

**MINUTES  
OF THE  
ORDINARY MEETING OF THE COUNCIL  
HELD ON  
TUESDAY 16 FEBRUARY 2016  
AT 6.30PM IN THE COUNCIL CHAMBERS  
MELVILLE CIVIC CENTRE**

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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON TUESDAY, 16 FEBRUARY 2016.**

**1. OFFICIAL OPENING**

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:30pm. Mr J Clark, Governance and Compliance Program Manager, read aloud the Disclaimer that is on the front page of these Minutes and then His Worship the Mayor, R Aubrey, read aloud the following Affirmation of Civic Duty and Responsibility.

**Affirmation of Civic Duty and Responsibility**

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

**2. PRESENT**

His Worship the Mayor R Aubrey

**COUNCILLORS**

Deputy Mayor Cr C Schuster  
Cr N Pazolli  
Cr J Barton, Cr G Wieland  
Cr C Robartson, Cr M Woodall  
Cr R Aubrey, Cr D Macphail  
Cr P Phelan, Cr L O'Malley  
Cr Foxton, Cr T Barling,

**WARD**

Applecross/Mount Pleasant  
Applecross/Mount Pleasant  
Bicton/Attadale  
Bull Creek/Leeming  
City  
Palmyra/Melville/Willagee  
University

At 6.37pm Mr Hitchcock left the meeting, and returned at 6.39pm.

### **3. IN ATTENDANCE**

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development
Mr J Christie	Director Technical Services
Mr S Cope	Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Mr P Prendergast	Manager Statutory Planning
Mr J Clark	Governance & Compliance Program Manager
Mr N Fimmano	Governance & Property Officer
Ms S Tranchita	Minute Secretary

At the commencement of the meeting there were 17 members of the public and one member from the Press representing (Melville Times) in the Public Gallery.

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

#### **4.1 APOLOGIES**

Nil.

#### **4.2 APPROVED LEAVE OF ABSENCE**

Nil.

### **5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS**

#### **5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.**

Nil.

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

Nil.

**6. QUESTION TIME****Mr J Newton – Mount Pleasant**Question

*Will the City consider further improvements to its complaints procedure to include the requirements for?*

- (a) the CEO to provide a summary status report of all written complaints received to Council monthly;*
- (b) the City administration to provide a briefing on any specific complaint and for it to facilitate meetings with the complainant and relevant officers if requested by any Council member at any time; and*
- (c) Council members to form a complaint committee to investigate and provide a report with recommendations back to Council in the event the complaint is escalated to an external body or is about the CEO or Mayor.*

Response

The Council will consider a report M16/5460 – General Meeting of Electors – Motions Carried where the points (a) to (c) are contained in a motion that will be considered by the Council during this Ordinary Meeting of the Council.

**7. AWARDS AND PRESENTATIONS**

Nil.

**8. CONFIRMATION OF MINUTES****8.1 ORDINARY MEETING OF THE COUNCIL – 8 DECEMBER 2015**  
**Minutes 8 December 2015****COUNCIL RESOLUTION**

At 6.39pm Cr Aubrey moved, seconded Cr Phelan –

**That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 8 December 2015, be confirmed as a true and accurate record.**

At 6.39pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**8.2 NOTES OF AGENDA BRIEFING FORUM – 2 FEBRUARY 2016**  
**Notes 2 February 2016****COUNCIL RESOLUTION**

At 6.40pm Cr Aubrey moved, seconded Cr Schuster –

**That the Notes of the Agenda Briefing Forum held on Tuesday, 2 February 2016, be received.**

At 6.40pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**8.3 ANNUAL GENERAL MEETING OF ELECTORS – 2 DECEMBER 2015**  
**Minutes 2 December 2015****COUNCIL RESOLUTION**

At 6.40pm Cr Woodall moved, seconded Cr Foxton–

**That the Minutes of the Annual General Meeting of Electors held on Wednesday, 2 December 2015, be confirmed as a true and accurate record.**

At 6.40pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**8.4 SPECIAL MEETING OF THE COUNCIL – 3 FEBRUARY 2016**  
**Minutes 3 February 2016****COUNCIL RESOLUTION**

At 6.40pm Cr Robartson moved, seconded Cr O' Malley –

**That the Minutes of the Special Meeting of the Council held on Wednesday, 3 February 2016, be confirmed as a true and accurate record.**

At 6.40pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

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

Nil.

**9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT**

Nil.

**10. DEPUTATIONS**

P16/3687 Late Item – Section 31 Reconsideration for Three Storey (with Undercroft) Multiple Dwelling Development (Three Units) at Lot 899 (18A) Tweeddale Road, Applecross  
Mr A Meshkin, Mr J Young and Mr J Wood

**11. APPLICATIONS FOR NEW LEAVES OF ABSENCE**

At 6.41pm Cr Aubrey moved, seconded Cr Wieland-

**That the applications for new leaves of absence submitted by Cr Schuster, Cr Barton, Cr Wieland and Cr Macphail on 16 February 2016 be granted.**

At 6.42pm the Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (13/0)**

**12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil.

**13. PETITIONS****13.1 Petition – Installation of Traffic Treatments Macrae Road, Applecross**

A petition signed by 301 residents was received by the City of Melville on Monday 15 February 2016. The petition reads as follows –

*“We, the undersigned, all being Electors of the City of Melville, support the permanent installation of traffic treatments on Macrae Road which are designed to improve cyclists and residents safety by discouraging drivers rat-running along Macrae Road. Furthermore, we give authority to Mr Ross Stuart of 11C Macrae Road Applecross to represent us on the matter of traffic treatments in Applecross at an Agenda Briefing Forum and/or Council Meeting of the City of Melville.”*

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

At 6.44pm Cr Wieland moved, seconded Cr O'Malley -

**That the petition bearing 301 signatures be received and acknowledged in writing to the lead petitioner with the advice that a report will be presented to a future meeting of the Council.**

At 6.44pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**13.2 Petition – Ineffective Traffic Diversions in Applecross**

A petition signed by 550 residents was received by the City of Melville on Tuesday 16 February 2016. The petition reads as follows –

*“We the petitioners whose signatures appear hereafter, who are residents and rate payers residing in Applecross and/or the City of Melville, oppose the recent trial of traffic closures on Gairloch and Munro as a means of relieving traffic congestion on Macrae Road which – results in massive and disproportionate increases in traffic volumes on normally quiet, non-distributor streets such as Gairloch, Glenelg and Macdonald and Hazard the Safety of local residents, particularly children.*

*Significantly increase traffic volumes in vicinity of Applecross Primary School and distributor streets including Macleod, Matheson, Ardross and Kintail.*

*Seriously impede access to local amenities including the primary school, Gairloch Oval and the Applecross Village.*

*Further we urge the City of Melville to examine alternative strategic options which reduce opportunities for and the attractiveness of commuter traffic leaving Canning Highway and using Applecross streets”.*

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION**

At 6.47pm Cr Schuster moved, seconded Cr Pazolli-

**That the petition bearing 550 signatures be received and acknowledged in writing to the lead petitioner with the advice that a report will be presented to a future meeting of the Council.**

At 6.48pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**



#### **14. REPORTS OF THE CHIEF EXECUTIVE OFFICER**

The Presiding Member advised Elected Members that when dealing with the following Reports they act in their Quasi-Judicial capacity which means that they are performing functions which involve the exercise of discretion and require the decision making process be conducted in a Judicial Manner. The judicial character arises from the obligation to abide by the principles of natural justice and requires the application of the relevant facts to the appropriate statutory regime.

At 6.48pm the Mayor requested that item P16/3687 – be brought forward for discussion.

From 6.49pm to 7.06pm a deputation was heard from Mr Meshkin, Mr Wood and Mr Young.

#### **P16/3687 - SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPLECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

Ward	: Applecross/Mt Pleasant
Category	: Operational
Application Number	: DA-2014-1169
Property	: Lot 899 (18A) Tweeddale Road, Applecross
Proposal	: Three Storey (with Undercroft) Multiple Dwelling Development (Three Units)
Applicant	: Dynamic Planning and Developments Pty Ltd
Owner	: T and P The
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P12/3308 – Three Storey Dwelling at Lot 899 (18A) Tweeddale Road, Applecross – Ordinary Meeting of Council 15 May 2012 P12/3329 – Confidential Item – Reconsideration of Three-Storey with Undercroft Multiple Dwelling at Lot 899 (18A) Tweeddale Road, Applecross - Ordinary Meeting of Council 18 September 2012 P12/3347 – Late and Confidential Item – Reconsideration of Three Storey with Undercroft Multiple Dwelling at Lot 899 (18A) Tweeddale Road, Applecross - Ordinary Meeting of Council 16 October 2012 P14/3454 – Amendment to Approved Plans for a Three Storey (With Undercroft) Multiple Dwelling Development at Lot 899 (18A) Tweeddale Road, Applecross – Ordinary Meeting of Council 18 February 2014 P15/3599 – Three Storey (With Undercroft) Multiple Dwelling Development (Three Units) At Lot 899 (18A) Tweeddale Road, Applecross – Ordinary Meeting of Council 17 February 2015 P15/3636 - Three Storey (With Undercroft) Multiple Dwelling Development (Three Units) At Lot 899 (18A) Tweeddale Road, Applecross – Ordinary Meeting of Council 19 May 2015
Responsible Officer	: Peter Prendergast Manager Statutory Planning

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPLECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

**AUTHORITY / DISCRETION**

**DEFINITION**

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input checked="" type="checkbox"/>	<b>Quasi-Judicial</b>	<b><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></b>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPECROSS (REC) (CONFIDENTIAL ATTACHMENT)****KEY ISSUES / SUMMARY**

- Planning approval is sought for the construction of a three storey (with undercroft) Multiple Dwelling development (three units) at 18A Tweeddale Road, Applecross.
- The application was most recently considered by the Council at the Ordinary Meeting held 19 May 2015. At this meeting the Council resolved to refuse the application based on building height, setback variations and impact on views.
- In June 2015 the applicant sought a review of the Council decision by the State Administrative Tribunal (SAT). The SAT ordered the City to reconsider its decision following a mediation process.
- The Canning Bridge Activity Centre Plan (CBACP) (formerly Canning Bridge Structure Plan) was approved by the Western Australian Planning Commission (WAPC) with modifications on December 2015. Under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations) the decision maker shall have due regard to, but not be bound by, the structure plan when making a determination associated with it.
- The SAT mediation process acknowledged that the introduction of the Structure Plan had formalised the policy framework applicable to the reconsideration of the application, and on that basis no changes to the design of the proposed development have been made, and the Section 31 reconsideration now directed by the SAT is in respect of the development as initially proposed, to be assessed against the Structure Plan provisions.
- The details of the development have therefore been duly assessed against the development guidelines contained within the CBACP and is recommended for conditional approval on that basis.

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPLECROSS (REC) (CONFIDENTIAL ATTACHMENT)**



## BACKGROUND

The application was most recently considered by the Council at the Ordinary Meeting held 19 May 2015. At this meeting the Council resolved to refuse the application on the following reasons:

- 1. Not compliant with regard to height and setbacks.*
- 2. The amenity impact of significant views of the neighbours.*

In June 2015 the applicant sought a review of the Council decision by the State Administrative Tribunal (SAT). The SAT ordered the City to reconsider its decision following a mediation process.

It is noted therefore that this proposed development has previously been assessed under a combination of R Code and CBACP provisions, where as a result, an officer recommendation for approval was made. The circumstances associated with the determination of this DA are therefore unique, as is the fact that the details of the application now being reconsidered under the provisions of the State Administrative Tribunal Act 2004, are being fully assessed, on merit, against the now fully adopted CBACP. Whilst these considerations have limited bearing on the relative merit of the proposal in planning terms, they are relevant to the broader considerations undertaken in this case.

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

## Statutory Context

Canning Bridge Activity Centre Plan

Canning Bridge is listed in State Planning Policy 4.2 and reflected in the Local Planning Strategy and Local Planning Scheme hierarchy as a District Centre. The uniqueness of the centre is also recognised in Directions 2031 and the Central Metropolitan Perth sub-regional strategy as a planned urban growth area. State Planning Policy 4.2 requires an activity centre structure plan to be prepared for this location.

The Canning Bridge Structure Plan (CBSP) was therefore prepared under the requirements of State Planning Policy 4.2: Activity Centres for Perth and Peel. The Structure Plan was adopted by the Council on 17 March 2015. The plan was originally adopted as a Council Policy, but with Gazettal of Amendment 67 to Community Planning Scheme 5 (CPS5) on 22 May 2015 the Plan assumed the status of a Structure Plan.

Scheme Amendment 78 was adopted by the Council on 18 August 2015. This proposed to vary the underlying zoning of CPS5 within the area now covered by the CBSP, to align it with the provisions of the Structure Plan. This scheme amendment will be incorporated into LPS6 and take effect once the new scheme is gazetted.

In December 2015 Canning Bridge Structure Plan was approved by the WAPC with modifications. One of the modifications was to rename the document the Canning Bridge Activity Centre Plan (CBACP). This approval by the WAPC reinforces the CBACP as the primary statutory control for development within the precinct.

