-23048

DOCUMENT CONTROL PAGE

**SPP 5.4 NOISE MANAGEMENT PLAN
82 MACLEOD STREET
APPLECROSS**

Job No: 23048

Document Reference: 30725-2-23048

FOR

GARY BATT ASSOCIATES

DOCUMENT INFORMATION				
Author:	Ashwin Sharma	Checked By:	George Watts	
Date of Issue:	XX February 2023			

REVISION HISTORY				
Revision	Description	Date	Author	Checked
1	Revised Drawings	28/2/2023	GW	

DOCUMENT DISTRIBUTION				
Copy No.	Version No.	Destination	Hard Copy	Electronic Copy
1	2	Gary Batt Associates Attn: Glenn Howat Email: glenn@garybatt.com.au		✓

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3.	ACOUSTIC CRITERIA	1
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4.	ACOUSTIC ENVIRONMENT	4
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APPENDICES

A	Plans
B	Glazing Requirements
C	Main Roads Traffic Flow Data

1. INTRODUCTION

Herring Storer Acoustics were commissioned through Gary Batt Associates to carry out an acoustic study with regards to traffic related noise for the proposed development at 82 MacLeod Street, Applecross.

The purpose of the study was to:

- Assess the noise that would be received within the development area from vehicles travelling on Canning Highway and Riseley Street for future traffic volumes.
- Compare the results with accepted criteria and if exceedances exist, develop the framework for the management of noise.

A plan is attached in Appendix A.

It is noted that whilst this study references *State Planning Policy 5.4* as the criteria, some parts of the assessment have not been conducted under strict accordance with the policy, although a conservative approach where possible has been utilised. The intent of this preliminary assessment is to inform of general acoustic requirements as well as garner development approval.

A further report will be required with precise specifications once the detailed design stage of the project is commenced, in response to an anticipated development approval condition requesting a full assessment in accordance with *State Planning Policy 5.4*.

2. SUMMARY

The noise modelling indicates that noise received at the proposed development from vehicles travelling along Canning Highway and Riseley Street in the future (2043) would exceed the Western Australian Planning Commission (WAPC) State Planning Policy (SPP) 5.4 "Road and Rail Transport Noise and Freight Considerations In Land Use Planning" "day time limit" criteria as the highest calculated noise level at a façade is 66.4 dB $L_{Aeq(day)}$.

Herring Storer Acoustic recommends the development be conditioned as such to require a full assessment of the development in accordance with *State Planning Policy 5.4* once detailed designed is finalised to provide a more accurate assessment – this would include finalised window sizes, façade constructions and the like to be accounted for.

3. ACOUSTIC CRITERIA

3.1 NOISE

The Western Australian Planning Commission (WAPC) released on 6th September 2019 State Planning Policy 5.4 "Road and Rail Noise". The requirements of State Planning Policy 5.4 are outlined below.

POLICY APPLICATION (Section 4)

When and where it applies (Section 4.1)

SPP 5.4 applies to the preparation and assessment of planning instruments, including region and local planning schemes; planning strategies, structure plans; subdivision and development proposals in Western Australia, where there is proposed:

- a) noise-sensitive land-use within the policy's trigger distance of a transport corridor as specified in **Table 1**.
- b) New or major upgrades of roads as specified in **Table 1** and maps (**Schedule 1, 2 and 3**); or
- c) New railways or major upgrades of railways as specified in maps (**Schedule 1, 2 and 3**); or any other works that increase capacity for rail vehicle storage or movement and will result in an increased level of noise.

Policy trigger distances (Section 4.1.2)

Table 1 identifies the State's transport corridors and the trigger distances to which the policy applies.

The designation of land within the trigger distances outlined in **Table 1** should not be interpreted to imply that land is affected by noise and/or that areas outside the trigger distances are un-affected by noise.

Where any part of the lot is within the specified trigger distance, an assessment against the policy is required to determine the likely level of transport noise and management/mitigation required. An initial screening assessment (**guidelines: Table 2: noise exposure forecast**) will determine if the lot is affected and to what extent."

TABLE 1: TRANSPORT CORRIDOR CLASSIFICATION AND TRIGGER DISTANCES

Transport corridor classification	Trigger distance	Distance measured from
Roads		
Strategic freight and major traffic routes Roads as defined by Perth and Peel Planning Frameworks and/or roads with either 500 or more Class 7 to 12 Austroads vehicles per day, and/or 50,000 per day traffic volume	300 metres	Road carriageway edge
Other significant freight/traffic routes These are generally any State administered road and/or local government road identified as being a future State administered road (red road) and other roads that meet the criteria of either >=23,000 daily traffic count (averaged equivalent to 25,000 vehicles passenger car units under region schemes)	200 metres	Road carriageway edge
Passenger railways		
	100 metres	Centreline of the closest track
Freight railways		
	200 metres	Centreline of the closest track

Proponents are advised to consult with the decision making authority as site specific conditions (significant differences in ground levels, extreme noise levels) may influence the noise mitigation measures required, that may extend beyond the trigger distance.

POLICY MEASURES (Section 6)

The policy applies a performance-based approach to the management and mitigation of transport noise. The policy measures and resultant noise mitigation will be influenced by the function of the transport corridor and the type and intensity of the land-use proposed. Where there is risk of future land-use conflict in close proximity to strategic freight routes, a precautionary approach should be applied. Planning should also consider other broader planning policies. This is to ensure a balanced approach takes into consideration reasonable and practical considerations.

Noise Targets (Section 6.1)

Table 2 sets out noise targets that are to be achieved by proposals under which the policy applies. Where exceeded, an assessment is required to determine the likely level of transport noise and management/mitigation required.

In the application of the noise targets the objective is to achieve:

- indoor noise levels as specified in **Table 2** in noise sensitive areas (for example, bedrooms and living rooms of houses, and school classrooms); and
- a reasonable degree of acoustic amenity for outdoor living areas on each residential lot. For non-residential noise-sensitive developments, for example schools and child care centres the design of outdoor areas should take into consideration the noise target.

It is recognised that in some instances, it may not be reasonable and/or practicable to meet the outdoor noise targets. Where transport noise is above the noise targets, measures are expected to be implemented that balance reasonable and practicable considerations with the need to achieve acceptable noise protection outcomes.

TABLE 2: NOISE TARGETS

Proposals	New/Upgrade	Noise Targets		
		Outdoor		Indoor
		Day ($L_{Aeq}(\text{Day})$ dB) (6 am-10 pm)	Night ($L_{Aeq}(\text{Night})$ dB) (10 pm-6 am)	(L_{Aeq} dB)
Noise-sensitive land-use and/or development	New noise sensitive land use and/or development within the trigger distance of an existing/proposed transport corridor	55	50	L_{Aeq} (Day) 40 (Living and work areas) L_{Aeq} (Night) 35 (bedrooms)
Roads	New	55	50	N/A
	Upgrade	60	55	N/A
Railways	New	55	50	N/A
	Upgrade	60	55	N/A

Notes:

- The noise target is to be measured at one metre from the most exposed, habitable façade of the proposed building, which has the greatest exposure to the noise-source. A habitable room has the same meaning as defined in State Planning Policy 3.1 Residential Design Codes.
- For all noise-sensitive land-use and/or development, indoor noise targets for other room usages may be reasonably drawn from Table 1 of Australian Standard/New Zealand Standard AS/NZS 2107:2016 Acoustics – Recommended design sound levels and reverberation times for building interiors (as amended) for each relevant time period.
- The 5dB difference in the criteria between new and upgrade infrastructure proposals acknowledges the challenges in achieving noise level reduction where existing infrastructure is surrounded by existing noise-sensitive development.
- Outdoor targets are to be met at all outdoor areas as far as is reasonable and practical to do so using the various noise mitigation measures outlined in the guidelines. For example, it is likely unreasonable for a transport infrastructure provider to achieve the outdoor targets at more than 1 or 2 floors of an adjacent development with direct line of sight to the traffic.

Noise Exposure Forecast (Section 6.2)

*When it is determined that SPP 5.4 applies to a planning proposal as outlined in Section 4, proponents and/or decision makers are required to undertake a preliminary assessment using **Table 2**: noise exposure forecast in the guidelines. This will provide an estimate of the potential noise impacts on noise-sensitive land-use and/ or development within the trigger distance of a specified transport corridor. The outcomes of the initial assessment will determine whether:*

- *no further measures are required.*
- *noise-sensitive land-use and/or development is acceptable subject to deemed-to-comply mitigation measures; or*
- *noise-sensitive land-use and/or development is not recommended. Any noise-sensitive land-use and/ or development is subject to mitigation measures outlined in a noise management plan.”*

4. ACOUSTIC ENVIRONMENT

The noise measurements were conducted at 3:45 PM, 08 February 2023 for a short term period to determine the L_{A10} noise level traffic for approximately 15 minutes. This time period has been identified as peak traffic period for the road to ensure of a conservative measurement. Traffic volume details for this road section are included in Appendix C.

Utilising this measurement, reference to the DEFRA publication has been sought and the difference between the $L_{A10,18hr}$ and the $L_{Aeq,8hr}$ and the $L_{Aeq,16hr}$ has been calculated. The location of the measurements is shown in Appendix A.

Noise measurements were conducted with a Larson Davis 831 Sound Level Meter. The Sound Level Meter was calibrated prior to and after use with a Bruel and Kjaer 4230 Calibrator. All equipment used is currently NATA laboratory calibrated. Calibration certificates are available on request.

TABLE 3.1: SUMMARY OF MEASURED NOISE LEVELS

Measurement Location	Measured/Calculated Noise Level, dB(A)		
	L_{A10}	$L_{Aeq, day (6am to 10pm)}$	$L_{Aeq, night (10pm to 6am)}$
Canning Highway	70.4	67.7	59.6
Riseley Street	68.6	65.0	57.8

5. MODELLING

To determine the noise levels from traffic on Canning Highway and Riseley Street acoustic modelling was carried out using Sound Plan, using the Calculation of Road Traffic Noise (CoRTN)¹ algorithms.

The input data for the model included:

- Topographical and cadastral data supplied by client (Shown in Appendix A).
- Traffic data as per Table 4.1 (Obtained from MRWA Traffic Map, Attached in Appendix C).
- Adjustments as listed in Table 4.2.

¹ Calculation of Road Traffic Noise UK Department of Transport 1987

TABLE 4.1 - NOISE MODELLING INPUT DATA

Parameter	Canning Highway (Current) 2023	Canning Highway (Future) 2043	Riseley Street (Current) 2023	Riseley Street (Future) 2043
Traffic Volumes	45,380 vpd	67,435 vpd	15,000 vpd	22,290 vpd
Percentage traffic 0600 – 2400 hours (Assumed)	94%	94%	94%	94%
Heavy Vehicles (%) (Assumed)	6.6%	6.6%	6.4%	6.4%
Speed (km/hr)	60km/hr	60km/hr	60km/hr	60km/hr
Road Surface	Chip Seal	Dense Graded Asphalt	Chip Seal	Dense Graded Asphalt

TABLE 4.2 – ADJUSTMENTS FOR NOISE MODELLING

Description	Value
Façade Reflection Adjustment	+2.5 dB
Conversion from L_{A10} (18 hour) to L_{Aeq} (16 hour) (Day)	-3.5 dB

6. TRAFFIC NOISE ASSESSMENT

Using the data contained in Tables 3.1, 4.1 and 4.2, modelling was carried out under existing conditions for calibration. The Sound Plan model for the site has been set up for the 2042 scenario as defined in Table 4.1. The following assumptions have been made:

- 18 hour traffic count will be 94% of daily figures.
- Noise model calibrated to measured noise level as per Table 3.1
- The same diurnal relationship will exist in the future between the L_{A10} (18 hour) and the L_{Aeq} parameters; and
- 2.5 dB(A) has been added to the results for façade reflection.

The noise requirements based on the above have been listed in Appendix B.

It is noted that these requirements pertain to acoustic requirements only, with regard to *State Planning Policy 5.4*, and may be superseded by other requirements (BAL, Thermal, etc).

7. CONCLUSION

In accordance with the WAPC Planning Policy 5.4, an assessment of the noise that would be received within the development of 82 MacLeod Street, Applecross from vehicles travelling on Canning Highway and Riseley Street has been undertaken.

In accordance with the Policy, the following would be the acoustic criteria applicable to this project:

External

Day	55 dB(A) L_{Aeq}
Night	50 dB(A) L_{Aeq}

Internal

Sleeping Areas

35 dB(A) $L_{Aeq(night)}$

Living Areas

40 dB(A) $L_{Aeq(day)}$

It is noted that walls of the development would be required to be constructed of either masonry or tilt up concrete panel. If a lightweight construction or similar is desirable, investigation into constructions that would meet the requirement of State Planning Policy 5.4 would have to be undertaken.