Planning and Development (Local Planning Schemes) Regulations 2015

The provisions of *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) came into effect on 19 October 2015.

Part 9, Clause 79 (1) of the LPS Regulations states that a 'Planning instrument made under the Act before commencement day and in accordance with the repealed regulations or a State planning policy continues in force as if it were a planning instrument of the same type made under the Act in accordance with these regulations.'

Part 5, Clause 43 (1) of the Deemed provisions for local planning schemes states that a decision-maker for an application for development approval in an area that is covered by an activity centre plan that has been approved by the Commission is to have due regard to, but not be bound by, the activity centre plan when deciding the application.

## Summary

In summary, in December 2015, the CBACP (formerly CBSP) was approved by the WAPC with modifications. Under the provisions of the LPS Regulations, the decision maker shall have due regard to, but not be bound by, the structure plan when making a determination. The development controls which were previously applicable to the subject site under CPS5 have been superseded by the development controls in the CBACP.



**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPLECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

Under the provisions of the CBACP the subject site is located within the Kintail Quarter and in the H4 zone. In this location multiple dwellings are a preferred use and the building height limit is four storeys or 16 metres.

**Scheme Provisions**

MRS Zoning	: Urban
CPS 5 Zoning	: Living Area A3 – Applecross
R-Code	: R30
CBACP	: Q1 Kintail Quarter – H4
Use Type	: Residential
Use Class	: P – Permitted

**Site Details**

Lot Area	: 613 sqm
Street Tree(s)	: Not Applicable
Street Furniture (drainage pits etc.)	: Not Applicable
Site Details	: Refer to photo above

**[3687 Site Plan And Elevations](#)**

**DETAIL**

Planning approval is sought for the construction of a three storey Multiple Dwelling development (three units) including undercroft at 18A Tweeddale Road, Applecross.

**Activity Centre Plan Requirements**

Development Requirement	Deemed Comply to	Proposed	Comments	Delegation to approve variation
Side and rear setback	3.0 metres	West Nil – 4.5m  East 1.2 – 7.5m  Rear 7.0m	Assessment undertaken against Element 5 of the CBACP.	Manager Statutory Planning

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPLECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Advertising Required: Yes  
Neighbour's Comment Supplied: Yes  
Reason: Required pursuant to Clause 7.5 of CPS5 and Part 4 of the R-Codes  
Support/Object: Two objections received

The subject application was advertised in accordance with the relevant provisions of CPS5 and the R-Codes as a part of the original assessment process and as such further advertising is not required. For the purposes of consistency and clarity however, the submissions received previously were as follows:

Submission Number	Summary of Submission	Support/Objection	Officer's Comment	Action (Condition/Uphold/Not Uphold)
1.	<ul style="list-style-type: none"> <li>The proposed 2.2m additional building height will result in an inconsistent streetscape, for which there is no precedent on the northern side of Tweeddale Road.</li> <li>The proposed ground level has been artificially raised. The dwelling is not consistent with the existing and future form of the neighbourhood.</li> <li>An increased noise level and reduced privacy reduces the amenity of adjoining property.</li> <li>Any further visiting and parking traffic will further inhibit traffic flow and seriously inhibit, if not prevent access to emergency vehicles.</li> </ul>	Objection	<ul style="list-style-type: none"> <li>There is no additional building height proposed given the introduction of the CBACP.</li> <li>The natural ground level for this lot was approved in December 2008, under DA-2008-1557, at which time retaining walls were approved.</li> <li>Noise from the proposed residential development will be consistent with that which is expected within a residential location such as this. The development is designed to ensure that privacy levels for adjoining property occupiers are not compromised.</li> <li>The development as proposed will provide necessary levels of off street</li> </ul>	Not Uphold

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPLECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

			<ul style="list-style-type: none"> <li>car parking. This is a residential development which is acceptable in principle in land use terms in this location.</li> </ul>	
2.	<ul style="list-style-type: none"> <li>The proposed height and plot ratio variation will result in a substantial loss of amenity and property values for the nearby homes.</li> <li>The extra 2.2m to the permitted height requirements will have significant impact on river views.</li> </ul>	Objection	<ul style="list-style-type: none"> <li>There are now no height or plot ratio variations given the introduction of the CBACP.</li> <li>The height of the proposed development is consistent with the CBACP; as such any impact on views for occupiers of adjoining properties is not a material consideration.</li> </ul>	Not uphold

## **II. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies / consultants is required in this instance

## **STATUTORY AND LEGAL IMPLICATIONS**

Should the City of Melville refuse to grant approval for the Section 31 application, the matter will likely be referred to a full hearing of the SAT.

## **FINANCIAL IMPLICATIONS**

In the event that this matter is the subject of a hearing at the SAT, the City will incur costs associated with the defence of that appeal, including consultancy costs.

## **STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There may be reputational risks associated with a decision to refuse the application, given that the CBACP is designed to encourage development of this scale and nature.



**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPECROSS (REC) (CONFIDENTIAL ATTACHMENT)****POLICY IMPLICATIONS**

The proposal is considered to satisfy all of the relevant provisions of the Council's policies.

**ALTERNATE OPTIONS & THEIR IMPLICATIONS**

The application is recommended for conditional approval for the reasons outlined in the Comment section of this report. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

**COMMENT**

Planning approval is sought for the construction of a three storey Multiple Dwelling development (three units) including undercroft at 18A Tweeddale Road, Applecross.

The provision of multiple dwellings is consistent with the objectives of the CBACP, as is the scale and bulk of the building. The CBACP provisions classify the area within which the site is located as a residential area where buildings up to four storeys in height (16m) are accepted.

In the subject case, a three storey building is proposed, with a maximum building height of 11.2m.

The development is designed with a concealed roof, and the traditional features that would be associated with a contemporary residential development of this nature. Parking is provided within an under croft area, taking advantage of the significant slope that exists from front to rear.

*Boundary Setbacks*

Given the location of the application site within the H4 residential zone, the CBACP requires that the side and rear setbacks should be a minimum of 3.0m. In the subject case, the setbacks provided to the east side range from 1.2m to 7.5m, whereas those to the western side range from zero to 4.5m.

The proposed setbacks have been considered taking into account the provisions of the CBACP, with specific reference to Element 5 of the document text. Element 5 outlines the requirements for side and rear setbacks throughout the plan area, including the H4 zone, and provides a series of desired outcomes. These desired outcomes effectively act as the criteria against which decisions which involve an exercise of judgement against a specific development requirement can be legitimately undertaken.

In this case, the relevant desired outcome against which the proposed side setbacks are judged in planning terms, states:

*‘.....Developers should minimise overlooking and overshadowing of adjacent and adjoining properties through appropriate design response, supported by the setback provisions of the Element. ....’*

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPLECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

In respect of overlooking, it is noted that the setbacks proposed to the east side are considered to be acceptable on the basis that the existing adjoining property to the east has been designed and constructed devoid of any major openings, such that overlooking will not occur. In addition, it is noted that the lot to the west is currently vacant.

In respect of overshadowing, the subject lot has a north south orientation, which means that the impact that the reduced setback will have to both the east and west sides is negligible.

On that basis it is considered that the stated desired outcomes associated with Element 5 of the CBACP are not unduly compromised by the setbacks proposed, and the setbacks proposed may be supported accordingly.

In assessing the setbacks, an appraisal has also been undertaken of the impact that may result to view corridors across the site. In that context, it is noted that the impact of the proposed setbacks on view corridors through the site is mitigated by:

- the topography of the site, which slopes significantly from south to north
- the fact that the broader topography of the immediate locality is similarly characterised by an upward slope to the south, which affords properties to the south, and the south west, with a distinct height advantage above that of the application site
- the fact that the area to the immediate south is within the M10 (mixed use zone), where development will be capable of 10+ storeys
- the fact that the CBACP allows for the construction of eaves and sun shading devices within the side and rear setback areas, including the erection of shade cloth, awnings, pergolas and the like. Such features themselves have the ability to hinder view corridors throughout the H4 and H8 areas.

#### *Levels*

In its previous consideration of this development, the Council was keen to ensure that the development did not raise the natural ground levels above those that were agreed in December 2008 at the time of the approval of retaining walls on the site. The applicant has taken this matter into account, and the levels that are now proposed are consistent with the approved levels.

#### **CONCLUSION**

This application is presented to the Council for determination, as required by the Orders issued by the State Administrative Tribunal. The proposal is considered to be acceptable when judged against the development provisions of the CBACP, and is accordingly recommended for planning approval with conditions on that basis.

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPECROSS (REC) (CONFIDENTIAL ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3687)****APPROVAL**

At 9.24pm Cr Aubrey moved, seconded Cr Robartson –

That the Council approves the Section 31 reconsideration for the construction of a three storey (with under croft) multiple dwelling development (three units) at lot 899 (18a) Tweeddale Road, Applecross subject to the following conditions.

1. All stormwater generated on site is to be retained on site.
2. Unless otherwise approved by the Manager of Statutory Planning, the development shall be designed and constructed to include all elements identified in the Sustainable Design Plan prepared by Full Circle Design Services (November 2015).
3. The development shall be serviced by a concrete or brick paved vehicle crossover with a maximum width of 6m and constructed prior to the initial occupation of the development in accordance with the Council's specification to the satisfaction of the Manager Statutory Planning.
4. Any street walls and fences (including the height of any retaining walls) constructed within the front setback shall be visually permeable 1.2m above natural ground level and are to satisfy Clause 6.2.2 C2 of the Residential Design Codes to the satisfaction of the Manager Statutory Planning.
5. No development (including fencing, letter boxes or any other structure) or landscaping over 0.6m in height is to be located within the 1.5m x 1.5m sightline truncation where the vehicle access point meets the road reserve to the satisfaction of the Manager Statutory Planning.
6. Prior to the initial occupation of the development, parking bay/s (including visitor bays, loading bays and universal access bays), manoeuvring areas, driveway/s and points of ingress and egress shall be provided in accordance with the approved plans to the satisfaction of the Manager Statutory Planning. The bay/s shall thereafter be retained in perpetuity.
7. Prior to the initial occupation of the development, the surface finish of the boundary walls shall be of a clean finish in accordance with the approved plans to the satisfaction of the Manager Statutory Planning.
8. 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 Manager Statutory Planning.
9. All external clothes drying facilities and air conditioning units where located on balconies shall be screened from view from the primary and secondary streets to the satisfaction of the Manager Statutory Planning.

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**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

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10. Prior to commencement of the development, a detailed landscaping and reticulation plan for the subject site and the road verge(s) adjacent to the site shall be submitted to and approved in writing by the Manager Statutory Planning. The landscaping plan is to include details of (but not limited to):

- (a) The location, number and type of proposed trees and shrubs including size and planting density;
- (b) Any lawns to be established;
- (c) Any existing vegetation and/or landscaped areas to be retained; and
- (d) Any verge treatments

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 Manager Statutory Planning. Any species which fail to establish within the first two planting seasons following implementation shall be replaced in accordance with the City's requirements.

11. Prior to the commencement of the development, a scheme for the provision of Public Art shall be submitted to and approved in writing by the Manager Statutory Planning. The Public Art shall be provided in accordance with CP – 085: Provision of Art in Development Proposals policy to the satisfaction of the Manager Statutory Planning. Alternatively, the public art contribution may be satisfied by cash-in-lieu at the same rate, made prior to the commencement of the development.
12. Prior to the commencement of works, details of the exterior colours, materials and finishes are to be submitted and approved in writing to the satisfaction of the Manager Statutory Planning. Once approved, the development is constructed in accordance with those details.
13. Prior to the initial occupation of the development, a Waste Management Plan shall be prepared in accordance with Council Policy – Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments and submitted in writing for the approval of the Manager Statutory Planning. Once approved, the development is to be constructed and operated in accordance with the Waste Management Plan to the satisfaction of the Manager Statutory Planning.

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

14. A Construction Management Plan is to be prepared by the Applicant and submitted to the Manager Statutory Planning for approval at least 30 days prior to the commencement of works. The Construction Management Plan shall detail how the construction of the development will be managed including the following:

- public safety and site security;
- hours of operation,
- noise and vibration controls;
- air and dust management;
- stormwater, groundwater and sediment control;
- waste and material disposal;
- traffic management plans for the various phases of the construction, including any proposed road closures;
- the parking arrangements for contractors and sub-contractors;
- on-site delivery times and access arrangements;
- the storage of materials and equipment on site (no storage of materials on the verge will be permitted); and
- any other matters likely to impact upon the surrounding properties or road reserve.

Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the Manager Statutory Planning.

15. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures 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 Manager Statutory Planning and are to be removed prior to initial occupation of the development.

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPLECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

Amendment

At 9.26pm Cr Schuster moved, seconded Cr Woodall –

**That a point 16 be added as follows:**

- 16. The finished floor level of the ground floor of the proposed development be approved at 8.56meters RL, consistent with the 2007 subdivision plan approved by the WAPC.**

At 9.40pm the Mayor submitted the motion, which was declared

**LOST (6/7)**

Vote Result Summary	
Yes	6
No	7

Vote Result Detailed	
Cr Barton	Yes
Cr O'Malley	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Woodall	Yes
Cr Aubrey	No
Cr Barling	No
Cr Foxton	No
Cr Macphail	No
Cr Phelan	No
Cr Wieland	No
Mayor Aubrey	No

**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

**COUNCIL RESOLUTION (3687)**

That the Council approves the Section 31 reconsideration for the construction of a three storey (with under croft) multiple dwelling development (three units) at lot 899 (18a) Tweeddale Road, Applecross subject to the following conditions.

1. All stormwater generated on site is to be retained on site.
2. Unless otherwise approved by the Manager of Statutory Planning, the development shall be designed and constructed to include all elements identified in the Sustainable Design Plan prepared by Full Circle Design Services (November 2015).
3. The development shall be serviced by a concrete or brick paved vehicle crossover with a maximum width of 6m and constructed prior to the initial occupation of the development in accordance with the Council's specification to the satisfaction of the Manager Statutory Planning.
4. Any street walls and fences (including the height of any retaining walls) constructed within the front setback shall be visually permeable 1.2m above natural ground level and are to satisfy Clause 6.2.2 C2 of the Residential Design Codes to the satisfaction of the Manager Statutory Planning.
5. No development (including fencing, letter boxes or any other structure) or landscaping over 0.6m in height is to be located within the 1.5m x 1.5m sightline truncation where the vehicle access point meets the road reserve to the satisfaction of the Manager Statutory Planning.
6. Prior to the initial occupation of the development, parking bay/s (including visitor bays, loading bays and universal access bays), manoeuvring areas, driveway/s and points of ingress and egress shall be provided in accordance with the approved plans to the satisfaction of the Manager Statutory Planning. The bay/s shall thereafter be retained in perpetuity.
7. Prior to the initial occupation of the development, the surface finish of the boundary walls shall be of a clean finish in accordance with the approved plans to the satisfaction of the Manager Statutory Planning.
8. 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 Manager Statutory Planning.
9. All external clothes drying facilities and air conditioning units where located on balconies shall be screened from view from the primary and secondary streets to the satisfaction of the Manager Statutory Planning.



**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

10. Prior to commencement of the development, a detailed landscaping and reticulation plan for the subject site and the road verge(s) adjacent to the site shall be submitted to and approved in writing by the Manager Statutory Planning. The landscaping plan is to include details of (but not limited to):

- (a) The location, number and type of proposed trees and shrubs including size and planting density;
- (b) Any lawns to be established;
- (c) Any existing vegetation and/or landscaped areas to be retained; and
- (d) Any verge treatments

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 Manager Statutory Planning. Any species which fail to establish within the first two planting seasons following implementation shall be replaced in accordance with the City's requirements.

11. Prior to the commencement of the development, a scheme for the provision of Public Art shall be submitted to and approved in writing by the Manager Statutory Planning. The Public Art shall be provided in accordance with CP – 085: Provision of Art in Development Proposals policy to the satisfaction of the Manager Statutory Planning. Alternatively, the public art contribution may be satisfied by cash-in-lieu at the same rate, made prior to the commencement of the development.
12. Prior to the commencement of works, details of the exterior colours, materials and finishes are to be submitted and approved in writing to the satisfaction of the Manager Statutory Planning. Once approved, the development is constructed in accordance with those details.
13. Prior to the initial occupation of the development, a Waste Management Plan shall be prepared in accordance with Council Policy – Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments and submitted in writing for the approval of the Manager Statutory Planning. Once approved, the development is to be constructed and operated in accordance with the Waste Management Plan to the satisfaction of the Manager Statutory Planning.
14. A Construction Management Plan is to be prepared by the Applicant and submitted to the Manager Statutory Planning for approval at least 30 days prior to the commencement of works. The Construction Management Plan shall detail how the construction of the development will be managed including the following:
- public safety and site security;
  - hours of operation,
  - noise and vibration controls;
  - air and dust management;
  - stormwater, groundwater and sediment control;
  - waste and material disposal;



**P16/3687 – SECTION 31 RECONSIDERATION FOR THREE STOREY (WITH UNDERCROFT) MULTIPLE DWELLING DEVELOPMENT (THREE UNITS) AT LOT 899 (18A) TWEEDDALE ROAD, APPLECROSS (REC) (CONFIDENTIAL ATTACHMENT)**

- traffic management plans for the various phases of the construction, including any proposed road closures;
- the parking arrangements for contractors and sub-contractors;
- on-site delivery times and access arrangements;
- the storage of materials and equipment on site (no storage of materials on the verge will be permitted); and
- any other matters likely to impact upon the surrounding properties or road reserve.

Once approved, the development is to be constructed in accordance with the Construction Management Plan to the satisfaction of the Manager Statutory Planning.

15. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures 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 Manager Statutory Planning and are to be removed prior to initial occupation of the development.

At 9.46pm the Mayor submitted the motion, which was declared

**CARRIED (9/4)**

Vote Result Summary	
Yes	9
No	4

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barling	Yes
Cr Macphail	Yes
Cr O'Malley	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Barton	No
Cr Pazolli	No
Cr Phelan	No
Cr O'Malley	No

**P16/3682 - THREE STOREY SINGLE HOUSE AT LOT 88 (NO.19A) ORMOND ROAD, ATTADALE (AMREC) (CONFIDENTIAL ATTACHMENT)**

Ward : Bicton/Attadale  
 Category : Operational  
 Application Number : DA-2015-1033  
 Property : Lot 88 (No.19A) Ormond Road, Attadale  
 Proposal : Three storey single house  
 Applicant : Adele Da Costa  
 Owner : Mr C Da Costa and Mrs A Da Costa  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : N/A  
 Responsible Officer : Peter Prendergast  
 Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input checked="" type="checkbox"/>	<b>Quasi-Judicial</b>	<b><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></b>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**P16/3682 - THREE STOREY SINGLE HOUSE AT LOT 88 (NO.19A) ORMOND ROAD, ATTADALE (AMREC) (CONFIDENTIAL ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- Planning Approval is sought for the construction of a three storey single house at 19A Ormond Road, Attadale.
- The proposed development has been assessed having regard to the relevant provisions of Community Planning Scheme No.5 (CPS5), the Residential Design Codes (R-Codes), the amenity provisions of Clause 67 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) and relevant Council policies.
- The development does not meet the deemed to comply standards of the R-Codes in relation to visual privacy, and rear and side setbacks and as such has been assessed under the relevant Design Principles.
- Having assessed the details of the proposed development on that basis, it is considered that the development can be accommodated without any adverse impact on the amenity of the streetscape and adjoining neighbours.
- In accordance with the Regulations and the R-Codes, the application was advertised via letters to surrounding property owners. No submissions were received.
- As the development proposes a variation to the height provisions of CPS5 and CP-066 Height of Buildings, an Absolute Majority decision of the Council is required.
- It is recommended that approval be granted subject to conditions.



**BACKGROUND**

Planning Approval is sought for the construction of a three storey single house. The site has a 2m fall from the highest contour (12.50 AHD) at the rear (north-west), to 10.50 AHD at the south-east.

**P16/3682 - THREE STOREY SINGLE HOUSE AT LOT 88 (NO.19A) ORMOND ROAD, ATTADALE (AMREC) (CONFIDENTIAL ATTACHMENT)**

**Scheme Provisions**

MRS Zoning : Urban  
CPS 5 Zoning : Living Area  
R-Code : R15  
Use Type : Residential  
Use Class : 'P'- Permitted Use

**Site Details**

Lot Area : 541m<sup>2</sup>  
Street Tree(s) : No  
Street Furniture (drainage pits etc) : N/A  
Site Details : See Site photo above.

**3682 Elevations Shadow Diagram And Site Plan**

**DETAIL**

Planning Approval is sought for the construction of a three storey single house at 19A Ormond Road, Attadale.

**CPS5 and Policy Requirements**

Development Requirement	Deemed to Comply	Proposed	Comments	Delegation to approve variation
Building Height	9.0m (flat/skillion)	10.6m maximum	Requires assessment against amenity provisions outlined by Clause 67(n) Schedule 2 of the Regulations	Absolute Majority Decision of Council

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Advertising Required: Yes  
Neighbour's Comment Supplied: No submissions received  
Reason: In accordance with R-Codes and Council Policy  
Support/Object: N/A

**P16/3682 - THREE STOREY SINGLE HOUSE AT LOT 88 (NO.19A) ORMOND ROAD,  
ATTADALE (AMREC) (CONFIDENTIAL ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS**

NA

**STATUTORY AND LEGAL IMPLICATIONS**

Should the Council refuse the application for planning approval, the applicant will have the right to have the decision reviewed by the State Administrative Tribunal (SAT) in accordance with part 14 of the *Planning and Development Act 2005*.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City associated with this proposal.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

The proposal is considered to satisfy all of the relevant provisions of Council's policies with the exception of the building height specified in CP-066: Height of Buildings, reference to which is detailed below.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The application is recommended for approval for the reasons outlined in the Comment section below. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or, if any conditions of planning approval are imposed that are considered to be unreasonable, the applicant can apply to have the decision of the Council reviewed by the SAT.

**COMMENT**

The proposed development has generally been designed to accommodate the City's maximum height requirement. A portion of the upper floor, mainly towards the front elevation, exceeds the maximum height as outlined on Figure 1 below. This requires assessment against Clause 67(n) Schedule 2 of the Regulations.

**P16/3682 - THREE STOREY SINGLE HOUSE AT LOT 88 (NO.19A) ORMOND ROAD, ATTADALE (AMREC) (CONFIDENTIAL ATTACHMENT)**



Figure 1. East elevation of proposed development (9.0m building height indicated by dashed red line).

*Building height*

As outlined above, the proposed height exceeds the CPS5 development requirement of 9.0m and proposes a maximum of 10.6m in height. This difference in the maximum height has been considered taking into account Design Principle 5.1.6 P6 of the R-Codes, as well as the amenity provisions of Clause 67(n) Schedule 2 of the Regulations. It is recommended that the development as proposed be supported for the following reasons:

- The over height portion does not compromise view corridors across the site;
- The over height portion does not result in an unacceptable level of overshadowing towards adjoining properties;
- The proposed design, bulk and scale, notwithstanding the additional height portion are consistent with the streetscape and locality; and
- The additional building height does not result in an adverse amenity impact.

**CONCLUSION**

Based on the above, the application is considered to satisfy the objectives of CPS5, the R-Codes and Council planning policies. It is considered that the proposed development can be accommodated without detriment to residential or visual amenity. For these reasons, the proposal is recommended for planning approval with conditions by Absolute Majority decision.



**P16/3682 - THREE STOREY SINGLE HOUSE AT LOT 88 (NO.19A) ORMOND ROAD, ATTADALE (AMREC) (CONFIDENTIAL ATTACHMENT)****OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3682)  
ABSOLUTE MAJORITY**

At 7.30pm Cr Wieland moved, seconded Cr Barton –

**That the Council by Absolute Majority decision approves the planning application for the construction of a three storey at Lot (No.19A) Ormond Road, Attadale subject to the following conditions:**

- 1. All storm water generated on site is to be retained on site.**
- 2. The development shall be serviced by a concrete or brick paved vehicle crossover with a maximum width of 6.0m and located a minimum of 2.0m away from the outside of the trunk of any street tree. The crossover is to be constructed prior to the initial occupation of the development in accordance with the City's specifications to the satisfaction of the Manager Statutory Planning.**
- 3. Prior to the initial occupation of the development, the surface finish of the boundary wall(s) are to be finished externally to the same standard as the rest of the development to the satisfaction of the Manager Statutory Planning.**
- 4. Any street walls and fences (including the height of any retaining walls) constructed within the front setback area shall be visually permeable 1.2m above natural ground level and are to satisfy Clause 5.2.4 C4 of the Residential Development policy to the satisfaction of the Manager Statutory Planning.**
- 5. No development (including fencing, letter boxes or any other structure) or landscaping over 0.75m in height is to be located within the 1.5m x 1.5m sightline truncation where the vehicle access point meets the road reserve to the satisfaction of the Manager Statutory Planning.**
- 6. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures 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 Manager Statutory Planning and are to be removed prior to initial occupation of the development.**

At 7.30pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**

**P16/3683 - TWO STOREY SINGLE HOUSE (WITH UNDERCROFT) AT LOT 18 (No.39)  
MELVILLE BEACH ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**

Ward : Applecross/Mt Pleasant  
Category : Operational  
Application Number : DA-2015-1357  
Property : Lot 18 (No.39) Melville Beach Road, Applecross  
Proposal : Two storey single house with under croft.  
Applicant : Hartree & Associates Architects  
Owner : Mr V Lukman and Ms R Adjanto  
Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
Previous Items : N/A  
Responsible Officer : Peter Prendergast  
Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