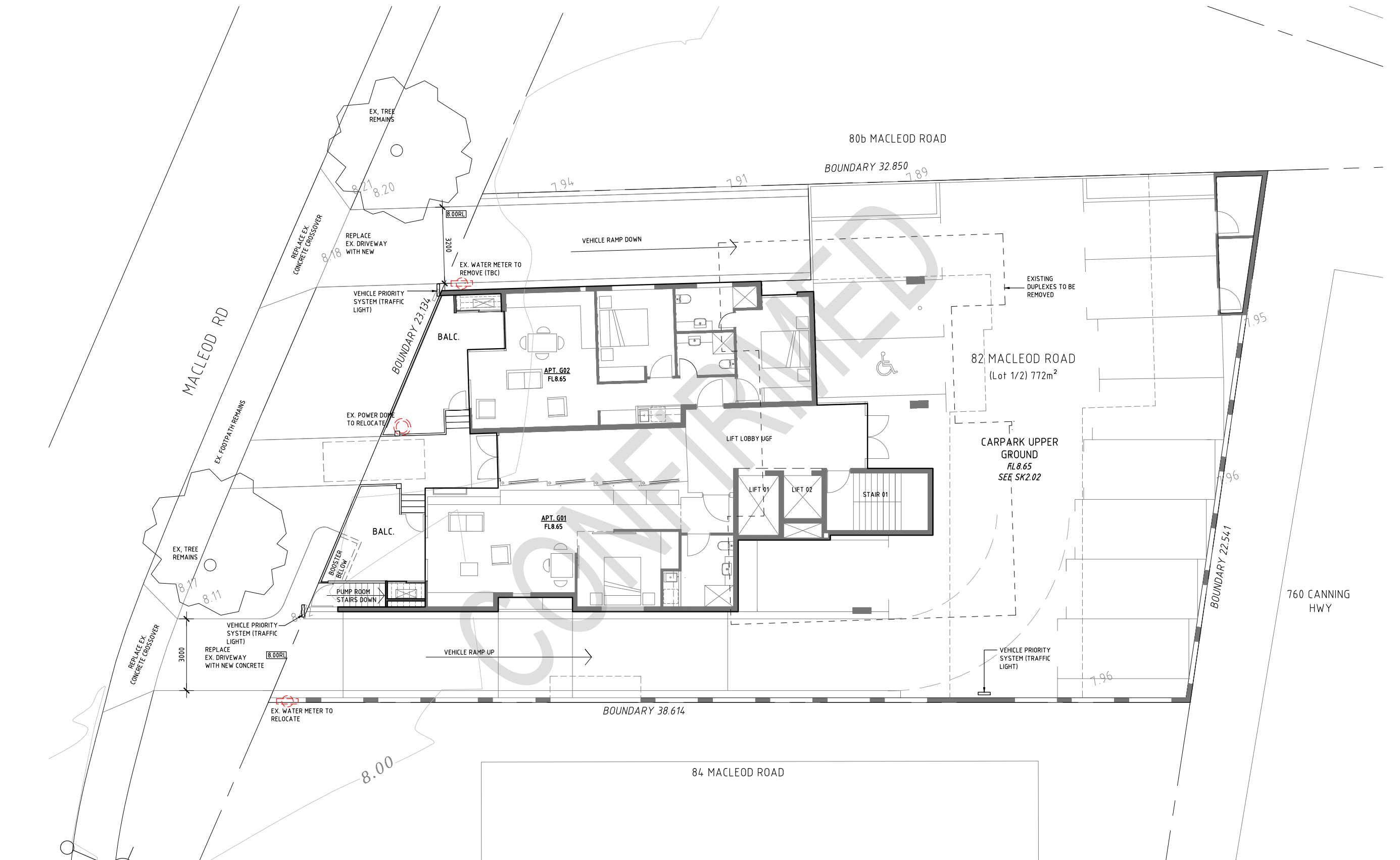
The results of the acoustic assessment indicate that noise received at the development from future traffic, exceed external noise level criteria. Therefore, noise amelioration in the form of quiet house design listed in Appendix B, as well as notifications on the title is required.

Herring Storer Acoustics recommends the development be conditioned as such to require a full assessment of the development in accordance with *State Planning Policy 5.4* once detailed designed is finalised to provide a more accurate assessment – this would include finalised window sizes, façade constructions and the like to be accounted for.

CONFIRMED

APPENDIX A

PLANS



APARTMENTS - 82 MACLEOD RD, APPLECROSS

SITE PLAN



SK1.01
1:100 @ A2
13 FEB 2023

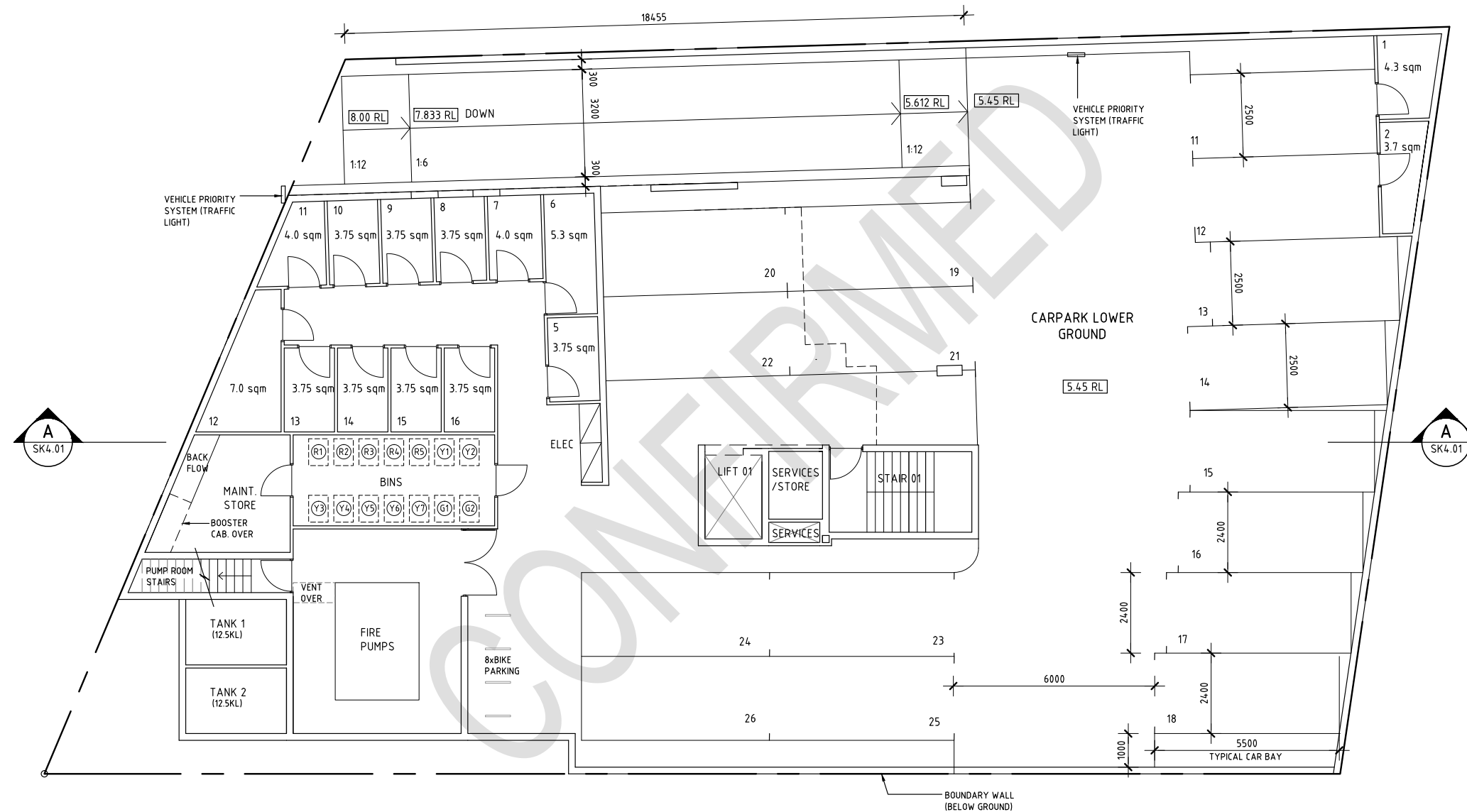
GARY BATT
ASSOCIATES
ARCHITECTS



(Rx) RED (GENERAL WASTE)
TOTAL = 5

(Yx) YELLOW (RECYCLING)
TOTAL = 7

(Gx) GREEN (ORGANIC)
TOTAL x2



APARTMENTS - 82 MACLEOD RD, APPLECROSS

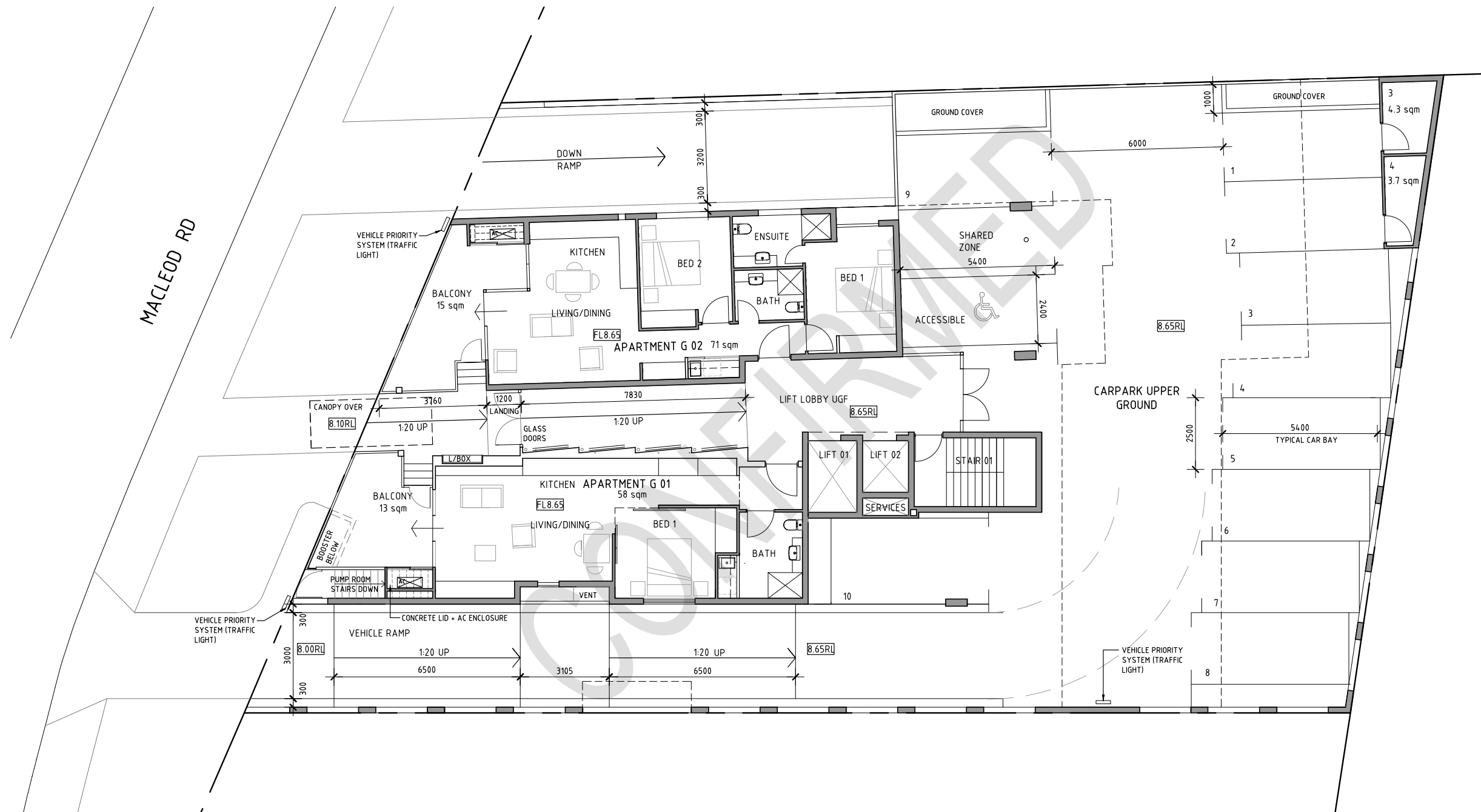
LOWER GROUND FLOOR PLAN



SK2.01
1:100 @ A2
13 Feb 2023

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APARTMENTS - 82 MACLEOD RD, APPLECROSS