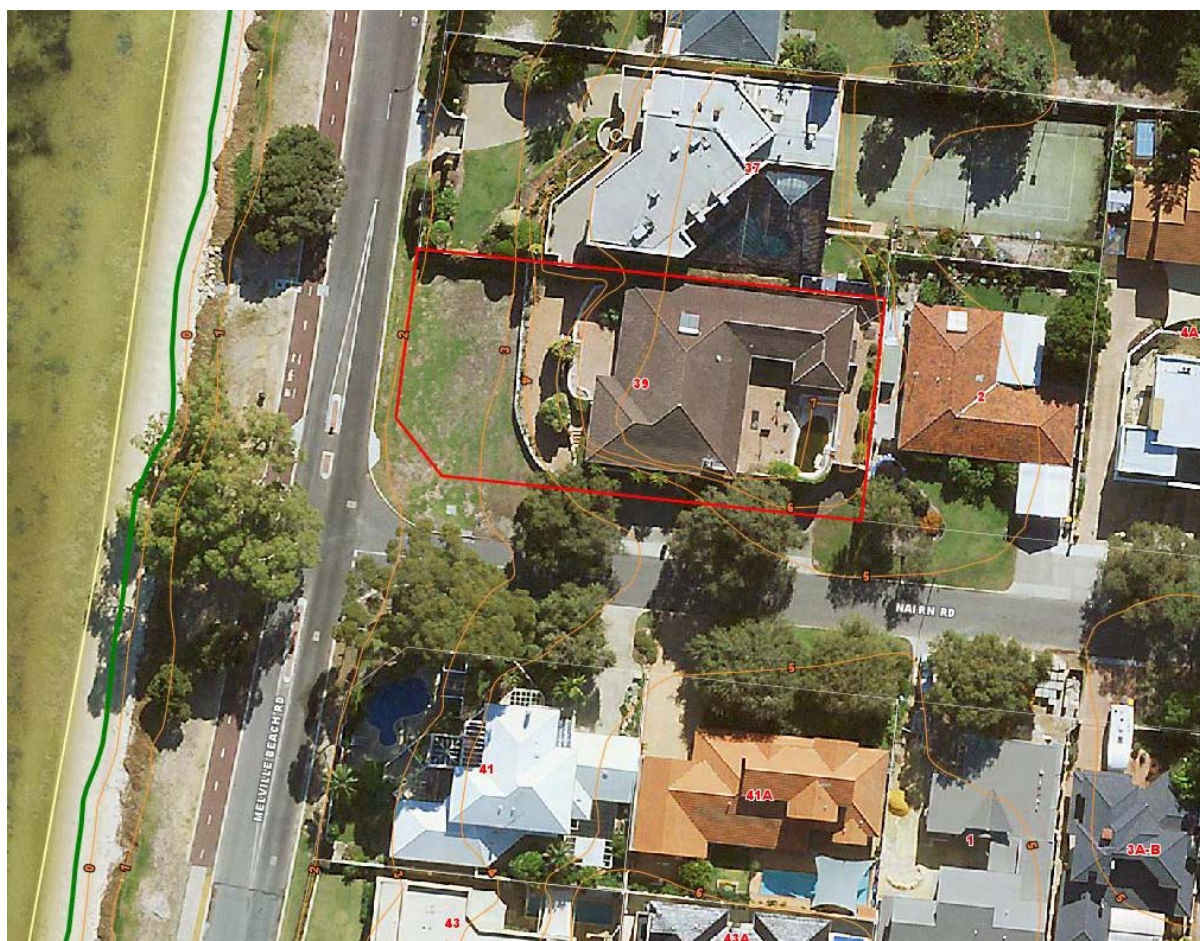
<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes &amp; policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input checked="" type="checkbox"/>	<b>Quasi-Judicial</b>	<b><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></b>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>



**P16/3683 - TWO STOREY SINGLE HOUSE (WITH UNDERCROFT) AT LOT 18 (No.39)  
MELVILLE BEACH ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- Planning Approval is sought for the construction of a two storey single house (with undercroft) at 39 Melville Beach Road, Applecross.
  - The proposed development has been assessed against the relevant provisions of Community Planning Scheme No. 5 (CPS5), the Deemed-to-Comply provisions of the Residential Design Codes (R-Codes) applicable Council Policies, and Clause 67 of Schedule 2 (Deemed provisions for local planning schemes) of the Planning and Development (Local Planning Schemes) Regulations 2015.
  - Assessment under the design principles of the R Codes is required in respect of the proposed maximum building height, site works, and secondary street setbacks.
  - The application was advertised via letters to surrounding property owners. One submission was received in relation to a number of matters including the bulk and streetscape impact, the location of fixtures and fittings, the use of reflective materials and the retention of street trees. No objection was raised in principle to the proposed building height.
  - In consideration of the assessments undertaken, it is concluded that the development can be accommodated without any adverse impact on levels of residential or visual amenity.
  - The approval of the proposed development requires an Absolute Majority Decision of Council due to the proposed building height.
- It is recommended that approval be granted subject to conditions.



**P16/3683 - TWO STOREY SINGLE HOUSE (WITH UNDERCROFT) AT LOT 18 (No.39)  
MELVILLE BEACH ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**

**BACKGROUND**

Planning Approval is sought for the construction of a two storey single house with an under croft. The site slopes considerably from east (7.18 AHD) to west (1.90 AHD), in total a fall of 5.28m.

**Scheme Provisions**

MRS Zoning	: Urban
CPS 5 Zoning	: Living Area
R-Code	: R12.5
Use Type	: Residential
Use Class	: 'P'- Permitted Use

**Site Details**

Lot Area	: 1,393m <sup>2</sup>
Street Tree(s)	: Yes
Street Furniture (drainage pits etc)	: N/A
Site Details	: See Site photo above.

**3683 Site Roof And Elevation Plans**

**DETAIL**

Planning Approval is sought for the construction of a two storey single house (with under croft) at 39 Melville Beach Road, Applecross.

The proposal has been assessed against all of the relevant provisions of CPS5, the Deemed to Comply provisions of the R-Codes, applicable Council Policies, and Clause 67 of Schedule 2 (Deemed provisions for local planning schemes) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations). An exercise of judgement is required in respect of those matters outlined below.

**CPS5 and Policy Requirements**

Development Requirement	Deemed to Comply	Proposed	Comments	Delegation to approve variation
Building Height	9.0m (flat/skillion)	11.45m maximum	Requires assessment against amenity provisions outlined by Clause 67(n) Schedule 2 of the Regulations.	Absolute Majority Decision of Council

**P16/3683 - TWO STOREY SINGLE HOUSE (WITH UNDERCROFT) AT LOT 18 (No.39)  
MELVILLE BEACH ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**

**R-Code Requirements**

Development Requirement	Deemed to Comply	Proposed	Comments	Delegation to approve variation
Secondary Street boundary setback	3.0m	Small portion is setback 2.0m	Requires assessment using Design Principles	Manager Statutory Planning (MSP)
Site Works and Retaining Walls	Cut and fill behind street setback and within 1m of boundary not more than 0.6m above	2.3m max fill 2.8m max cut	Requires assessment using Design Principles	MSP

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Advertising Required: Yes  
 Neighbour's Comment Supplied: Yes  
 Reason: In accordance with R-Codes and Council Policy  
 Support/Object: One objection received

Submission Number	Summary of Submission	Support/Objection	Officer's Comment	Action (Condition/ Uphold/ Not Uphold)
1.	Whilst no objection is raised in principle to the development, the submitter has requested that attention be paid to improve the relationship of the proposed building to the street, ensure that existing street trees are retained and safeguarded, and ensure that the use of metallic building materials proposed for part of the building do not result in excess reflection.	Support in principle	<p>The design of the proposed development has been considered in detail by the City's Design Review Panel, who expressed the view that the development would make a positive contribution to the area.</p> <p>The street trees referred to will be retained and safeguarded during the construction phase. The proposed materials have been assessed by the Architectural and Urban Design Review Panel and deemed appropriate for the development.</p>	Not uphold.

**P16/3683 - TWO STOREY SINGLE HOUSE (WITH UNDERCROFT) AT LOT 18 (No.39)  
MELVILLE BEACH ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)****II. OTHER AGENCIES / CONSULTANTS****Architectural and Urban Design Review Panel**

The proposal was referred to the Architectural and Urban Design Review Panel at its meeting held 15 December 2015. The panel raised no objections to the development, including the maximum building height of the dwelling, stating that;

- Generous setbacks have been provided to the primary and secondary streets;
- The design is considerate of maintaining view corridors at ground level;
- The retention of the existing street trees significantly reduces any perceived building bulk impact;
- High quality design coupled with the use of a varied palette of building materials provides quality articulation to the secondary street.

**STATUTORY AND LEGAL IMPLICATIONS**

Should the Council refuse the application for planning approval, the applicant will have the right to have the decision reviewed by the State Administrative Tribunal (SAT) in accordance with part 14 of the *Planning and Development Act 2005*.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City associated with this proposal.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

The proposal has been assessed against the provisions of the City's Residential Development Policy CP-078 and Building Height Policy CP-066. Refer to comments section below.



**P16/3683 - TWO STOREY SINGLE HOUSE (WITH UNDERCROFT) AT LOT 18 (No.39)  
MELVILLE BEACH ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The application is recommended for approval for the reasons outlined in the Comment section below. Should the Council have an alternate view, the application could be refused, or alternatively, additional conditions may be imposed.

If the Council refuses to grant approval, or, if any conditions of planning approval are imposed that are considered to be unreasonable, the applicant can apply to have the decision of the Council reviewed by the SAT.

**COMMENT***Building height*

As stated, a small portion of the development is proposed at a maximum height of 11.45m. This portion is depicted in Figure 1 and 2 (below). This maximum height results mainly by virtue of the 5.28m downward slope that exists across the site from east to west. The height of the portion in question has been considered taking into account Design Principle 5.1.6 P6 of the R-Codes, as well as the amenity provisions of Clause 67(n) Schedule 2 of the Regulations, and it is recommended that the development be supported on the grounds that:

- The proposed development occupies a significantly smaller footprint than what is potentially developable at the site (See Figure 1). The increased setbacks reduce the impact the additional height may have on the streetscape or neighbouring properties in respect of building bulk.
- The majority of the development is of a single storey and well within the 9.0m height limitation (See Figure 1 and 2). The height variation is caused by a steep drop in the natural ground level at the front of the property.
- The building is designed to safeguard view corridors from neighbouring properties located on the southern side of Nairn Road, a point which is acknowledged by the submission received.
- The design of the proposed development is of high architectural quality. The varied palette of external building materials proposed to be used will assist in ensuring that the building has a positive relationship with the street, and contribute appropriately to the streetscape quality.

Consultation with owners and occupiers of neighbouring properties resulted in there being no objections raised to the proposed maximum building height.

**P16/3683 - TWO STOREY SINGLE HOUSE (WITH UNDERCROFT) AT LOT 18 (No.39)  
MELVILLE BEACH ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)**

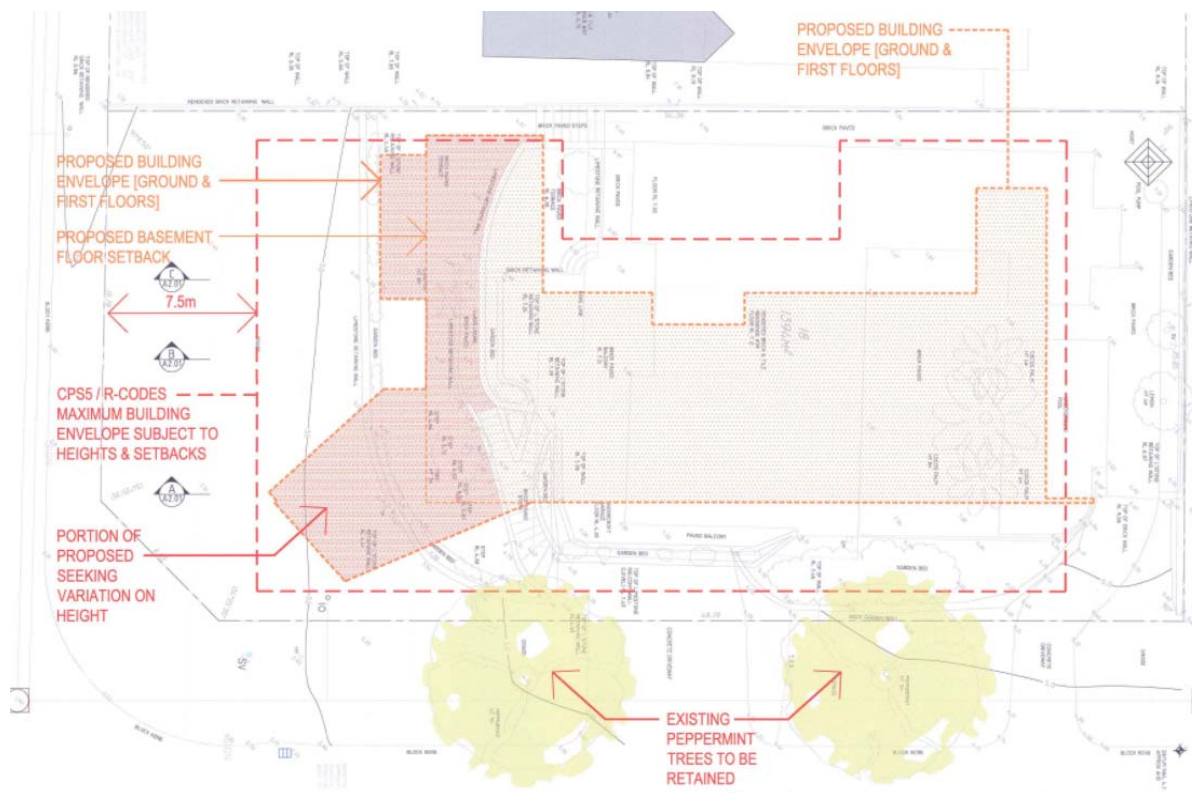


Figure 1: Development footprint (Over height area shaded in red).

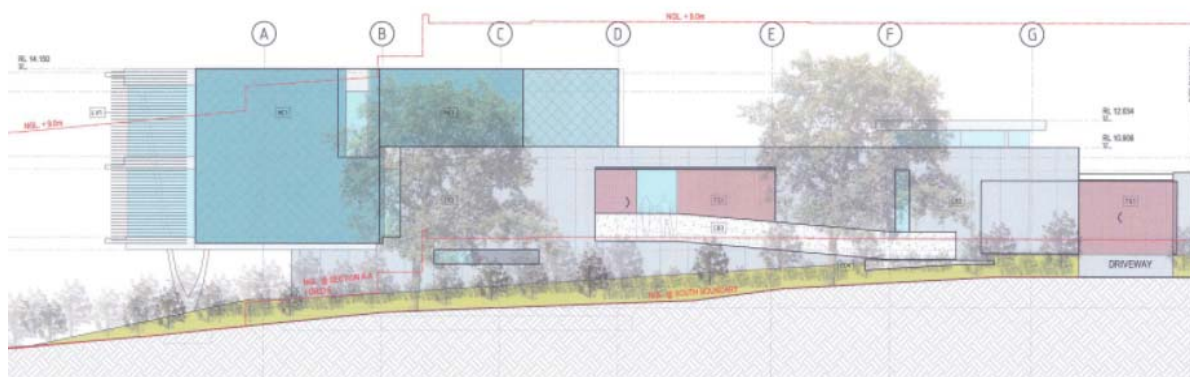


Figure 2. Southern façade of proposed development (9.0m building height indicated by dashed red line).

**Boundary Setbacks**

The setback to the southern side of the lot towards the secondary street is in the main consistent with the deemed to comply provisions of the R Codes, with the exception of a small portion of the raised two storey element located towards the front of the property. The variation has a negligible impact as the bulk of the setback to the secondary street frontage is greater than that deemed to be compliant under the R Code provisions.

**P16/3683 - TWO STOREY SINGLE HOUSE (WITH UNDERCROFT) AT LOT 18 (No.39)  
MELVILLE BEACH ROAD, APPLECROSS (AMREC) (CONFIDENTIAL ATTACHMENT)***Site Works and Retaining Walls*

The site works proposed, which include fill to 2.3m and cut to 2.8m result by virtue of the sloping character of the lot. This character is replicated on adjoining lots, and indeed to a lesser degree, on the subject lot itself. The site works proposed do not result in any adverse impact being created, and as such this aspect of the development is supported in principle.

**CONCLUSION**

Based on the above, the application is considered to satisfy the objectives of CPS5, the R-Codes and Council planning policies. It is considered that the proposed development can be accommodated without detriment to residential or visual amenity. For these reasons, the proposal is recommended for conditional planning approval by Absolute Majority decision.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3683)****ABSOLUTE MAJORITY APPROVAL**

At 7.31pm Cr Schuster moved, seconded Cr Pazolli –

**That the Council by Absolute Majority decision approves the planning application for the construction of a two storey (with undercroft) at Lot 18 (No.39) Melville Beach Road, Applecross subject to the following conditions:**

- 1. All stormwater generated on site is to be retained on site.**
- 2. The development shall be serviced by a concrete or brick paved vehicle crossover with a maximum width of 6.0m and located a minimum of 2.0m away from the outside of the trunk of any street tree. The crossover is to be constructed prior to the initial occupation of the development in accordance with the City's specifications to the satisfaction of the Manager Statutory Planning.**
- 3. Prior to the initial occupation of the development, the surface finish of the boundary wall(s) are to be finished externally to the same standard as the rest of the development to the satisfaction of the Manager Statutory Planning.**
- 4. Any street walls and fences (including the height of any retaining walls) constructed within the front setback area shall be visually permeable 1.2m above natural ground level and are to satisfy Clause 5.2.4 C4 of the Residential Development policy to the satisfaction of the Manager Statutory Planning.**
- 5. No development (including fencing, letter boxes or any other structure) or landscaping over 0.75m in height is to be located within the 1.5m x 1.5m sightline truncation where the vehicle access point meets the road reserve to the satisfaction of the Manager Statutory Planning.**

**P16/3683 - TWO STOREY SINGLE HOUSE (WITH UNDERCROFT) AT LOT 18 (No.39)  
MELVILLE BEACH ROAD, APPLECROSS (AMREC) (ATTACHMENT)**

6. Prior to the commencement of works, the street tree/s to be retained within the verge is to be protected through the installation of a Tree Protection Zone (TPZ). Each TPZ is to be installed as per Australian Standard AS4970-2009 and in accordance with the following criteria to the satisfaction of the Manager Statutory Planning:

- A free-standing mesh fence erected around each street tree with a minimum height of 1.8m and a 2m minimum radius measured from the outside of the trunk of each tree.
- If an approved crossover, front fence, footpath, and road or similar is located within the 2m radius, the TPZ fencing shall be amended to be the minimum distance necessary to allow the works to be completed.
- Fixed signs are to be provided on all visible sides of the TPZ fencing clearly stating 'Tree Protection Zone – No Entry'.
- The following actions shall not be undertaken within any TPZ:
  - Storage of materials, equipment fuel, oil dumps or chemicals
  - Servicing and refuelling of equipment and vehicles
  - Attachment of any device to any tree (including signage, temporary service wires, nails, screws, winches or any other fixing device)
  - Open-cut trenching or excavation works (whether or not for laying of services)
  - Changes to the natural ground level of the verge
  - Location of any temporary buildings including portable toilets
  - The unauthorised entry by any person, vehicle or machinery
- No unauthorised pruning of the canopy or roots of any Street Tree is permissible under the City of Melville's Street Tree Policy CP-029. Pruning may only be undertaken by the City's approved contractors following a written submission to and approval by the City.

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

7. Temporary structures, such as prefabricated or demountable offices, portable toilets and skip bins necessary to facilitate storage, administration and construction activities are permitted to be installed within the property boundaries of the subject site(s) for the duration of the construction period. These structures 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 Manager Statutory Planning and are to be removed prior to initial occupation of the development.

At 7.34pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**



The Presiding Member advised Elected Members that the Meeting was now moving out of the Quasi-Judicial phase.

**P16/3685 – REVIEW OF COUNCIL POLICY CP-066 HEIGHT OF BUILDINGS (REC)**  
**(ATTACHMENT)**

Ward : All  
 Category : Policy  
 Application Number : Not applicable  
 Property : Not applicable  
 Proposal : Review of Council Policy CP-066 Height of Buildings  
 Applicant : Not applicable  
 Owner : Not applicable  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : P14/3484: Review of Council Policy 066: Height of Buildings.  
 Responsible Officer : Peter Prendergast  
 Manager Statutory Planning

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**P16/3685 - REVIEW OF COUNCIL POLICY CP-066 HEIGHT OF BUILDINGS (REC)**  
**(ATTACHMENT)****KEY ISSUES / SUMMARY**

- The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) came into effect on 19 October 2015.
- The Deemed Provisions outlined under Schedule 2 of the Regulations override relevant provisions contained under Community Planning Scheme No. 5 (CPS5) and supplementary Council Policies.
- The Regulations contain provisions to enable the Council to prepare, adopt and amend local planning policies.
- Draft Local Planning Scheme No. 6 (LPS6) is expected to be approved by the Minister for Planning early 2016. The new Scheme will supersede CPS5.
- The version of LPS6 which was advertised for public comment contained building height limits for the Residential zone. The Department of Planning required the building height limits for the Residential zone to be removed from LPS6 indicating these are more appropriately included within a local planning policy.
- Clause 7.3 of the R-Codes enables the City to adopt a policy which amends the deemed-to-comply provisions in relation to Building Height.
- The policy has been amended to include building height limits for the Residential and Mixed use zones.
- The proposed height provisions contained in the revised Policy CP-066 Height of Buildings are as advertised in Draft LPS6.
- It is recommended that the Council adopt the revised Policy CP-066 Height of Buildings policy.

**BACKGROUND**

Draft Local Planning Scheme No. 6 is expected to be approved by the Minister for Planning in early 2016. This will replace Community Planning Scheme No. 5. The format of LPS6 has been modified significantly since the initial public consultation process to reflect the updated Model Scheme Text introduced with the gazettal of *Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations)* which came into effect on 19 October 2015.

In relation to building height, LPS6 originally contained building height limits for the Residential and Mixed Business zones. The Department of Planning required the building height limits for the Residential and Mixed Business zones to be removed from LPS6 indicating these are more appropriately located in a local planning policy.

**[3685 CP-066 Height Of Buildings](#)**

**P16/3685 - REVIEW OF COUNCIL POLICY CP-066 HEIGHT OF BUILDINGS (REC)  
(ATTACHMENT)****DETAIL**

Council Policy CP-066 Height of Buildings currently provides detailed guidance in relation to the measurement of building height taking into account various design issues. The revised planning policy updates the policy objective, updates the policy scope to take into account the existence of structure plans and includes permitted building heights for the Residential and Mixed Use zones and the Canning Highway Public Transport Corridor as well as minor modifications to update the legislative context. The Canning Highway Public Transport Corridor is depicted on a map contained in Appendix 1. The building height limits reflect those advertised during the public consultation phase for LPS6.

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The *Regulations* came into effect on 19 October 2015. Clause 5 of Schedule 2 of the Regulations contains requirements for amending a local planning policy. In accordance with subclause 5(2) the local government may amend a local planning policy without advertising if in the opinion of the local government the proposed changes are minor in nature. In this instance the changes to the policy are of an administrative nature only as the building height limits for residential and mixed use zones will be contained in the amended policy rather than in LPS6. The proposed heights are as advertised in the community consultation phase of LPS6. Given the administrative nature of the proposal, the modifications are considered minor and advertising of the policy is not recommended.

**II. OTHER AGENCIES / CONSULTANTS**

Clause 4(4) of Schedule 2 of the Regulations requires that the Council advise the Western Australian Planning Commission (WAPC) if it is of the opinion that it is inconsistent with any State Planning Policy. Clause 7.3 of the R-Codes enables the City to adopt a policy which amends the deemed-to-comply provisions in relation to Building Height. The proposed policy is therefore considered consistent with State Planning Policy and the WAPC is not required to be consulted.

**STATUTORY AND LEGAL IMPLICATIONS**

The application of planning policies provides a sound basis for planning decisions and improves the validity of decisions when used in determining applications. Provided a policy is soundly based, it has similar status to scheme provisions when under review in the State Administrative Tribunal.

**FINANCIAL IMPLICATIONS**

There are no financial implications for the City which result from this report.

**P16/3685 - REVIEW OF COUNCIL POLICY CP-066 HEIGHT OF BUILDINGS (REC)  
(ATTACHMENT)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

None

**POLICY IMPLICATIONS**

Once adopted, the revised policy will provide a sound basis for the assessment and determination of planning applications.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council could resolve not to adopt the amended policy for advertising and continue to rely on the existing policy. This is not recommended as once LPS6 is gazetted, the building height limit for the Residential zone will be as per the deemed to comply provisions of the R-Codes, contained in Clause 5.1.6, 6.1.2, Tables 3 and 4. These R-Codes provisions are not in line with community expectations as they do not reflect the building heights in operation under CPS5 or the heights advertised as a part of LPS6. In the Mixed Use zone, there would be no guidance with regard to maximum building height, which may result in uncertainty for landowners and inconsistent decision making.

**CONCLUSION**

The proposed modifications to the policy are required due to the impending gazettal of LPS6. The proposed modifications will ensure building height limits in the Residential and Mixed Use zones are consistent with those advertised during the community consultation phase of LPS6.

It is recommended that the Council resolve to adopt the revised in accordance with Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3685)****ADOPTION**

**That the Council resolves pursuant to Clause 4, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* to adopt the revised Council Policy CP-066 Height of Buildings on the Gazettal of Local Planning Scheme No. 6 (LPS6).**

At 9.47pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**T16/3681 – STATE UNDERGROUND POWER PROGRAM ROUND 6 (REC)**  
**(ATTACHMENT)**

Ward	:	All
Category	:	Operational
Subject Index	:	Underground Power
Customer Index	:	Western Power Public Utilities Office
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Not Applicable
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Jeff Bird A/Director Technical Services

## AUTHORITY / DISCRETION

### DEFINITION

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

**T16/3681 – STATE UNDERGROUND POWER PROGRAM ROUND 6 (REC)  
(ATTACHMENT)****KEY ISSUES / SUMMARY**

- Local Authorities in Western Australia have been invited to prepare submissions for inclusion in the State Underground Power Program (SUPP) Round 6.
- Closing dates for the submissions is the end of April 2016.
- There have been significant changes to the funding guidelines that will apply to Round 6 submissions where the level of the Local Government contribution will impact on how projects are assessed and approved.
- Council consideration whether or not to increase the contribution greater than the previous 50% is required.