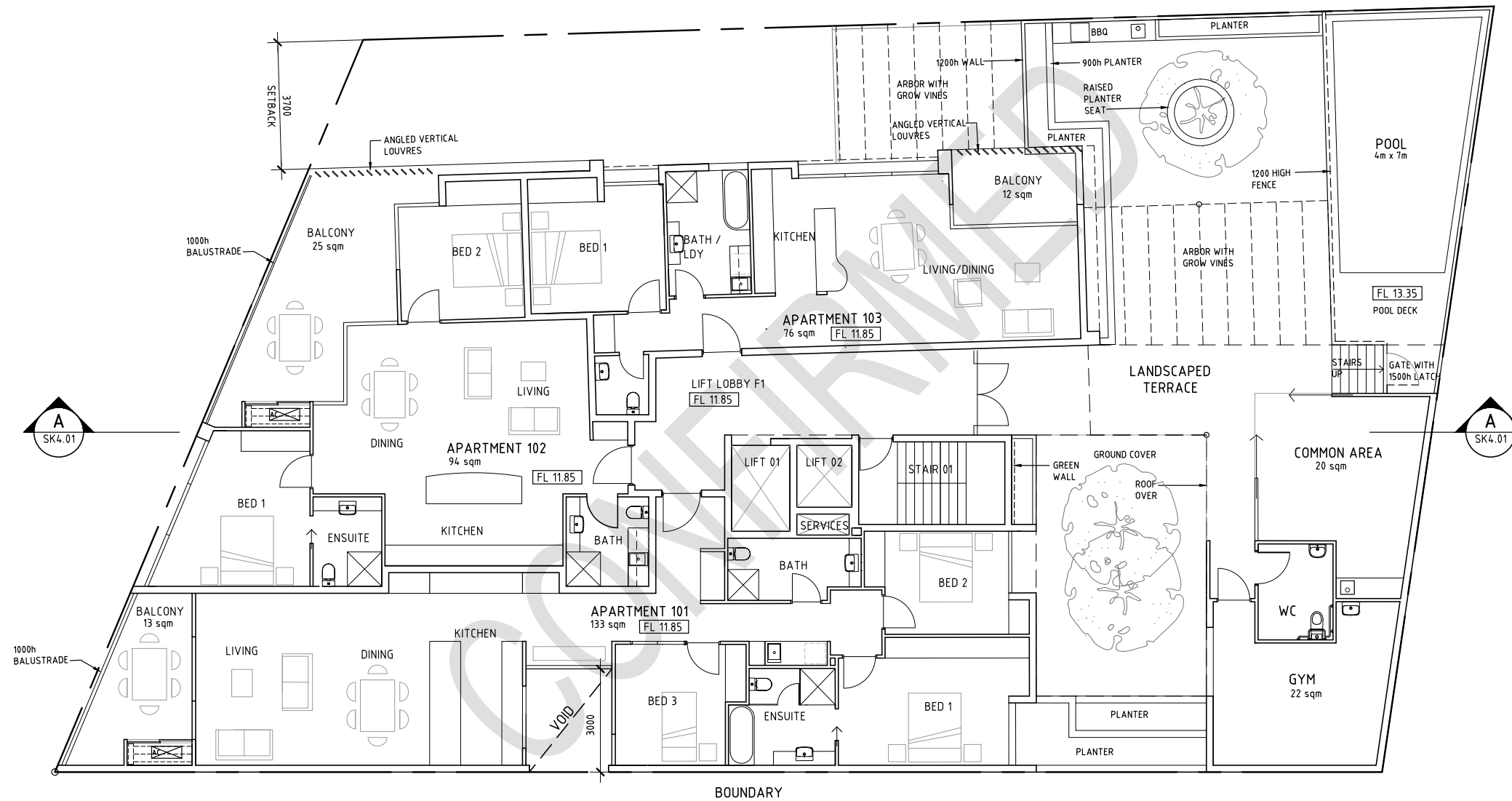
UPPER GROUND FLOOR PLAN



SK2.02
1:100 @ A2
13 Feb 2023

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APARTMENTS - 82 MACLEOD RD, APPLECROSS

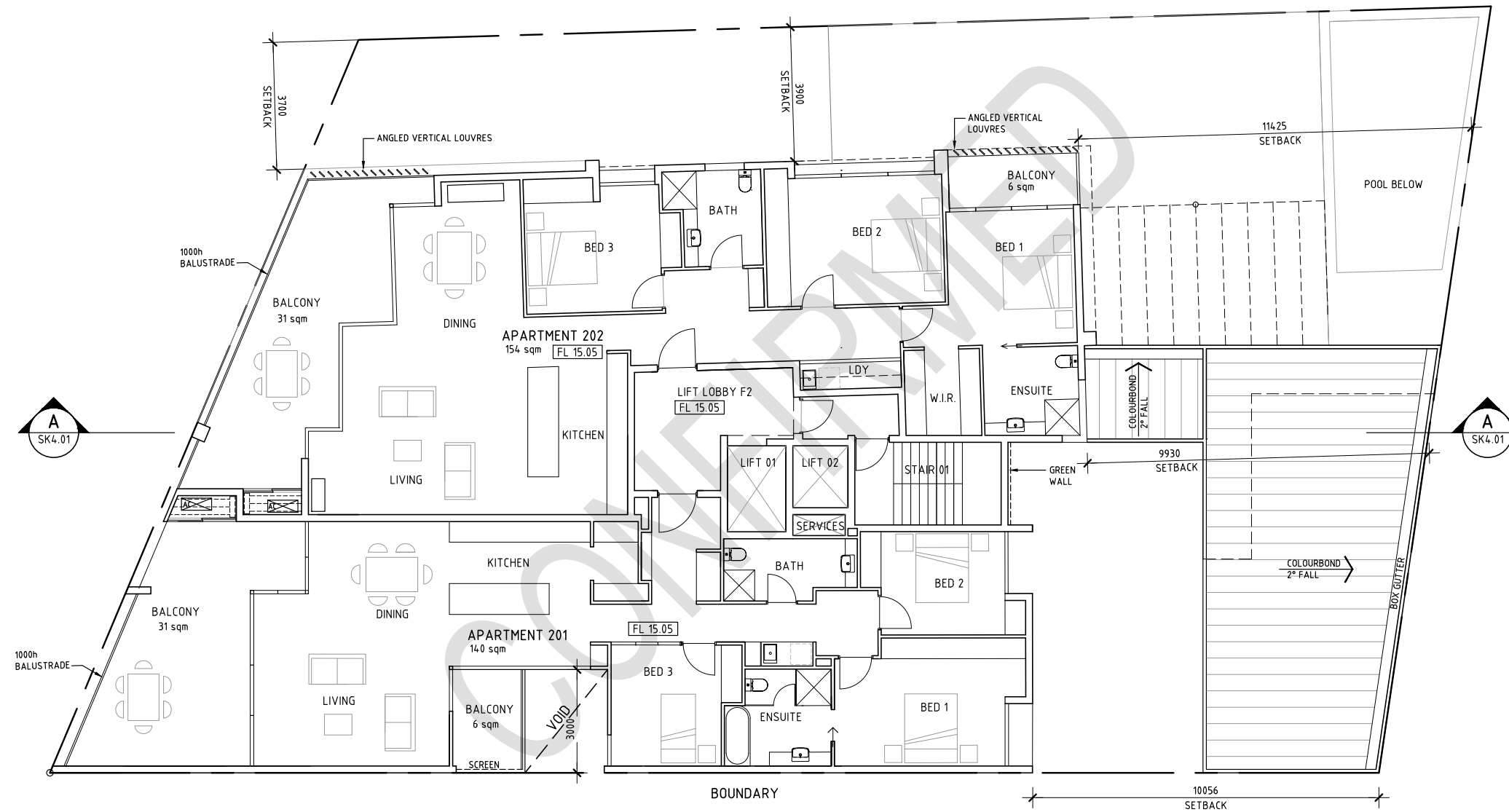
FIRST FLOOR PLAN



SK2.03
1:100 @ A2
13 Feb 2023

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APARTMENTS - 82 MACLEOD RD, APPLECROSS

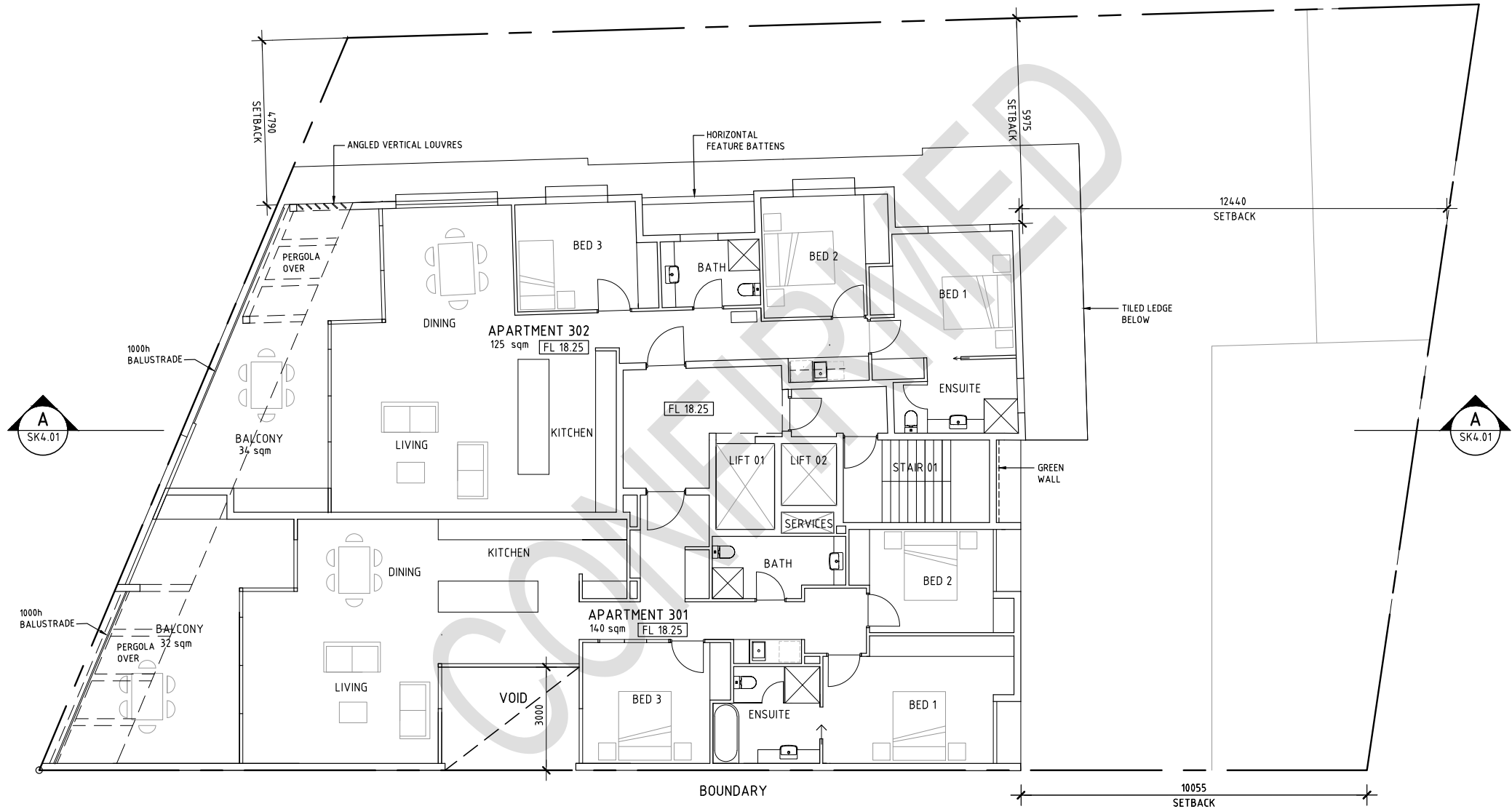
SECOND FLOOR PLAN



SK2.04
1:100 @ A2
13 Feb 2023

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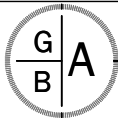
APARTMENTS - 82 MACLEOD RD, APPLECROSS