**BACKGROUND**

The State Underground Power Program commenced in the mid 1990's following a major storm event that left some metropolitan areas without power for a considerable period of time.

The State Government selected four projects as part of a pilot program. Applecross was selected as one of the projects and commenced around 1996. Due to the success of the pilot projects the program was developed to become the State Underground Power Program (SUPP) and has continued since that time.

The City has been very successful in having proposals included in the SUPP. Projects that have been included are;

- Applecross
- Mount Pleasant
- Attadale
- Ardross
- Booragoon (part of)
- Bicton (part of)
- Melville (part of)

**[A Plan of the Power Status with the City Forms an Attachment to This Report.](#)**

Projects currently under construction are Ardross East and Melville South. Bicton North is currently in the design phase and it is anticipated that works will commence the first half of 2016.

Up to Round 4, the SUPP was managed by the Office of Energy and from Round 5 was transferred to the Public Utilities Office which is located within the State Government's Treasury Office.

The funding arrangements for Rounds 1 to 5 were that the State Government contributed 25%, Western Power 25% and the City's contribution was the remaining 50%. The City's contribution has been recovered in full from property owners within the various project areas.

The exception to this funding arrangement was projects assessed to be in lower socio-economic areas where the Local Authority was charged 35%. None of the City's projects to date have met the criteria for this funding arrangement. Also as a pilot project only a 33% contribution was required by the property owners in the Applecross project.

**T16/3681 – STATE UNDERGROUND POWER PROGRAM ROUND 6 (REC)**  
**(ATTACHMENT)****DETAIL**

The State Government now runs the SUPP through the Public Utilities Office and Tenders WA and has invited Local Authorities to submit underground power proposals to be considered for inclusion in Round 6 of the SUPP.

It is the City's intention to prepare several submissions for consideration. The areas selected by Officers will be largely determined by information provided by Western Power through the Public Utilities Office on Western Power's Network Priority maps for the City of Melville.

The State Government has however introduced some changes for Round 6 submissions. Each submission will now be assessed and scored according to the following parameters;

- Network priority score maximum score 50%
- Local Government funding contribution maximum score 25%
- Community support score maximum score 25%

For details, please see attached [State Underground Power Program Round Six Guidelines document for details which forms an attachment to this Report.](#)

The process follows a two step process being;

1. The Evaluation Team will rank proposals based on the network priority and local government funding contribution criteria.
2. The highest ranked proposals will then undergo a community support survey.

The network priority is a Western Power assessment relating to the condition of the existing overhead network within a submission area.

The projects that are selected to go out to survey will be assessed on the first two parameters and the results of the survey will determine the total score. Majority support of the property owners in the project area is required for the project to proceed.

An important change to the Round 6 conditions is the variable funding contribution to be determined by the City. It appears to be the desire of the State to increase the number of projects that get funded (or reduce its costs) by encouraging local governments to compete for projects by making a contribution greater than the previous 50%. Whether or not this strategy will be successful remains to be seen.

Given that the City has in the past recovered the cost from the property owner and does not subsidise underground power from general rates, it needs to consider whether varying the funding component away from the previous 50% contribution by property owners is appropriate.

As is indicated in the scoring system, a greater contribution from the City will increase the scoring, therefore there will be a greater chance of the project being selected to go out to survey. If the Council believes that the contribution should be the same for all submissions, then it could choose to stay with the 50% contribution and rely upon the other two factors getting the submission selected for survey. Alternatively, the Council may consider that a contribution in excess of 50% will increase the likelihood that the submission will be selected for survey. Should this be the case then it may choose a higher amount.



**T16/3681 – STATE UNDERGROUND POWER PROGRAM ROUND 6 (REC)  
(ATTACHMENT)**

If a contribution of greater than 50% is chosen then the next decision for the Council is what proportion of that contribution should be met by the property owners in the project area. In six of the previous projects, the contribution by property owners has been set at 50%. In the case of the pilot Applecross project it was 33% because the State Government contributed 66%.

The results of any survey will form part of the scoring parameters to determine a final score.

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The undergrounding of power through the State Underground Power Program has proven very popular with residents in the City of Melville which is reflected in the number of projects that the City has been successful in having included in the Program.

The Public Utilities Office will use a scoring process to determine which submissions will be shortlisted for survey of the property owners to determine the level of support.

Surveys of property owners will be undertaken by the relevant State Government Department and the results used will form part of the scoring process.

Majority support (51%) is a pre-condition for any further consideration for a submission to be included in the Program.

**II. OTHER AGENCIES / CONSULTANTS**

The State Government and Western Power.

**STATUTORY AND LEGAL IMPLICATIONS**

When a project is selected to be included in the State Government Underground Power Program, the City enters into a legally binding contract with both the State Government and Western Power for the duration of the project construction.

**FINANCIAL IMPLICATIONS**

Essentially there are no ongoing costs for the City resulting from the undergrounding of the power lines. The charges levied to the City by way of cash calls have in the past been fully recovered from property owners through a charge included in the rates.

City of Melville staff assigned to Underground Power Projects are drawn from existing resources, so no additional staff are employed for this purpose. The cost of staff salaries and other sundry items are considered an 'in kind' cost. 50% of these costs are reimbursed to the City.

**T16/3681 – STATE UNDERGROUND POWER PROGRAM ROUND 6 (REC)**  
**(ATTACHMENT)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

The work involves the undergrounding of infrastructure belonging to a State Government utility provider being Western Power. It would be considered that any risk arising from the work would rest with Western Power and the State Government.

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Risk of not being awarded the project due to an under commitment of funds i.e not receiving funding for projects	<b>Medium</b> risk based on possible likelihood of losing the project and minor reputational consequence.	Review organisational funding commitment for all underground power programs and link to community consultation where time available.
Risk of being awarded the project but over committing funds beyond what would have been required to be awarded the project	<b>Medium</b> risk based on possible likelihood of overcommitting funds and the moderate consequence of the financial impact of say a \$500k over commitment.	Greater focus on submissions that have a higher priority as identified by Western Power from an infrastructure condition perspective. Ongoing review of the financial commitment made by other local governments for future successful projects.

**POLICY IMPLICATIONS**

The City has no direct policy relating to the State Underground Power, however it has been a partner in the program since it's inception in mid 1990.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The only alternative to the undergrounding of the power system is to leave the existing overhead system. The City has long been a supporter of the State Underground Power Program and benefits that it brings. The popularity of the Program is evident through the results of the surveys that are undertaken with property owners prior to any project commencing and also on completion of the project.

Energy supply in the future is likely to look very different to that of today with the growing use of solar energy and the ongoing development of battery storage. However, it seems that the provision of power through poles and wires is likely to continue for many years to come.

To increase the chances of a submission achieving a higher score and being selected for survey the City could consider increasing its' contribution from the minimum of 50% to a higher figure say 55%. In the past the City has been charged 50% which the City has recovered from property owners in the project area. The City could also consider contributing directly to the cost of underground power to offset any increase above the 50% however this would imply that ratepayers throughout the City of Melville would be partially funding underground power for property owners in a project area.

**T16/3681 – STATE UNDERGROUND POWER PROGRAM ROUND 6 (REC)  
(ATTACHMENT)**

It is considered that this would be unfair as in the previous projects the 50% cost has been borne by property owners in a project area. Officers believe that the fairest approach is to maintain the 50% contribution as per previous rounds of the SUPP.

**CONCLUSION**

The City has long been a participant in the State Government Underground Power Program and ultimately would like to see the entire City of Melville have underground power.

Officers believe that the fairest approach is to maintain the 50% contribution as per previous rounds of the SUPP.

The City will be preparing submissions to be considered for inclusion in the SUPP. The areas selected to form a submission will be largely determined from information provided by Western Power on their network priorities.

The closing date for the submissions is the end of April 2016.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3681)      APPROVAL****That the Council:**

- 1. Approves the preparation of several submissions based on the guidelines and information from Western Power to be considered for inclusion in the State Government Underground Power Program (SUPP).**
- 2. Directs that the City continues to contribute 50% of the project cost to any successful submission and recover the project cost from property owners in the project area/s subject to majority support as identified in the survey.**
- 3. Requests the Chief Executive Officer write to Western Australian Local Government Association (WALGA) requesting that it determine the sectors' response and suggested strategies in dealing with an inconsistent approach from State Government which disadvantages future underground power program round participants.**

At 9.47pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**CD16/8078 – CITY OF MELVILLE WAR MEMORIAL DEDICATION (AMREC)**

Ward : Applecross/Mt Pleasant  
 Category : Operational  
 Subject Index : Arts – War Memorial  
 Customer Index : City of Melville  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : None  
 Works Programme : Not Applicable  
 Funding : \$30,000  
 Responsible Officer : Leeann Reid  
 Manager Cultural Services

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**CD16/8078 – CITY OF MELVILLE WAR MEMORIAL DEDICATION (AMREC)****KEY ISSUES / SUMMARY**

- 'The People' art installation requires a memorial dedication service to give the installation appropriate recognition as a war memorial.
- In consultation with the Applecross Returned Services League (RSL) it was determined that the dedication ceremony, which is almost identical to an Anzac service, be held concurrently with the Anzac service on Sunday 24 April 2016, the Sunday prior to Anzac Day.
- Following research of similar services around Western Australia and given the wide consultation done in the memorial's creation, it is estimated that a large number of people will attend this unique event.
- City of Melville Officers have researched appropriate protocols and requirements for a large dedication service and recommend that the current budget allocation of \$5,000 for the civic function of the Anzac Service will not be adequate to run the event for a larger attendance at the new Wireless Hill location.
- A reallocation of funds within the Community Development Directorate is recommended to fund the dedication ceremony for the new war memorial and centenary of the first Anzac Day Service.

**BACKGROUND**

The new City of Melville War Memorial 'The People' was developed to replace the Clock Tower War Memorial in the Civic Square. Starting with consultation in 2013 with the Applecross RSL, the War Memorial was developed following public art development principles using professional artists and extensive public consultation including all the high schools of the City of Melville.

The memorial is being installed from the week beginning 8 February 2016. The installation is on time to be used for the 2016 Anzac Ceremony which coincides with the centenary commemoration of the first Anzac Services held during World War One.

City of Melville staff have researched protocols and developed an event plan for a dedication service and Anzac ceremony and its associated budget to achieve a successful event.

**DETAIL**

There are three factors driving this dedication ceremony which contribute to make it more significant than the normal Anzac civic function and may contribute to a larger attendance and increased need for logistic support.

1. It is the centenary of the first Anzac Day (Service) 1916;
2. It marks the dedication of, and the first occasion of the use of the new War Memorial; and
3. It is the first time this civic function will be held at Wireless Hill Park away from the base of the Civic Building.

**CD16/8078 – CITY OF MELVILLE WAR MEMORIAL DEDICATION (AMREC)**

After discussions with the Applecross RSL and research regarding War Memorial dedication ceremonies, it was found the two services are almost identical and it was decided to combine the services. Only a few minor items have been added to this ceremony that are not included in the normal Anzac Day Service. These include a Welcome to Country and the inclusion of a military leader to dedicate the memorial (this person will replace the normal guest speaker). It has been recommended that the current Commander of the Australian Army 13<sup>th</sup> Brigade be invited for this role.

In the past, the Anzac Service (held at the Clock Tower Memorial on the Sunday before Anzac Day) attracted 400-600 people; a civic function hosted by the City. Though it is proposed that this continue at the new location, for the first ceremony it is estimated that more people will attend given the combined circumstances of the Centenary plus the new memorial which was developed with broad stakeholder engagement. With wide promotion of this important civic event, it has been recommended that we allow for the attendance of approximately 2,000 people. To provide an event for 2,000 people will require logistics, technical support for audio visual and traffic management that is beyond the normal civic function requirements.

The importance of seamless event planning for the dedication of the new War Memorial in the Year of the Centenary of the first Anzac Day cannot be underestimated. The new War Memorial project was structured from the beginning to include the new generations of citizens by including City of Melville high school students. Being included at the design level and being responsible for choosing the final design allowed these young people to feel connected to both history and help develop a sense of belonging to the area in which they live. Added to this the cross generational inclusion of the Applecross RSL Sub Branch, as the major stakeholders, to work with the teenagers in the creation of the new memorial, fittingly called *The People* proved valuable for the project outcomes.

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The level of communication in accordance with the Stakeholder Engagement Policy CP-002 for this item is to collaborate with key stakeholders in the delivery of a well-managed Dedication and Anzac Service.

The key external stakeholders include; Applecross RSL Sub Branch, Western Australia RSL - Philip Orchard and Denis Connelly, Brigadier Duncan Warren AM RFD (Retd) former Commander of the Australian Army 13<sup>th</sup> Brigade.

Internal stakeholders include: Director Community Development, Manager Cultural Services, Cultural Development Coordinator, Facilities and Protocols Coordinator and Cultural Development Officer (Arts).