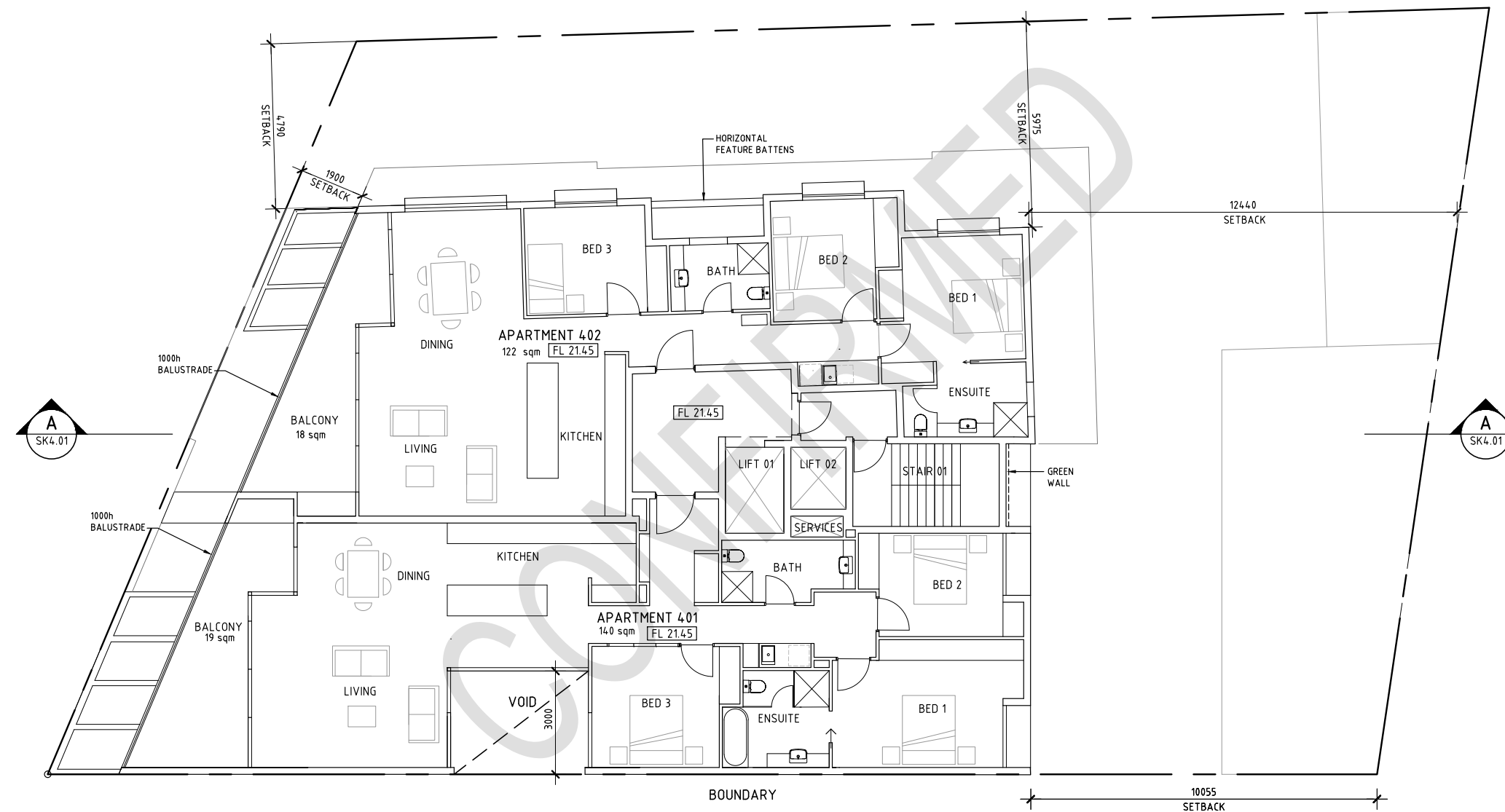
THIRD FLOOR PLAN



SK2.05
1:100 @ A2
08 Feb 2023

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APARTMENTS - 82 MACLEOD RD, APPLECROSS

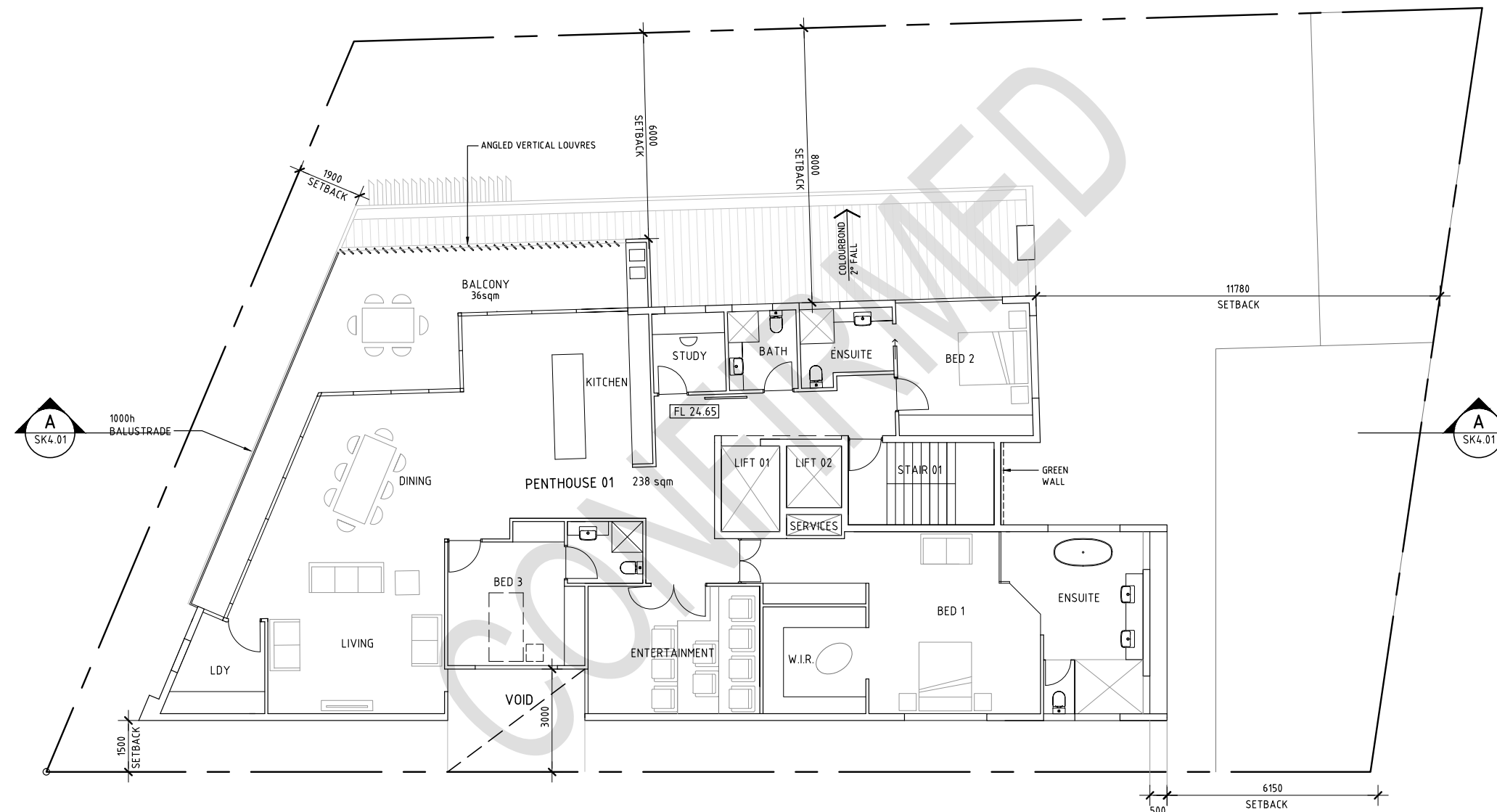
FOURTH FLOOR PLAN



SK2.06
1:100 @ A2
8 Feb 2023

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APARTMENTS - 82 MACLEOD RD, APPLECROSS

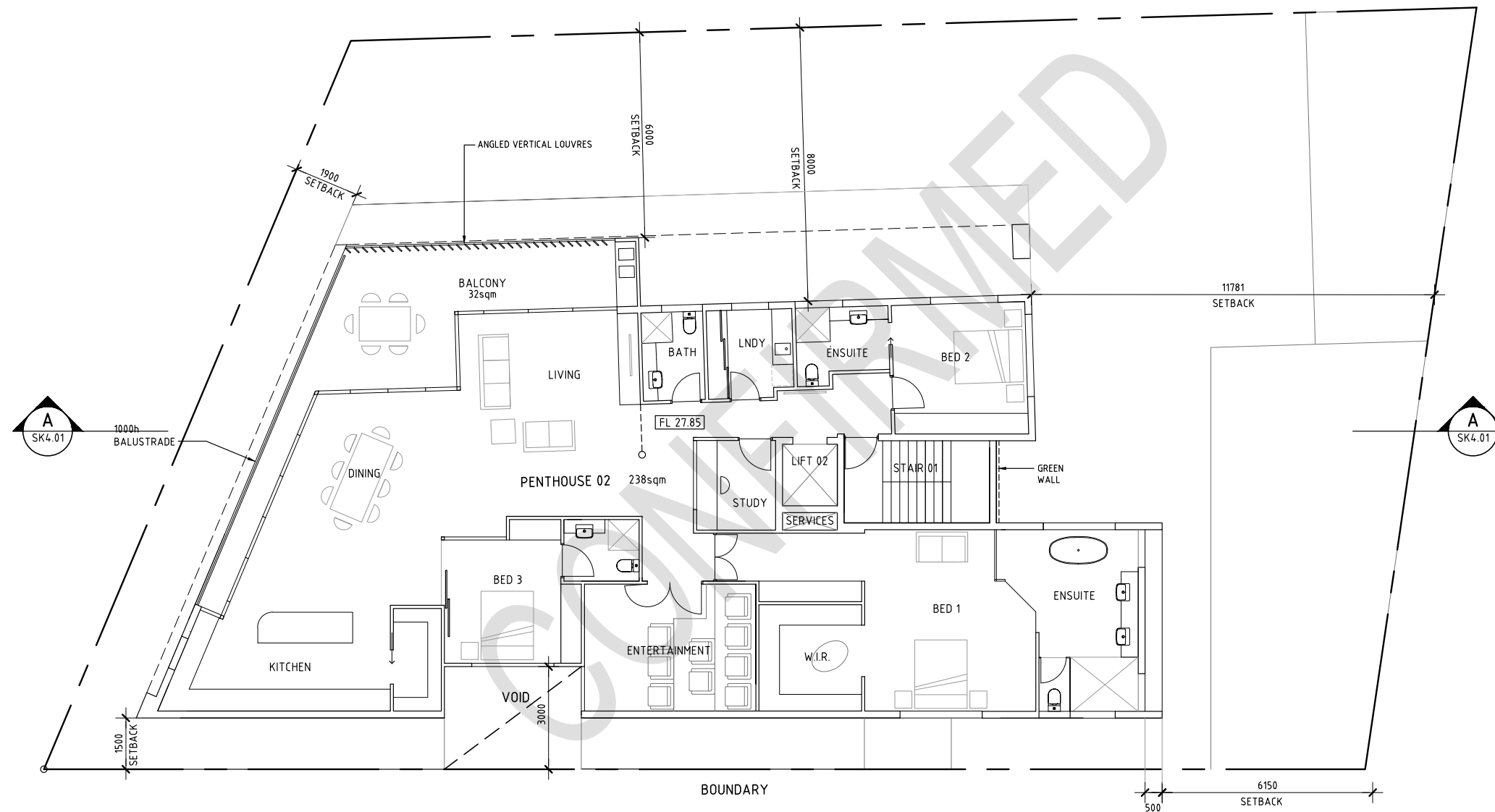
FIFTH FLOOR PLAN



SK2.07
1:100 @ A2
8 Feb 2023

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APARTMENTS - 82 MACLEOD RD, APPLECROSS