**CD16/8078 – CITY OF MELVILLE WAR MEMORIAL DEDICATION (AMREC)**

**II. OTHER AGENCIES / CONSULTANTS**

Comparative analysis was done inviting ideas from local government officers experienced in War Memorial dedication services. Examples of recent memorial dedications included the City of Bassendean and the City of Canning, both of which attracted significant interest and large numbers of people.

**STATUTORY AND LEGAL IMPLICATIONS**

There are no statutory or legal implications associated with this item.

**FINANCIAL IMPLICATIONS**

The estimated cost of the new War Memorial Dedication and ANZAC ceremony event for 2,000 people is \$35,000 with a current budget of \$5,000 allocated in the civic ceremonies account. This budget usually provides hire of additional chairs and marquees, morning tea catering, and appropriate wreath for the Anzac Day event

The additional costs associated with the event are owing to the anticipated increase in attendance, new location and the dedication of the new memorial. The budget required for this event includes costs for:

- PA and AV including large screens and generator hire \$10,000;
- marquees to provide shade and a VIP area \$5,000;
- logistics (chair hire, bins, shuttle bus, first aid, security, MC, Bugler, Advertising, invitations and printing) \$7,500;
- minor catering \$2,500; and
- event management \$5,000.

Due to the event timeframe, this item requests the reallocation of funds within the Community Development Directorate. The amount of \$30,000 is requested to be reallocated from the existing Neighbourhood Amenity, Labour Hire expenses account number 531 26221 6009 000 due to cost savings in this area. Cost savings have occurred in the Rangers Labour Hire account due to the ability to now utilise the additional Ranger position (approved at last budget) to cover some leave periods, and not use external labour hire companies.

The City of Melville is unable to seek Lotterywest funding on this occasion as we have requested the maximum contribution from Lotterywest for our other City of Melville events during 2016.

The Applecross RSL Sub Branch has requested a Lotterywest grant for the amount \$3,000.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Poor public perception of the City of Melville if the event was not professionally managed.	Moderate consequences which are likely, resulting in a <b>High</b> level of risk.	Allocate appropriate funding to support the management of the event.



**CD16/8078 – CITY OF MELVILLE WAR MEMORIAL DEDICATION (AMREC)****POLICY IMPLICATIONS**

There is no Council Policy that relates to this item.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

An alternative option is to manage the event within the current budget of \$5,000 and consequently not advertise the event and dedication of the new memorial. This could result in a poor perception of the City of Melville and lack of ownership by the community in this significant community project.

**CONCLUSION**

The current budget allocation of \$5,000 for the upcoming Anzac Day Service is recognised to be underfunded for the dedication of the new memorial and centenary of the Anzac Day Service event.

This item recommends a reallocation of funds within the Community Development Directorate to provide an additional \$30,000 for an event to accommodate up to 2,000 attendees.

The anticipated scale of the event was not understood at the time of the development of the 2015/2016 budget. Following consultation and research in preparation for the upcoming service, the research indicated the increased attendance that had been attracted at similar services for new war memorials in the State.

The budget reallocation amount of \$30,000 is based on the anticipated increase in attendance and the ability to coordinate and market this important event at Wireless Hill Park.

The development of the new War Memorial has been a very successful project to date with extensive community and stakeholder involvement. We see this event as an important part of the engagement process and developing history of this significant memorial.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8078)****ABSOLUTE MAJORITY**

At 7.36pm Cr Schuster moved, seconded Cr Robartson –

**That the Council by Absolute Majority decision approves the reallocation of \$30,000 from account number 531 26221 6009 000 to the Wireless Hill War Memorial dedication and ANZAC day ceremony event.**

At 7.36pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**

**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

Ward	: All
Category	: Operational
Subject Index	: Council Administration
Customer Index	: Elected Members
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Not Applicable.
Works Programme	: Not Applicable.
Funding	: In Accordance with 2015/2016 Budget
Responsible Officer	: Jeff Clark – Governance and Compliance Program Manager

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)****KEY ISSUES / SUMMARY**

- At the City of Melville General Meeting of Electors held on 2 December 2015, four motions were carried and the Council needs to consider its response.
- Officers have provided comment on the substance of each motion to inform Elected Members.
- Recommendations for each motion are referred for consideration of the Council.

**BACKGROUND**

The City of Melville held the General Meeting of Electors on 2 December 2015. At the meeting four motions from electors were carried and the Council is required to consider the motions and decide on any future action that should be resolved in the interests of the City.

**DETAIL**

Three motions relating to parks management were carried at the General Meeting. Motion 2 and 3 were previously addressed at the General Meeting of Electors held on 2 December 2014 and the Council considered those motions at the Ordinary Meeting of Council held on 17 February 2015.

**Motion 1**

*That Council adopt a standing instruction that any request to the City by an individual or group to seek permission to poison and change a grassed amenity or open space area must be referred to the City's Manager Parks and Environment or in his absence Director, Technical Services who is to assess the validity of the request.*

*If the request is deemed not consistent with community supported management plans or not consistent with Resident/User expectations then it is denied.*

*If considered not inconsistent then Manager (or Director) is to oversee the process of proper notification and consultation with area residents and recreational user groups. If not supported by majority of residents/users request is also denied.*

**CARRIED (12/2)**

**Issues:**

The first point of the Motion is managed by the procedures used in the Parks and Environment section. It is a matter for the Chief Executive Officer (CEO) to determine who will make decisions on any operational matters.

Point 2 is a matter for the CEO to determine and in conjunction with such stakeholder engagement that has occurred and direction at a strategic level from the Council.

Point 3 will be considered as part of stakeholder engagement. A determination of an operational matter of who oversees a process or works rests with the Chief Executive Officer.

**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

The Council may note this Motion however for the Council to enter into the detail of the Motion would make the Council in breach of the *Local Government Act 1995* Section 2.7 and 5.41(d).

**Costs:** None

**Recommendation 1:**

**That the Council notes Motion 1 and that the proposal is an operational matter.**

**Motion 2**

*That the City of Melville establishes and commits to a schedule for the delivery of a park management plan for each of the 14 (or is it 18?) major reserves commencing with the delivery of a management plan for Attadale foreshore reserves following on from the 2001 fully consulted and Council approved concept plan.*

CARRIED (12/0)

**Issues:**

The City of Melville schedules park maintenance based on prioritisation of the park (based on frequency, type of usage and location) but does not create management plans for each park in the City. The City has the Parks Asset Management Plan (2010-2029) that provides detail of the parks management practices for the whole of the City and the City's annual maintenance plan determines the frequency and type of maintenance for reserves. Service levels are set for these areas and staffing and budgets managed as per the service levels. In addition capital works programs and major projects are planned for reserves on a medium term basis and are determined by the City's asset management system.

The City manages its natural areas through the strategic Natural Areas Asset Management Plan as well as individual reserve management plans.

**Costs:**

The development of individual management plans for each major park in the City would take considerable staff time and resources.

**Recommendation 2:**

**That the Council;**

- 1 Notes Motion 2 and acknowledges the interest of the mover, and**
- 2 Advises the mover in writing that the City's current management plans meet the requirements of the City.**

**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)****Motion 3**

*The review of the 2001 plan to follow the same process that prevailed in the development of 2001 concept plan that being the establishment of a working committee with representatives from the two acknowledged Attadale community groups (namely, Friends of Attadale Foreshore, Friends of Attadale Parks and Amenity Areas), Swan Estuary Reserves Action Group (SERAG) local residents and / or ratepayers and representatives of recreational user groups.*

CARRIED (18/0)

**Issues:**

The City will be reviewing the management plan for the natural areas within the Attadale foreshore area in 2016. Stakeholders will be consulted as part of this process in line with the City of Melville's Stakeholder Engagement Policy.

**Costs:** Incorporated into the City of Melville's operating and capital budgets.

**Recommendation 3:****That the Council;**

- 1 Notes Motion 3 and acknowledges the interest of the mover, and**
- 2 Advises the mover in writing that the City's current stakeholder management policy will provide guidance for community consultation.**

One motion relating to a proposed Complaints Policy was carried at the General Meeting.

**Motion 4 - Improving Council oversight of complaints**

*Council adopt a Complaints Policy that at a minimum requires:*

- 1. The City CEO to provide a report on all written complaints to Council at least monthly. The report should include at a minimum:*
  - 1.1. Complainant name.*
  - 1.2. A summary of the nature of the complaint.*
  - 1.3. Date complaint received and if resolved a summary of the outcome.*
  - 1.4. If not resolved whether escalated and/or referred to an external body.*
- 2. If a Complaint has been escalated to any external body the CEO must inform Council as soon as possible.*
- 3. A Council member can request the City administration to provide a briefing on any specific complaint at any time. A Council member may meet with the complainant and relevant City officers at any time to better understand the nature and detail of the complaint.*
- 4. Council must form a specific complaints committee to investigate and provide a report with recommendations back to Council (Complaints Committee) in the event a complaint is about the CEO or Mayor, is referred to an external body or at least 2 Councillors request to do so for any complaint or series of complaints.*

**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

5. *The Complaints Committee, supported by independent advisers as required by the committee, must consist of at least 2 independent Council members for any complaint other than those about the City CEO or Mayor in which case the committee must consist of at least 3 independent Council members.*
6. *Any Council member can elect to join any Complaint Committee.*

CARRIED (20/0)

**Issues:**

The Motion - Improving Council oversight of complaints that was carried at the General Meeting of Electors poses difficulty in that should the Council resolve to approve the motion, actions required by the motion would at some time breach the *Public Interest Disclosure Act 2003*, the *Local Government Act 1995* and the *Corruption, Crime and Misconduct Act 2003*.

The issues with these acts are noted below:

The *Public Interest Disclosure Act 2003* at Section 11 confirms that in certain investigations of allegations, disclosure of the matter or identity of the person disclosing can not be made other than to the person undertaking an investigation into the allegation.

The proposed motion would be a breach of the *Local Government Act 1995* Section 5.123 depending on when any complaint was received relating to a candidate in a Local Government Election. In addition, should Elected Members wish to be involved in any "complaints committee" that required staff matters to be discussed, those participating Elected Members would be in breach of the *Local Government (Rules of Conduct) Regulations 2007* relating to involvement in "a task that contributes to the administration of the local government unless authorised by the Council or the CEO."

In the case of referrals under the *Corruption, Crime and Misconduct Act 2003*, disclosure of any information may be prohibited (Section 99 and 167) and subject to imprisonment for three years and a fine of \$60,000 for any breach.

While the Federal Privacy Act does not apply to Western Australia, it is of interest to note that Local Governments in Western Australia operate in terms of the *Freedom of Information Act 1992* (FOI Act). It would be an onerous exercise for officers to examine all reports, as envisaged, for the purpose of testing compliance with the provisions relating to the dissemination of information as requested.

In the context of Point 3, it would be unusual for such briefings and may impede or compromise any investigation that is occurring. Should there be allegations against staff, the CEO is responsible to investigate and resolve the matter where it is deemed that a valid complaint has been made or not take action where the complaint has been made to another agency and is subject to that agency's investigation. It is outside the role of an Elected Member to participate in operational staff matters.

In reference to Point 4 relating to forming a complaints committee, the Council has established the Governance Committee and it has contained in its Charter, the power to investigate complaints against the Mayor, Elected Members and the CEO. The Governance Committee then reports its findings and recommendation to the Council. Should any complaints be lodged against staff that are considered to be valid, the CEO is required to investigate the allegation as part of his operational responsibility.



**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

In Western Australia the avenues for complaints against a local government, Elected Members or staff are numerous. While it is dependant on the nature of complaints or allegations, matters may be lodged with the Mayor or CEO, the Department of Local Government and Communities, the Standards Panel, the Public Sector Commission, the Corruption and Crime Commission and the Western Australian Ombudsman. Each deals with specific complaint areas and have specialised staff experienced in their particular role. Where complaints are lodged with agencies external to the City, it is not appropriate for the City to investigate other than provide information to assist the external agency in their role.

It is considered that there are numerous options for lodgement of complaints or allegations that would not be enhanced by creating an internal committee that in many instances will have the potential to breach legislation and expose the members to potential significant penalties.

The City was subject to a Recertification Report by the Customer Service Institute of Australia in July 2014 and was tested against the International Customer Service Standard. The assessment summary is provided below:

*“The result of this certification assessment is that City of Melville has achieved a score maintaining its excellent performance at the top level of organisations assessed against the International Customer Service Standard and should plan on a recertification assessment in about twelve months. The score achieved by City of Melville is another excellent score of 7.36, continuing the consistent improvement in organisational performance seen over recent years and measured against the ICSS. An organisational score at the 7+ level puts the organisation in elite company, and City of Melville is to be congratulated on reaching this milestone.”*

One of the 25 areas of assessment is the City's formal complaints-handling strategy and process. The assessors scored the City at 8 where the benchmark for *“Leading Local Government – 6 and Leading Government Organisation – 7”*. The assessors made the comment *“City of Melville has had an effective Complaints/Compliments management system in place for some time.”*

The City monitors the ratio of Complaints to Compliments. The Industry standard is 5 Complaints to every Compliment (5:1 ratio). The City of Melville target is 3 Complaints to every Compliment giving a ratio of 3:1. Anything better than 3:1 is within target. (Complaints/Compliments = Ratio).