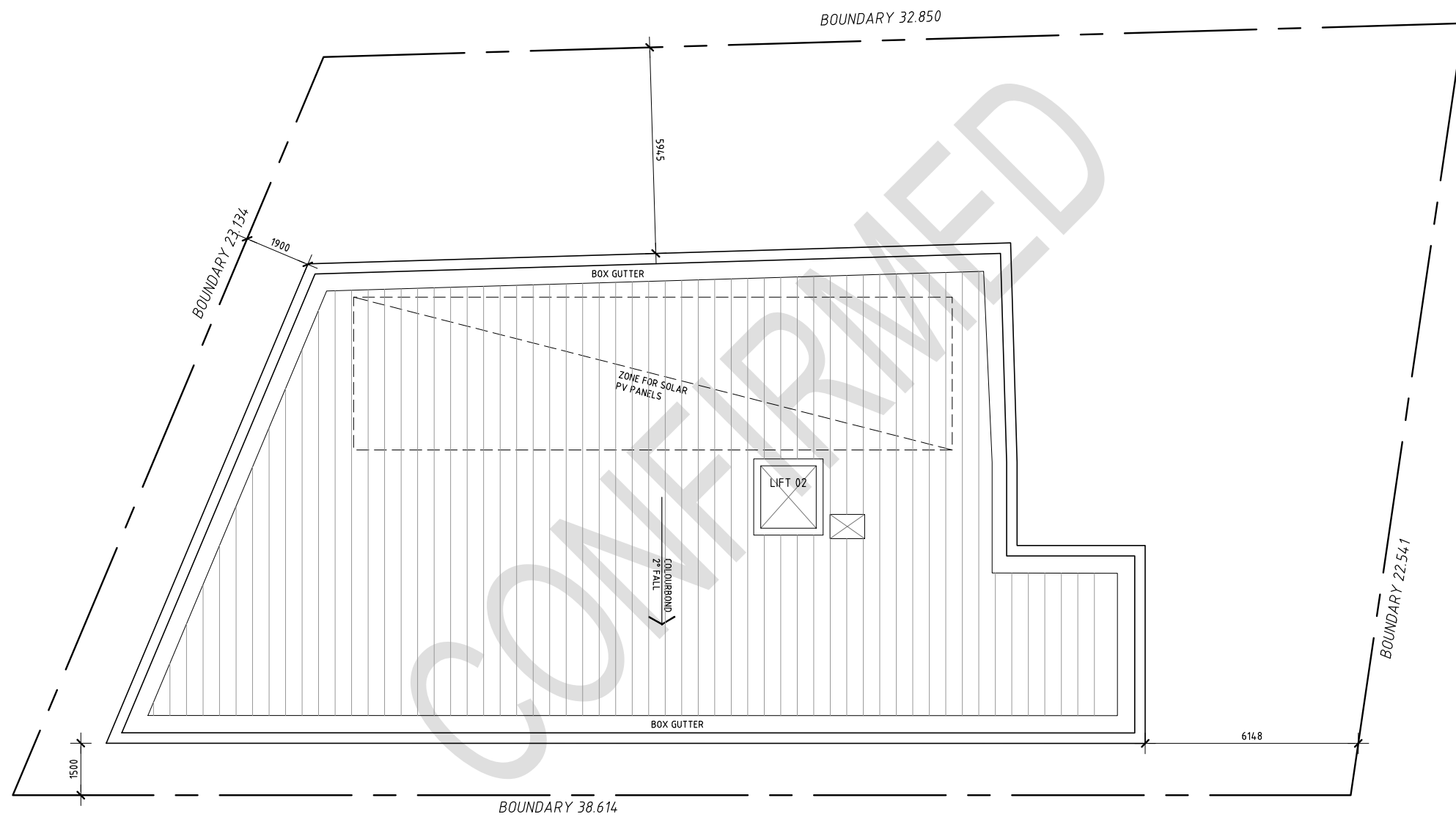
SIXTH FLOOR PLAN



SK2.08
1:100 @ A2
08 Feb 2023

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APARTMENTS - 82 MACLEOD RD, APPLECROSS

ROOF PLAN



SK2.09
1:100 @ A2
16 Jan 2022

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ARCHITECTS



APPENDIX B

GLAZING REQUIREMENTS

Calculated Noise Levels and Required R _w and C _{tr} Ratings					
Proposed Development				Bedrooms R _w + C _{tr}	Living Areas R _w + C _{tr}
Location	Facade	Level dB(A) Bedrooms	Level dB(A) Living Areas		
Apartment G01	North Facing	-	-	-	-
	West Facing	-	60	-	27
	East Facing	-	-	-	-
	South Facing	62	-	27	-
Apartment G02	North Facing	57	-	26	-
	West Facing	-	-	-	-
	East Facing	-	43	-	23
	South Facing	-	-	-	-
Apartment 101	North Facing	-	-	-	-
	West Facing	-	52	-	23
	East Facing	59	-	30	-
	South Facing	-	63	-	32
Apartment 102	North Facing	-	-	-	-
	West Facing	55	55	29	23
	East Facing	-	-	-	-
	South Facing	-	-	-	-
Apartment 103	North Facing	44	49	23	23
	West Facing	45	-	23	-
	East Facing	-	-	-	-
	South Facing	-	-	-	-
Apartment 201	North Facing	-	-	-	-
	West Facing	64	45	33	23
	East Facing	63	-	34	-
	South Facing	-	64	-	30

Calculated Noise Levels and Required R _w and C _{tr} Ratings					
Proposed Development				Bedrooms R _w + C _{tr}	Living Areas R _w + C _{tr}
Location	Facade	Level dB(A) Bedrooms	Level dB(A) Living Areas		
Apartment 202	North Facing	50	-	24	-
	West Facing	-	47	-	23
	East Facing	-	-	-	-
	South Facing	-	-	-	-
Apartment 301	North Facing	-	-	-	-
	West Facing	56	45	26	23
	East Facing	63	-	34	-
	South Facing	-	65	-	30
Apartment 302	North Facing	58	-	27	-
	West Facing	-	50	-	23
	East Facing	-	-	-	-
	South Facing	-	-	-	-
Apartment 401	North Facing	-	-	-	-
	West Facing	65	57	38	24
	East Facing	65	-	35	-
	South Facing	-	65	-	32
Apartment 402	North Facing	59	-	27	-
	West Facing	-	54	-	23
	East Facing	-	-	-	-
	South Facing	-	-	-	-
Penthouse 01 (Fifth Floor)	North Facing	60	-	31	-
	West Facing	-	59	-	26
	East Facing	-	-	-	-
	South Facing	66	65	33	32

Calculated Noise Levels and Required R_w and C_{tr} Ratings					
Proposed Development				Bedrooms $R_w + C_{tr}$	Living Areas $R_w + C_{tr}$
Location	Facade	Level dB(A) Bedrooms	Level dB(A) Living Areas		
Penthouse 01 (Sixth Floor)	North Facing	61	-	29	-
	West Facing	-	60	-	27
	East Facing	-	-	-	-
	South Facing	66	65	33	32

Notes: The required R_w rating can be reduced by reducing the area of glazing. Requirements pertain to only acoustic advice in regard to *State Planning Policy 5.4* and may be superseded by other requirements (BAL, Thermal, etc).

APPENDIX C

MRWA TRAFFIC FLOW DATA



Hourly Volume

Canning Hwy (H013)

2018/19
Monday to Friday

East of Riseley St (SLK 7.89)

	All Vehicles		
	EB	WB	Both
00:00	74	79	153
01:00	33	53	86
02:00	28	35	63
03:00	31	29	60
04:00	90	67	157
05:00	358	262	620
06:00	977	706	1683
07:00	1727	1078	2805
08:00	1563	1460	3023
09:00	1529	1352	2881
10:00	1255	1213	2468
11:00	1380	1221	2601
12:00	1386	1204	2590
13:00	1321	1179	2500
14:00	1486	1318	2804
15:00	1657	1503	3160
16:00	1581	1548	3129
17:00	1563	1576	3139
18:00	1155	1250	2405
19:00	873	818	1691
20:00	714	640	1354
21:00	629	559	1188
22:00	385	457	842
23:00	231	293	524
TOTAL	22026	19900	41926

	Heavy Vehicles				%
	EB	WB	Both		
00:00	1	5	6		3.9
01:00	2	2	4		4.7
02:00	1	1	2		3.2
03:00	1	2	3		5.0
04:00	11	10	21		13.4
05:00	36	32	68		11.0
06:00	88	97	185		11.0
07:00	106	111	217		7.7
08:00	96	92	188		6.2
09:00	119	111	230		8.0
10:00	103	116	219		8.9
11:00	107	109	216		8.3
12:00	108	99	207		8.0
13:00	102	95	197		7.9
14:00	127	83	210		7.5
15:00	120	98	218		6.9
16:00	90	70	160		5.1
17:00	59	65	124		4.0
18:00	38	52	90		3.7
19:00	28	33	61		3.6
20:00	25	25	50		3.7
21:00	17	21	38		3.2
22:00	14	19	33		3.9
23:00	8	9	17		3.2
TOTAL	1407	1357	2764		6.6

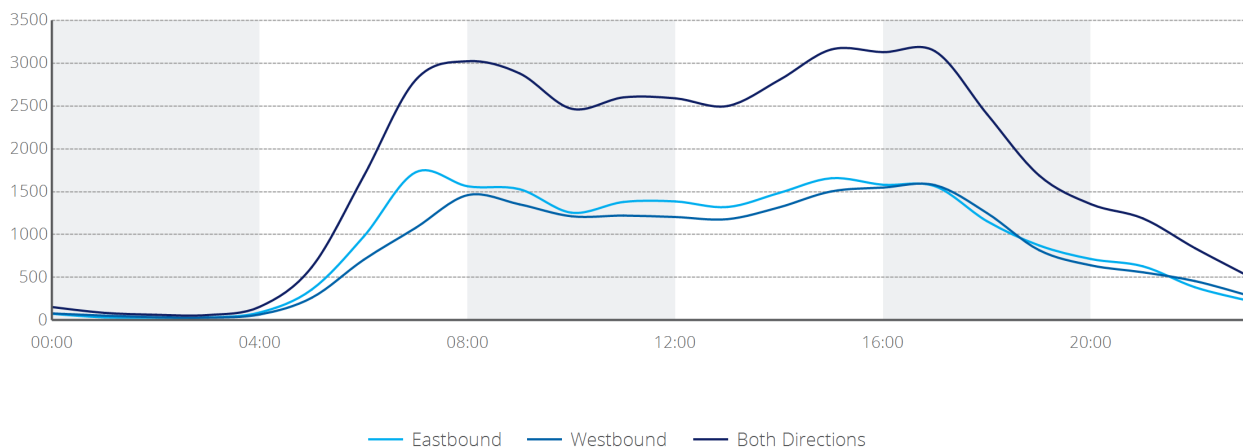


Peak Statistics

AM	TIME	07:00	08:00	08:15
	VOL	1727	1460	3057
PM	TIME	15:00	16:15	16:15
	VOL	1657	1606	3196

	08:45	06:30	06:30
	121	123	231
	14:00	12:30	15:00
	127	100	218

Volume





Hourly Volume

Canning Hwy (H013)

2018/19
Monday to Sunday

East of Riseley St (SLK 7.89)

	All Vehicles		
	EB	WB	Both
00:00	116	123	239
01:00	64	80	144
02:00	49	57	106
03:00	45	38	83
04:00	81	69	150
05:00	307	226	533
06:00	760	612	1372
07:00	1368	950	2318
08:00	1322	1372	2694
09:00	1400	1353	2753
10:00	1269	1268	2537
11:00	1409	1285	2694
12:00	1463	1271	2734
13:00	1377	1200	2577
14:00	1458	1288	2746
15:00	1575	1378	2953
16:00	1536	1382	2918
17:00	1583	1389	2972
18:00	1208	1166	2374
19:00	902	799	1701
20:00	726	628	1354
21:00	629	583	1212
22:00	438	533	971
23:00	298	386	684
TOTAL	21383	19436	40819

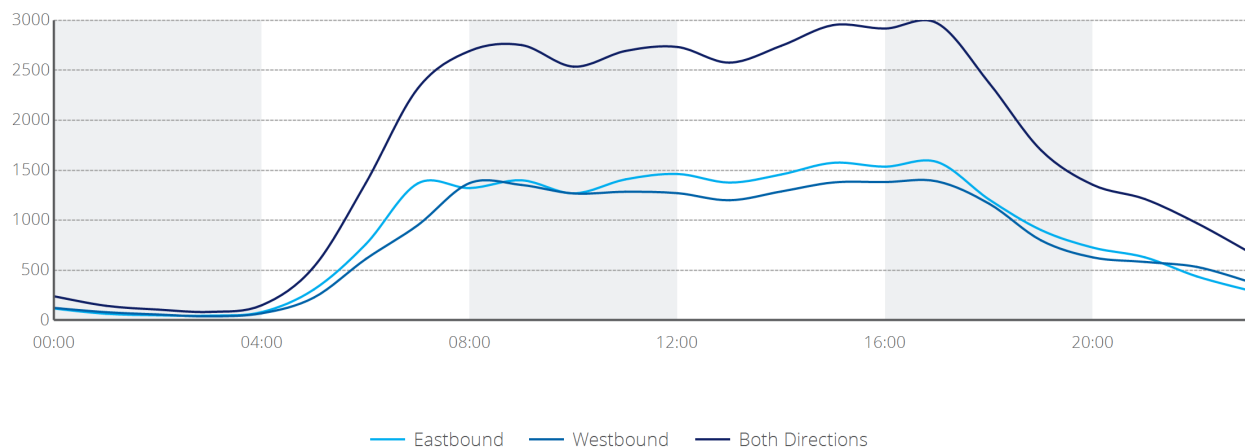
	Heavy Vehicles					%
	EB	WB	Both			
00:00	2	7	9			3.8
01:00	2	2	4			2.8
02:00	1	1	2			1.9
03:00	2	2	4			4.8
04:00	8	7	15			10.0
05:00	29	27	56			10.5
06:00	66	76	142			10.3
07:00	87	95	182			7.9
08:00	77	79	156			5.8
09:00	99	97	196			7.1
10:00	90	98	188			7.4
11:00	94	94	188			7.0
12:00	96	87	183			6.7
13:00	91	82	173			6.7
14:00	103	74	177			6.4
15:00	99	83	182			6.2
16:00	81	57	138			4.7
17:00	60	57	117			3.9
18:00	44	48	92			3.9
19:00	30	33	63			3.7
20:00	27	23	50			3.7
21:00	21	22	43			3.5
22:00	13	17	30			3.1
23:00	11	11	22			3.2
TOTAL	1233	1179	2412			5.9



Peak Statistics

AM	TIME	11:45	08:45	08:45	09:00	09:30	09:00
	VOL	1450	1403	2831	99	102	196
PM	TIME	16:30	15:30	16:30	14:00	12:00	14:45
	VOL	1597	1417	2981	103	87	183

Volume














Hourly Volume

Canning Hwy (H013)

2018/19
Weekend

East of Riseley St (SLK 7.89)

	 All Vehicles		
	 EB	 WB	 Both
00:00	192	201	393
01:00	121	127	248
02:00	88	97	185
03:00	69	53	122
04:00	62	70	132
05:00	196	145	341
06:00	300	395	695
07:00	592	649	1241
08:00	784	1121	1905
09:00	1078	1285	2363
10:00	1226	1306	2532
11:00	1389	1332	2721
12:00	1532	1325	2857
13:00	1410	1177	2587
14:00	1328	1154	2482
15:00	1336	1052	2388
16:00	1365	984	2349
17:00	1533	953	2486
18:00	1245	940	2185
19:00	912	719	1631
20:00	707	573	1280
21:00	595	596	1191
22:00	522	651	1173
23:00	413	547	960
TOTAL	18995	17452	36447

	 Heavy Vehicles					%
	 EB	 WB	 Both			
	5	12	17			4.3
	2	1	3			1.2
	2	1	3			1.6
	4	3	7			5.7
	4	5	9			6.8
	16	17	33			9.7
	23	32	55			7.9
	42	64	106			8.5
	41	50	91			4.8
	60	75	135			5.7
	61	64	125			4.9
	69	59	128			4.7
	70	58	128			4.5
	66	56	122			4.7
	56	54	110			4.4
	62	50	112			4.7
	63	32	95			4.0
	58	45	103			4.1
	55	41	96			4.4
	35	31	66			4.0
	29	22	51			4.0
	27	23	50			4.2
	13	15	28			2.4
	19	16	35			3.6
	882	826	1708			4.7

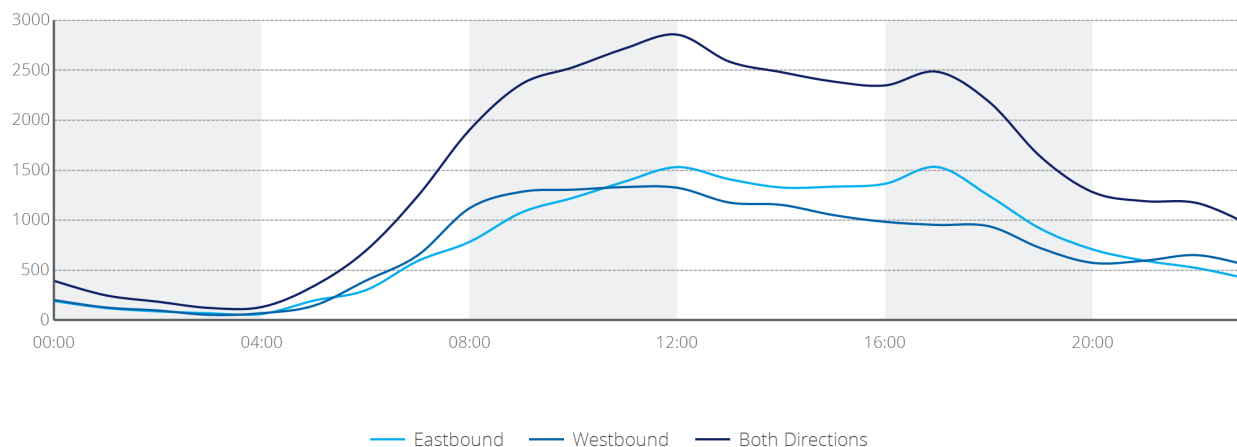


Peak Statistics

AM	TIME	11:45	11:45	11:45
	VOL	1504	1374	2878
PM	TIME	16:30	12:00	12:00
	VOL	1543	1325	2857

	10:15	09:15	10:45
	71	78	136
	13:15	12:45	12:00
	71	59	128

Volume






Address:
71 Allnutt Street Mandurah WA 6210
Postal:
PO Box 4160 Mandurah North WA 6

Sustainable Design Assessment Report – Development Approval

Date: 23rd February 2023
Our Reference: 21-14590

Project Address: Lot 2 (#82) Macleod Road, Applecross
BCA Climate Zone: 5
Building Class: 2

Report Commissioned By: Gary Batt & Associates Pty Ltd

Report Details		
Report Author: Nathan Peart	GBCA Acc. No.: 49264	Signature: 
Revision Date: -	Reason for Revision:	



Phone: 08 9555 9444 FAX: 08 9200 5654 Email: rate@s-wa.com.au Web: www.s-wa.com.au

ABN: 84 132 00005





Address:
71 Allnutt Street Mandurah WA 6210
Postal:
PO Box 4160 Mandurah North WA 6

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Phone: 08 9555 9444 FAX: 08 9200 5654 Email: rate@s-wa.com.au Web: www.s-wa.com.au

ABN: 84 132 00005



1. Project Information

This report has been commissioned to assess the sustainability credentials of the proposal at Lot 2 (#82) Macleod Road, Applecross with the objective of reducing the developments energy consumption and greenhouse gas emissions. The two benchmarks used to assess the sustainability credentials are Planning Policy 7.3 (SPP 7.3), Residential Design codes, Volume 2, Section 4 which relate to sustainability and the Riseley Activity Centre Structure Plan, Section 6 - Resource Conservation.

The development comprises of thirteen apartments and associated parking and storage in a previously developed lot. The development addresses the challenges presented by the road frontage being to the west, maximizing north facing living areas where possible, shading the western windows, and allowing cross ventilation.

1. Local Planning Policies

The development has been designed to comply with the objectives of the Riseley Activity Centre Structure Plan, Section 6 - Resource Conservation.

The demolition of the existing structure will utilize recycling of materials to minimize landfill.

The development will implement a waste management strategy and a contractor to be appointed to ensure 80% of all waste from construction is diverted from landfill.

Materials will be chosen to reduce the embodied energy in construction materials, increase thermal performance and of light colour to reduce heat gain.

Recycling will be by local government, however waste management to include sufficient space for recycling bins.



2. Solar and Daylight Access

The development has been designed to optimise solar and daylight access for dwellings by ensuring:

- All apartments have living rooms and private space that obtain at least 2 hours direct sunlight.
- Majority of apartments have the living areas facing north, where not limited by the orientation of the lot.
- Windows are visible from the majority of a habitable room.
- Minimal amount of obscure glazing.
- Glazing has appropriate shading, through overhangs or horizontal screening, to reduce heat transfer into the dwelling.

3. Natural Ventilation

The optimization of natural ventilation has been addressed in the development by including:

- Habitable rooms use of opposing openings to improve air quality and facilitate cross-ventilation.
- The use of openings and façade elements to assist the capture and use of prevailing breezes.
- Providing a combination of louvre, casement and awning windows as well as sliding windows for improved breeze control.
- All apartments have natural light and ventilation that do not rely on lightwells.

4. Shading

Effective shading from the summer sun has been achieved in the development through the:

- Provision of balconies allowing large overhangs over living areas on west orientation and moderate shading on the northern orientation.
- Use of fixed external shading devices on the north orientation



5. Thermal Mass

The use of thermal mass for passive heating and cooling has been included in the development through the use of:

- Concrete floors.
- Insulated brick and concrete walls.

Thermal mass has been located:

- In areas that receive direct sunlight or radiant heat from heaters
- On the ground floor
- Near the centre of the building
- Where it is exposed to cool night breezes and air currents

6. Energy Efficiency

The development will incorporate a number of energy efficiency initiatives that include:

- Photo Voltaic system to reduce peak demand by at least 15%
- Water efficient appliances exceeding the minimum:
 - o Taps: 5 Star
 - o Urinals: 5 Star
 - o Toilet: 4 Star
 - o Showers: 3 Star (> 4.5 but <= 6.0)
 - o Clothes Washing Machines: 4 Star
 - o Dishwashers: 5 Star
- Light coloured materials to reduce heat gain.
- Insulation exceeding minimum requirements.
- While a full NatHERS assessment has not been undertaken, it is believed the development will exceed the minimum star rating requirements.





Address:
71 Allnutt Street Mandurah WA 6210
Postal:
PO Box 4160 Mandurah North WA 6

7. Conclusion

It is the opinion of Sustainability WA that the plans of the development (16 Jan 2023) comply with the Residential Design Codes Volume 2 – Apartments, Section 4 which relate to sustainability and the objectives of the Riseley Activity Centre Structure Plan, Section 6 - Resource Conservation.

This opinion is given on the assumption that all works will be carried out as per plans provided, details above, supporting documentation attached, Building Code of Australia and relevant Australian Standards.

Please do not hesitate to contact Sustainability WA with any queries regarding the contents of this report.

Report Author: Nathan Peart
Senior ESD Consultant
Sustainability WA

Phone: 08 9555 9444 FAX: 08 9200 5654 Email: rate@s-wa.com.au Web: www.s-wa.com.au

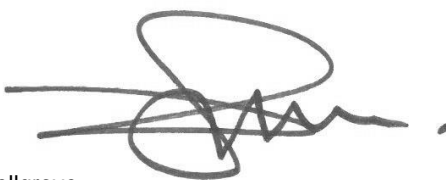
ABN: 84 132 00005



Design Review Report

Meeting Date: Wednesday 1 February 2023
Meeting Time: 9.30 am
Venue: City of Melville Canning Room

CONFIRMED

Design Review Report		
Subject	82A MacLeod Road – Design Review 01	
Date	1 February 2023	
Time	9:30	
Location	City of Melville	
Design Reviewers	Name Dominic Snellgrove Malcolm MacKay Damien Pericles Chris Maher	Chair Panel Member Panel Member Panel Member
Proponent	Gary Batt Associates	
Project Team	No other project team members attended the meeting	
Planning Authority	City of Melville	Mark Scarfone, Gavin Davey, Liam Johnson
Stakeholders		
Declarations	None.	
Briefings		
Relevant Authorities Project Team	City of Melville provided a brief update to the panel outlining the relevant statutory framework associated with the site and key design concerns. Applicant provided a presentation based on the 10 Design Principles contained in SPP 7.0 Design of the Built Environment.	
Design Review Report endorsement		
Reviewer's signature	 (Name) Dominic Snellgrove	

Introductory Comments	
Design quality evaluation	
	Supported
	Pending further attention
	Not yet supported
	Yet to be addressed
Strengths of the Proposal	<ul style="list-style-type: none"> • Early engagement with the DRP • Situated near local amenity and public transport by way of high frequency bus routes. • A mix of a studio, a 1 bed, 2- and 3-bedroom apartments. • A 950mm grade separation for the ground floor units creates the opportunity for a level of privacy and separation from the public realm whilst allowing the ground floor units to potential interact successfully with the adjoining streetscape. • Generous communal amenity. • The proposed use of generous amounts of high-quality limestone cladding. • High levels of cross ventilation at 100%. • Generous balconies for most units. • No solely south facing units. • The inclusion of an instructive building section. • Initial allocation of services including fire tanks and sub-station considered. • Floor to floor height being proposed is adequate at 3.2m. • The Apartments are generally well arranged and planned.
Principle 1 Context and character	<i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i>
	<ul style="list-style-type: none"> a) In a project of this scale the most important contribution to context and character is the way that the built-form addresses and engages with the adjoining streetscape. The proposal has not yet achieved satisfactory ground floor streetscape interaction. b) The 2m high front facing wall presents in a monolithic, solid and invasive way and precludes engagement and passive surveillance over the adjoining streetscape. c) The zero-set back alignment of the ground floor units presents privacy issues for the ground floor units and precludes visual permeability. d) The ground floor units do not yet enjoy direct access to the adjoining street. e) The imposition of two vehicular street cross overs has a negative impact on the public and pedestrian realm. f) The material submitted did not include streetscape elevations illustrating the proposal in its current and future context.
Recommendations	<ol style="list-style-type: none"> 1. Implement a modest setback for the ground floor units that allows for a strip of landscape between the balcony and the foot path to create a sense of privacy for occupants of the units. 2. Create a ground floor balcony wall that has a mix of solid and permeable treatments to create a balance between visual privacy for balcony occupants and passive surveillance over the public realm.

	<p>3. Introduce direct pedestrian/occupant access from the public domain to the ground floor units. This will assist with activating the streetscape and provide convenient resident access.</p> <p>4. Limit the number of vehicular crossovers to one to assist with creating an improved streetscape outcome.</p> <p>5. Provide streetscape elevations illustrating the proposal in its current and future context.</p>
Principle 2 Landscape quality	<i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i>
	<p>a) The DRP expressed concern that the landscape amenity is lacking in the proposal.</p> <p>b) The Proponent has not yet engaged a landscape design professional.</p> <p>c) The quantum of deep soil planting and on-structure planting along with the allocation of tree canopy will be an important consideration.</p>
Recommendations	1. Engage a landscape design professional to assist with producing a concept design proposal that addresses issues of deep soil and on-structure planting as well as tree canopy.
Principle 3 Built form and scale	<i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i>
	a) Whilst the Panel are generally comfortable with the proposed height, the design is not yet of a quality that justifies the discretion being sought.
Recommendations	1. Provide justification for discretion being sought.
Principle 4 Functionality and build quality	<i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i>
	<p>a) Air Conditioning (AC) condenser locations have not been indicated on the plans.</p> <p>b) The ground floor booster cupboard is in a space that impacts on the quality of the ground floor studio balcony.</p> <p>c) The location of the bin store in the basement makes bin presentation to the street difficult.</p> <p>d) The ramp gradient into the building does not appear to meet relevant Australian Standards and requires reconsideration.</p>
Recommendations	<p>1. Indicate where the AC condensers are located and ensure that they are fully screened from the public and private realm.</p> <p>2. Consider an alternative location for the booster cupboard.</p> <p>3. Consider relocating the bin store to a location at the ground floor level.</p> <p>4. Reconsider ramp gradient to provide a maximum gradient of 1:20 for the first 6.0 metres within the property boundary.</p>
Principle 5 Sustainability	<i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i>
	<p>a. Not discussed</p> <p>b. The Proponent has not yet engaged an ESD professional.</p>
Recommendations	1. Engage an ESD professional to assist with developing a comprehensive ESD concept design including solar PV's and EV chargers.
Principle 6 Amenity	<i>Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i>
	<p>a) Bedroom 3 situated in the south-west apartment relies solely on access to light and ventilation from a light well. This is not an acceptable outcome having regard to SPP7.3 Residential Design Codes Volume 2 Apartments (SPP7.3)</p> <p>b) Privacy to bedroom 2 in the southwest apartment adjacent to the communal</p>

	<p>space has the capacity to be problematic.</p> <p>c) There is no access to natural light or ventilation to the lift lobbies at Levels Second to Fourth. This is not an acceptable outcome having regard to SPP7.3</p>
Recommendations	<ol style="list-style-type: none"> 1. Consider changes to the design to ensure that habitable rooms do not rely solely on light from a narrow light well. Access to views and vistas from habitable rooms should also be considered. 2. Alternatively, provide detailed sections through the southern lightwell with the potential future adjoining property shown to illustrate the impact on solar access. View, vista and ventilation. 3. Provide natural light and ventilation to the lift lobbies at the Second to Fourth floor levels. 4. Ensure adequate visual and acoustic privacy for bedroom 2 adjacent to the communal amenity. 5. Consider operable roof lights to the top floor unit to boost natural light and ventilation.
Principle 7 Legibility	<i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i>
	<ol style="list-style-type: none"> a. The street entry is small, concealed and lacks streetscape legibility. Access from the street entry to the front door is not legible or generous with the entry concealed from direct view. b. The entry way from the street is further compromised by following the car park entry road.
Recommendations	<ol style="list-style-type: none"> 1. Consider deleting one of the vehicular cross overs to create a better streetscape response. 2. With the additional frontage, consider locating the main entry between the two ground floor apartments with direct, legible and generous access to a visible lift.
Principle 8 Safety	<i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i>
	<ol style="list-style-type: none"> a. Ground floor streetscape passive surveillance is inadequate. b. The 2m high front facing wall presents in a monolithic, solid and invasive way and precludes engagement and passive surveillance over the adjoining streetscape. c. The finished floor level of the ground floor dwelling is recommended to be a maximum of 600mm above the ground level at the lot boundary and visually permeable fencing provided above.
Recommendations	<ol style="list-style-type: none"> 1. Create a ground floor balcony wall that has a mix of solid and permeable treatments to create a balance between visual privacy for balcony occupants and passive surveillance over the public realm. 2. Ensure the finished floor level of the ground floor dwellings allows for appropriate levels of privacy and street surveillance.
Principle 9 Community	<i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i>
	<ol style="list-style-type: none"> a) In a project of this scale the most important contribution to the community is the way that the built-form addresses and engages with the adjoining streetscape. The proposal has not yet achieved satisfactory ground floor streetscape interaction. b) The 2m high front facing wall presents in a monolithic, solid and invasive way and precludes engagement and passive surveillance over the adjoining streetscape. c) The zero-set back alignment of the ground floor units presents privacy issues

	for the ground floor units and precludes visual permeability.
Recommendations	<ol style="list-style-type: none"> 1. Implement a modest setback for the ground floor units that allows for a strip of landscape between the balcony and the foot path to create a sense of privacy for occupants of the units. 2. Create a ground floor balcony wall that has a mix of solid and permeable treatments to create a balance between visual privacy for balcony occupants and passive surveillance over the public realm.
Principle 10 Aesthetics	<i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i>
	<ol style="list-style-type: none"> a) General facade arrangement and presentation, including materiality, screens and on-structure landscape has potential to contribute to the urban context.
Recommendations	<ol style="list-style-type: none"> 1. Whilst the formal composition is varied, including the cantilever there is an opportunity to edit back to a more composed, restrained, and organised series of forms, shapes and materials. 2. Consider editing some of the visual variation and amplify a smaller number of architectural moves.

Concluding Remarks

The Panel are not yet supportive of the proposal.

Consider all advice in Principles 1-10 and revert to the Design Review Panel.

Design Review progress

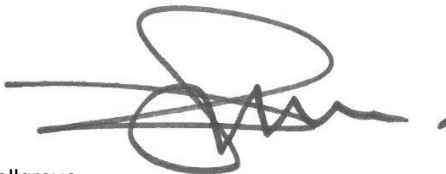
	Supported			
	Pending further attention			
	Not yet supported			
	Yet to be addressed			
	DR1	DR2	DR3	
Principle 1 - Context and character				
Principle 2 - Landscape quality				
Principle 3 - Built form and scale				
Principle 4 - Functionality and build quality				
Principle 5 - Sustainability				
Principle 6 - Amenity				
Principle 7 - Legibility				
Principle 8 - Safety				
Principle 9 - Community				
Principle 10 - Aesthetics				

Design Review Report

Meeting Date: Wednesday 12 April 2023
Meeting Time: 9.30am - 12.30 pm
Venue: City of Melville Swan Room

Item 1 : 82 MacLeod Road, Applecross
Item 2: 532 Canning Highway, Attadale
Item 3: 10 Almondbury Road, Booragoon

CONFIRMED

Design Review Report		
Subject	82A MacLeod Road – Design Review 02	
Date	12 April 2023	
Time	9.30	
Location	City of Melville	
Design Reviewers	Name Dominic Snellgrove Malcolm MacKay Damien Pericles Fred Chaney	Chair Panel Member Panel Member Panel Member
Proponent	Gary Batt Associates	Gary Batt
Project Team		
Planning Authority	City of Melville	
Stakeholders		
Declarations	None.	
Briefings		
Relevant Authorities Project Team	Mark Scarfone Gavin Davey	City officers provided a brief description of the changes made since the previous review.
Design Review Report endorsement		
Reviewer's signature	 (Name) Dominic Snellgrove	

Introductory Comments	
Design quality evaluation	
	Supported
	Pending further attention
	Not yet supported
	Yet to be addressed
Strengths of the Proposal	<ul style="list-style-type: none"> The Proponent is commended for addressing issues raised in DRP 01. This includes: <ol style="list-style-type: none"> An improved ground floor streetscape condition which positions the ground floor units at approximately 650mm above ground with half height balustrades. The introduction of direct stair access to the ground floor units from the adjoining entry path. A landscape verge buffer provides privacy for ground floor unit occupants. A relocated and arranged main entry is now positioned centrally to the ground floor plan in a legible and clearly signalled entrance. The repositioned booster cupboard improves the amenity associated with unit G01 balcony. (Support will be contingent on achieving the proposed location in a way that does not impact on the private outdoor space of unit G01) The location and screening of the AC condensers. The appointment of an ESD consultant Improvements to visual privacy and separation of Bedroom 2 adjacent to the communal area. Whilst the number of crossovers is not optimal the width of each cross over has been reduced to a single road width Native plant palette. Early engagement with the DRP. Situated near local amenities and public transport by way of high frequency bus routes. A mix of a studio, a 1 bed, 2- and 3-bedroom apartments. A 650mm grade separation for the ground floor units creates the opportunity for a level of privacy and separation from the public realm whilst allowing the ground floor units to potential interact successfully with the adjoining streetscape. Generous communal amenity. The proposed use of generous amounts of high-quality limestone cladding. High levels of cross ventilation at 100%. Generous balconies for most units. No solely south facing units. The inclusion of an instructive building section. Initial allocation of services including fire tanks and sub-station considered. Floor to floor height being proposed is adequate at 3.2m. The Apartments are generally well arranged and planned.

Principle 1 Context and character	<i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i>
	<ul style="list-style-type: none"> a) Whilst there have been considerable improvements to the streetscape interface, including the central main entry, direct occupant access to the ground floor unit balconies from the street and the development of a landscape verge buffer, the streetscape elevations illustrate that the proposed height, does not sit consistently with the heights of adjoining properties and presents as a higher built form in relation to the full future potential of the southern property being 21 metres. b) In addition to the built form relationship with the southern property the relationship with the northern property is also problematic given its maximum height potential being 12 metres. c) This results in a proposal that does not relate to its current or future context and does not respond to the current and future character of the area. d) Whilst the width of each vehicular crossover has been minimised to single width, two vehicular cross overs within a narrow site is not optimal and not consistent with the character of existing streetscapes. The proliferation of cross overs at this density will have a detrimental impact on the pedestrian and public realm.
Recommendations	<ol style="list-style-type: none"> 1. Reduce the height of the built form to be compliant within the current planning framework, and no taller than, the potential height of any development immediately to the south. 2. If two crossovers are to be proposed, then treat the driveway surface with paving or finishes to match the foot path and to emphasize pedestrian priority. 3. Once inside the property line select a paving material that signals a pedestrian zone over a vehicular zone. 4. Consider a decorative screen and/or green wall element to terminate the sightlines through and over the ramp entry to improve its visual impact on the public domain. 5. Consider a decorative screen gate at the southern entry to terminate sight lines from the public domain.
Principle 2 Landscape quality	<i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i>
	<ul style="list-style-type: none"> a) The Proponent is commended for initiating a detailed landscape design including high quality verges treatments. b) However, there is no deep soil planting proposed where 10% of the site is expected. c) The communal open space could be replanned to provide space for meaningful tree canopy and to provide higher levels of amenity for the project.
Recommendations	<ol style="list-style-type: none"> 1. Explore ways of achieving some deep soil planting on site. Whilst verge planting is encouraged Design WA requires a minimum of 10% of the site area or double the shortfall on structure. 2. Consider a green roof over the gym area to improve the outlook from adjacent apartments and to mitigate the absence of true deep soil planting onsite. 3. Many on-structure planters need to be a minimum of 1M deep to support sufficient tree canopy. This should be shown on plan. 4. Provide a section diagram to show the relationship of the communal landscape space with the bedrooms of apartment 101 and the gym.
Principle 3 Built form and scale	<i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i>

	<ul style="list-style-type: none"> a) The streetscape elevations illustrate that the proposed height, does not sit consistently with the heights of adjoining properties and presents as a higher built form in relation to the full future potential of the southern property being 21 metres b) In addition to the built form relationship with the southern property the relationship with the northern property is also problematic given its maximum height potential being 12 metres. c) This results in a proposal that does not relate to its current or future context and does not respond to the current and future character of the area.
Recommendations	1. Reduce the height of the built form to be compliant within the current planning framework, and no taller than, the potential height of any development immediately to the south.
Principle 4 Functionality and build quality	<i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i>
	<ul style="list-style-type: none"> a) AC condenser locations have been successfully indicated b) The booster cupboard has been rearranged appropriately.
Recommendations	1. None
Principle 5 Sustainability	<i>Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.</i>
	<ul style="list-style-type: none"> a. The Proponent is commended for appointing an ESD professional and considering design strategies that will assist with mitigating operation energy requirements.
Recommendations	1. None
Principle 6 Amenity	<i>Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i>
	<ul style="list-style-type: none"> a) There remain several key concerns around occupant amenity. Many of these issues are exacerbated by an attempt to incorporate too many units over too many levels on the site. They include: <ul style="list-style-type: none"> 1. Bedroom 3 situated in the south-west apartment continues to rely solely on access to light and ventilation from a light well. (Design WA SPP7 does not support this) 2. The bedrooms in the ground floor apartments G01 and G02 have poor outlooks onto a driveway and over a car park ramp. 3. The fifth and sixth floor master bedroom relies solely on a high-level window over the bed for access to light, view and vista and the bedroom itself is separated from an external view by the bathroom creating the sense of an internalized bedroom area. 4. There is no access to natural light or ventilation to the lift lobbies at Levels Second to Fourth. (Design WA SPP7) 5. The balcony located in the lightwell on the second floor will look directly into bedroom 3.
Recommendations	<ol style="list-style-type: none"> 1. Reduce the height of the built form to be compliant within the current planning framework, and no taller than, the potential height of any development immediately to the south. A reduction in height and yield, including car bays, will free up the plan to assist with addressing some of the issues identified above. 2. Convert G 01 to a studio apartment or a commercial space. 3. Rearrange the master bed on the fifth and sixth floor so that it enjoys access to a natural light, view and vista and is not cut off by a bathroom.

Principle 7 Legibility	<i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i>
	a. The entry location and legibility are much improved.
Recommendations	1. None
Principle 8 Safety	<i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i>
	a. The ground floor streetscape and passive surveillance is much improved.
Recommendations	1. None
Principle 9 Community	<i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i>
	a) In a project of this scale the most important contribution to the community is the way that the built-form addresses and engages with the adjoining streetscape. b) The ground floor streetscape and passive surveillance is much improved.
Recommendations	1. None
Principle 10 Aesthetics	<i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i>
	a) General facade arrangement and presentation, including materiality, screens and on-structure landscape has potential to make a contribution to the urban context. b) Further simplification of form has improved the presentation of the building.
Recommendations	1. None

Concluding Remarks

The Panel is not yet supportive of the proposal.

Overall, there are several issues which suggest the proposal is an over development of the site. Namely:

- ~Two crossovers
- ~Bedrooms with little or no access to natural light, view and vista
- ~A building height that exceeds the maximum potential height of the site to the south and does not sit comfortably within its current and future context.
- ~An absence of natural light, view and vista to the lift lobbies.
- ~Unit G01 bedroom relies solely on a high-level window. This is not supported.
- ~Bed 3 fifth and sixth floor relies solely on a high-level window. This is not supported.
- ~0% on-site true deep soil planting.

The Panel recommend the height of the built form be reduced to be compliant with the planning framework. This in turn will reduce the number of units and the number of car bays that may free up the plan to address some of the key concerns.

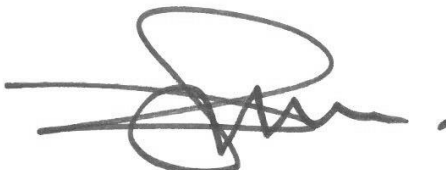
Design Review progress

	Supported		
	Pending further attention		
	Not yet supported		
	Yet to be addressed		
	DR1	DR2	DR3
Principle 1 - Context and character			
Principle 2 - Landscape quality			
Principle 3 - Built form and scale			
Principle 4 - Functionality and build quality			
Principle 5 - Sustainability			
Principle 6 - Amenity			
Principle 7 - Legibility			
Principle 8 - Safety			
Principle 9 - Community			
Principle 10 - Aesthetics			

Design Review Report

Meeting Date: Wednesday 3 May
Meeting Time: 9.30am - 11.00am
Venue: City of Melville Swan Room and online via Microsoft Teams

Item 1: 16 Ogilvie Road, Mt Pleasant – Mixed use development
Item 2 : 82 MacLeod Road, Applecross – Apartments.

Design Review Report		
Subject	82A and 82B MacLeod Road – Design Review 03	
Date	3 May 2023	
Time	10:15	
Location	City of Melville	
Design Reviewers	Name Dominic Snellgrove Malcolm MacKay Damien Pericles Fred Chaney	Chair Panel Member Panel Member Panel Member
Proponent	Architect	Gary Batt Associates – Glen Howat
Project Team	Client	Franco Ranieri
Planning Authority	City of Melville	Mark Scarfone
Stakeholders		
Declarations	None.	
Briefings		
Relevant Authorities	10.15	City of Melville gave a brief update on changes. Architect provided an overview of the changes made since the last DRP including the reduction in height and the introduction of more substantial landscaping.
Project Team	10.20	
Design Review Report endorsement		
Reviewer's signature	 (Name) Dominic Snellgrove	

Introductory Comments	
Design quality evaluation	
	Supported
	Pending further attention
	Not yet supported
	Yet to be addressed
Strengths of the Proposal	<ul style="list-style-type: none"> The Proponent is commended for addressing issues raised in DRP 01 & 02. This includes: <ol style="list-style-type: none"> Reducing the number of levels by one. Reorganising the fifth Floor Level master bedroom to allow for access to natural light, view and vista. Applying a green roof to the gym Greenery at the north ramp entry vista Improvement to the ground floor units' amenity including planters at the window interface. An improved ground floor streetscape condition which positions the ground floor units at approximately 650mm above ground with half height balustrades. The introduction of direct stair access to the ground floor units from the adjoining entry path. A landscape verge buffer provides privacy for ground floor unit occupants. A relocated and arranged main entry is now positioned centrally to the ground floor plan creating a legible and clearly signalled entrance. The repositioned booster cupboard improves the amenity associated with unit G01 balcony. (Support will be contingent on achieving the proposed location in a way that does not impact on the private outdoor space of unit G01) The location and screening of the AC condensers. The appointment of an ESD consultant. Improvements to visual privacy and separation of Bedroom 2 adjacent to the communal area. Whilst the number of crossovers is not optimal the width of each cross over has been reduced to a single road width. Native plant palette. Early engagement with the DRP. Situated near local amenities and public transport by way of high frequency bus routes. A mix of a studio, a 1 bed, 2- and 3-bedroom apartments. A 950mm grade separation for the ground floor units creates the opportunity for a level of privacy and separation from the public realm whilst allowing the ground floor units to potential interact successfully with the adjoining streetscape. Generous communal amenity. The proposed use of generous amounts of high-quality limestone cladding. High levels of cross ventilation

	<ul style="list-style-type: none"> • Generous balconies for most units. • Zero number solely south facing units. • The inclusion of an instructive building section. • Initial allocation of services including fire tanks and sub-station considered. • Floor to floor height being proposed is adequate at 3.2m. • The Apartments are generally well arranged and planned.
Principle 1 Context and character	<i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i>
	<ul style="list-style-type: none"> a) Reducing the overall height of the building by one level has resulted in a significant improvement in relation to the streetscape and the perception of scale of built form. b) Whilst the width of each vehicular crossover has been minimised to single width, two vehicular cross overs within a narrow site is not optimal and not consistent with the character of existing streetscapes. The proliferation of cross overs at this density will have a detrimental impact on the pedestrian and public realm.
Recommendations	<ol style="list-style-type: none"> 1. Treat the driveway surface with paving or finishes to match the foot path and to emphasize pedestrian priority. 2. Once inside the property line select a paving material that signals a pedestrian zone over a vehicular zone. 3. Consider a decorative screen gate at the southern entry to terminate sight lines from the public domain.
Principle 2 Landscape quality	<i>Good design recognises that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i>
	<ul style="list-style-type: none"> a) The extension of planting to include a green roof over the gym area, planter boxes and landscaping above the northern ramp is commended.
Recommendations	<ol style="list-style-type: none"> 1. Consider access and safety in respect to window planters. Less than 700MM promotes ease of maintenance. 2. Consider access and maintenance to all other planter areas which are generous in area. 3. Consider the use of stairs to the roof top garden and a balustrade around this to improve access and maintenance.
Principle 3 Built form and scale	<i>Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.</i>
	<ul style="list-style-type: none"> a) Reducing the overall height of the building by one level has resulted in a significant improvement in relation to the streetscape and the perception of scale of built form.
Recommendations	1. None
Principle 4 Functionality and build quality	<i>Good design meets the needs of users efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.</i>
	<ul style="list-style-type: none"> a) AC condenser locations have been successfully indicated b) The booster cupboard has been rearranged appropriately.
Recommendations	1. Consider the use of a bin tug or similar mechanism to assist in transporting bins from the basement level to the street.
Principle 5	<i>Good design optimises the sustainability of the built environment, delivering positive</i>

Sustainability	<i>environmental, social and economic outcomes.</i>
	a. The Proponent is commended for appointing an ESD professional and considering design strategies that will assist with mitigating operation energy requirements.
Recommendations	1. None
Principle 6 Amenity	<i>Good design optimises internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.</i>
	a) There remains a couple of concerns in relation to resident amenity including: <ol style="list-style-type: none"> 1. Bedroom 3 situated in the south-west apartment continues to rely solely on access to light and ventilation from a light well. (Design WA SPP7 does not support this). Whilst the room has been labelled a study the use is considered a habitable space under the NCC. It is also evident that the room is sized to be easily used as a bedroom. 2. The lift lobbies do not benefit from natural light or ventilation. 3. The outdoor kitchen area does not get much natural light. 4. The stairwell is not an attractive space for users of the building in situations when the lift is broken or for people who prefer to take the stairs.
Recommendations	<ol style="list-style-type: none"> 1. Consider reducing the width of the study/bedroom space adjacent to the lightwell by 1-2M thereby making the study an unambiguous study nook rather than a habitable room. This will also increase the size of the light well making it a more effect light and ventilation source. 2. Consider a roof light to the outdoor kitchen area or reduce the extent of roof to allow access to more light. 3. Consider a roof light or solar tube to the study nook on the fifth floor. 4. Consider introducing windows to the stairwell.
Principle 7 Legibility	<i>Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.</i>
	a. The entry location and legibility are much improved.
Recommendations	1. None
Principle 8 Safety	<i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i>
	b. The ground floor streetscape and passive surveillance is much improved.
Recommendations	1. None
Principle 9 Community	<i>Good design responds to local community needs as well as the wider social context, providing environments that support a diverse range of people and facilitate social interaction.</i>
	a) In a project of this scale the most important contribution to the community is the way that the built-form addresses and engages with the adjoining streetscape. b) The ground floor streetscape and passive surveillance is much improved.
Recommendations	1. None
Principle 10 Aesthetics	<i>Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.</i>
	a) General facade arrangement and presentation, including materiality, screens and on-structure landscape has potential to make a contribution to the urban context. b) Further simplification of form has improved the presentation of the building.
Recommendations	1. Consider further simplification of the façade expression as well as increased

	use of durable low maintenance materials in lieu of painted surfaces.
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Concluding Remarks

The Panel commends the Proponent for their collaborative and responsive participation in the Design Review Process.

The Panel support the proposal subject to the lightwell dimension being increased with a corresponding reduction in the size of the adjacent space which can be a functional study nook in lieu of a habitable room.

Design Review progress

	<i>Supported</i>			
	<i>Pending further attention</i>			
	<i>Not yet supported</i>			
	<i>Yet to be addressed</i>			
		<i>DR1</i>	<i>DR2</i>	<i>DR3</i>
Principle 1 - Context and character				
Principle 2 - Landscape quality				
Principle 3 - Built form and scale				
Principle 4 - Functionality and build quality				
Principle 5 - Sustainability				
Principle 6 - Amenity				
Principle 7 - Legibility				
Principle 8 - Safety				
Principle 9 - Community				
Principle 10 - Aesthetics				