In the period March 2013 to March 2014 a ratio of 1:1.01 Complaints for every Compliment which demonstrates the City's continuous improvement of this area. In the financial year 2014-2015, the ratio of Complaints to Compliments was 1:1.2. From July to December 2015, the ratio of Complaints to Compliments was 1:1.36.

The City's Complaints Handling Practices have been acknowledged by the Western Australian Ombudsman who subsequently provided the City's information as a case study for other local governments. This information is noted at page 35 of the 2009-10 Survey on Complaint Handling Practices in the Western Australian State and Local Government Sectors.

It is recommended that the motion - Improving Council oversight of complaints be noted.

**Costs:** The proposed Council Policy would incur an additional cost for meetings and any legal costs associated with possible breaches of legislation.



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**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

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**Recommendation 4:**

**That the Council notes Motion 4 - Improving Council oversight of complaints, that the City's complaint management system has been recognised as a local government industry model by the Customer Service Institute of Australia and that the Ombudsman Western Australia used the City's complaints handling practices as a best practice model. (Survey of complaint handling practices in the West Australian State and Local Government sectors, Page 35).**

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Stakeholder engagement has occurred in relation to Motions 1-3. Stakeholder survey responses have influenced the Customer Feedback Policy.

**II. OTHER AGENCIES / CONSULTANTS**

Consultation will occur with other agencies and in particular, the Department of Parks and Wildlife when the review of the management plan for the natural areas within the Attadale foreshore area is undertaken in 2016.

Consultation has taken place with other Agencies/Consultants in the development of the Customer Feedback Policy and in particular with the Customer Service Institute of Australia.

**STATUTORY AND LEGAL IMPLICATIONS**

The Council is required to consider any decisions from an electors meeting at the next or subsequent ordinary council meeting as noted below:

*5.33. Decisions made at electors' meetings*

*(1) All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —*

*(a) at the first ordinary council meeting after that meeting; or*

*(b) at a special meeting called for that purpose, whichever happens first.*

*(2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.*

The Motion - Improving Council oversight of complaints that was carried at the General Meeting of Electors contains elements that are legislated in the *Public Interest Disclosure Act 2003*, the *Local Government Act 1995* and the *Corruption, Crime and Misconduct Act 2003*.

Should the Council resolve to adopt the motion as worded, the outcome is likely to bring sanctions against participating Elected Members and in the worst case, significant fines and possible imprisonment.

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**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)****FINANCIAL IMPLICATIONS**

The financial implications relate to additional meeting costs and where necessary, providing legal services under Council Policy Legal Representation to defend actions taken by Elected Members that may breach any legislation when meeting as a “complaints committee”. In the event that legal action was taken against an Elected Member or the City, the City’s insurance policy premium would be reviewed by the City’s insurer.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no strategic management implications contained in this report. There exist risk management implications associated with exposure to potential breaches of legislation.

Any environmental management implications will be met by the review of natural areas management plans that will be undertaken consistent with the City’s goal of preserving and enhancing natural areas.

**POLICY IMPLICATIONS**

Policy Implications are dependent on the Council’s decision whether to adopt the Motion 4. Should the proposed Council Policy be adopted, the CEO would only be able to respond to the elements of the Policy that were not ultra vires.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council may resolve to require a management plan for each major park and expend an estimated \$112,000 to achieve this outcome. This is not recommended as the City has established and tested parks and reserves documents and management practices.

The Council could resolve to approve the Complaints Policy and put in practice procedures to manage the risk of exposure to a legislative breach. Should disclosure of investigations and names of complainants be made, investigations and appropriate outcomes are likely to be compromised.

**CONCLUSION**

The Council is required to consider any decisions made at a General Meeting of Electors and any decision made, will be recorded in the minutes of the Council meeting. The decisions made at the General Meeting of Electors have officer comment provided to inform Elected Members of the context and issues associated with each motion. This report supports no further action be taken for motions 1-3 other than to advise the mover of the motions of the Council’s resolution. Motion 4 is not recommended due to the potential for breaching legislation and confusing the roles of the Council and CEO in staffing and operational matters. There are multiple existing opportunities for complainants to lodge allegations to specialised government organisations with the skills and expertise to examine allegations within their roles.

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**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)****OFFICER RECOMMENDATION (5460)****NOTING****Recommendation 1:**

**That the Council notes Motion 1 and that the proposal is an operational matter.**

**Recommendation 2:**

**That the Council:**

- 1. Notes Motion 2 and acknowledges the interest of the mover, and**
- 2. Advises the mover in writing that the City's current management plans meet the requirements of the City.**

**Recommendation 3:**

**That the Council:**

- 1. Notes Motion 3 and acknowledges the interest of the mover, and**
- 2. Advises the mover in writing that the City's current stakeholder policy will provide guidance for community consultation.**

**Recommendation 4:**

**That the Council notes Motion 4 - Improving Council oversight of complaints, that the City's complaint management system has been recognised as a local government industry model by the Customer Service Institute of Australia and that the Ombudsman Western Australia used the City's complaints handling practices as a best practice model. (Survey of complaint handling practices in the West Australian State and Local Government sectors, Page 35).**

**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

At 8.07 Mr Prendergast left the meeting and returned at 8.13pm.  
At 8.10pm Cr Schuster left the meeting and returned at 8.12pm.  
At 8.28pm Cr Woodall left the meeting and returned at 8.30pm.

**COUNCIL RESOLUTION (5460)**

**NOTING**

**Recommendation 1:**

At 7.39pm Cr Aubrey moved, seconded Cr Woodall -

**That the Council notes Motion 1 and that the proposal is an operational matter.**

At 7.39pm the Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (13/0)**

**Reject and Replace Motion (Recommendation 2)**

At 7.41pm moved Cr Pazolli, seconded Cr Barton -

*That the City of Melville establishes and commits to a schedule for the delivery of a park management plan for each of the 14 (or is it 18?) major reserves commencing with the delivery of a management plan for Attadale foreshore reserves following on from the 2001 fully consulted and Council approved concept plan.*

At 7.53pm the Mayor submitted the motion which was declared

**LOST (2/11)**

Vote Result Summary	
Yes	2
No	11

Vote Result Detailed	
Cr Barton	Yes
Cr Pazolli	Yes
Cr Aubrey	No
Cr Barling	No
Cr Foxton	No
Cr Macphail	No
Cr O'Malley	No
Cr Phelan	No
Cr Robartson	No
Cr Schuster	No
Cr Wieland	No
Cr Woodall	No
Mayor Aubrey	No

**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

**Recommendation 2:**

At 7 54pm Cr Phelan moved, seconded Cr Aubrey -

**That the Council:**

1. **Notes Motion 2 and acknowledges the interest of the mover, and**
2. **Advises the mover in writing that the City's current management plans meet the requirements of the City.**

At 7.55pm the Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (13/0)**

**Reject and Replace Motion (Recommendation 3)**

At 7.55pm Cr Pazolli moved, seconded Cr Barton-

*The review of the 2001 plan to follow the same process that prevailed in the development of 2001 concept plan that being the establishment of a working committee with representatives from the two acknowledged Attadale community groups (namely, Friends of Attadale Foreshore, Friends of Attadale Parks and Amenity Areas), Swan Estuary Reserves Action Group (SERAG) local residents and / or ratepayers and representatives of recreational user groups.*

At 8.00 pm the Mayor submitted the motion which was declared

**LOST (2/11)**

Vote Result Summary	
Yes	2
No	11

Vote Result Detailed	
Cr Barton	Yes
Cr Pazolli	Yes
Cr Aubrey	No
Cr Barling	No
Cr Foxton	No
Cr Macphail	No
Cr O'Malley	No
Cr Phelan	No
Cr Robartson	No
Cr Schuster	No
Cr Wieland	No
Cr Woodall	No
Mayor Aubrey	No

**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)****Recommendation 3:**

At 8.01pm Cr Aubrey moved, seconded Cr Phelan -

**That the Council:**

1. **Notes Motion 3 and acknowledges the interest of the mover, and**
2. **Advises the mover in writing that the City's current stakeholder policy will provide guidance for community consultation.**

**Amendment**

At 8.02pm Cr Schuster moved, seconded Cr Wieland -

**That the Council:**

1. **Notes Motion 3 and acknowledges the interest of the mover, and**
2. **Advises the mover that it will be reviewing the management plan for the bushland areas within the Bicton and Attadale foreshore areas in 2016; and**
3. **Advises the mover in writing that the City's current stakeholder policy will provide guidance for community consultation.**

At 8.05pm the Mayor submitted the amendment which was declared

**CARRIED UNANIMOUSLY (13/0)**

**Reasons for Amendment**

1. At the Agenda Briefing Forum on 2 February this matter was discussed after a community deputation. The supporting notes on page 37 of the Agenda make it clear that the Council is to inter alia review the management plan covering the Attadale foreshore bushland areas in 2016 – given that this was a principal request of the mover of Motions 2 and 3, and was supported by those attending the General Meeting of Electors, in my view this amendment is simply making the Council's position clearer for all to see.
2. In my view the comments about the "City's stakeholder management policy" in (now) Part 3 of the Recommendation are adequate to address the general point about consultation made variously in motions 2 and 3.

**Motion****That the Council:**

1. **Notes Motion 3 and acknowledges the interest of the mover, and**
2. **Advises the mover that it will be reviewing the management plan for the bushland areas within the Bicton and Attadale foreshore areas in 2016; and**
3. **Advises the mover in writing that the City's current stakeholder policy will provide guidance for community consultation.**

At 8.06 pm the Mayor submitted the motion which was declared

**CARRIED UNANIMOUSLY (13/0)**



**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**

**Recommendation 4:**

At 8.09pm moved Cr Macphail, seconded Cr Aubrey -

**That the Council notes Motion 4 - Improving Council oversight of complaints, that the City's complaint management system has been recognised as a local government industry model by the Customer Service Institute of Australia and that the Ombudsman Western Australia used the City's complaints handling practices as a best practice model. (Survey of complaint handling practices in the West Australian State and Local Government sectors, Page 35).**

Amendment

At 8.10pm moved Cr Pazolli, seconded Cr Barton -

**That the Council amend Recommendation 4 – Improving Council Oversight of Complaints by numbering the officers' recommendation as number 1 and adding the following:**

- 2. That the CEO each month provides a summary report in the Elected Members Bulletin a list of all written complaints regarding decisions of Council (by Council or by the CEO under the delegated authority of Council) lodged with the City of Melville during the month or previous complaints progressed during the month.**

**The summary report should include the complainant's name, a summary of the nature of the complaint, date complaint received and if resolved a summary of the outcome, if not resolved whether escalated and/or referred to an external body.**

- 3. Other categories of complaints (such as complaints against the Mayor, Councillors, the CEO or staff, or complaints lodged directly with other agencies (e.g. Local Government Standards Panel, CCC, Public Service Commissioner) continue to be processed as per the current procedures that may or may not provide for reporting to Elected Members.**

At 9.03pm the Mayor declared the amendment

**LOST (2/11)**

Vote Result Summary	
Yes	2
No	11

Vote Result Detailed	
Cr Barton	Yes
Cr Pazolli	Yes
Cr Aubrey	No
Cr Barling	No
Cr Foxton	No
Cr Macphail	No
Cr O'Malley	No
Cr Phelan	No
Cr Robartson	No
Cr Schuster	No
Cr Wieland	No
Cr Woodall	No
Mayor Aubrey	No

**M16/5460 – GENERAL MEETING OF ELECTORS – MOTIONS CARRIED (REC)**Procedural Motion

At 9.04pm Cr Wieland moved, seconded Cr Schuster, the following Procedural Motion in accordance with Clause 11.1(b) of Standing Orders Local Law 2003 -

**That the Council defer consideration of Recommendation 4 (Item M16/5460 – General Meeting of Electors – Motions Carried) to the next Elected Members Information Session to allow for further clarification and the officers report be presented to a future Ordinary Meeting of the Council.**

At 9.07pm the Mayor submitted the motion, which was declared

**CARRIED (8/5)**

Vote Result Summary	
Yes	8
No	5

Vote Result Detailed	
Cr Barton	Yes
Cr Barling	Yes
Cr Foxton	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Cr Aubrey	No
Cr Macphail	No
Cr O'Malley	No
Cr Phelan	No
Mayor Aubrey	No

Reason for Procedural Motion

Cr Wieland provided the following reason in support of the Procedural Motion -

“To allow Elected Members to be provided with additional information and clarification on the officers report at an Elected Members Information Session.”

The reasons for the Council's decisions are contained in the officer's report.

**M16/5461 – NEW COUNCIL POLICY – NAMING OF ROADS, PARKS, BUILDINGS AND INFRASTRUCTURE (REC) (ATTACHMENT)**

Ward : All  
 Category : Policy  
 Subject Index : Policy and Policy Development 5 5A  
 Customer Index : Not Applicable  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Not Applicable  
 Works Programme : Not Applicable  
 Funding : Not Applicable  
 Responsible Officer : Corrine Newman  
 Executive Support & Governance Officer

**DEFINITION**

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

**M16/5461 – NEW COUNCIL POLICY – NAMING OF ROADS, PARKS, BUILDINGS AND  
INFRASTRUCTURE (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- Naming opportunities within the City of Melville are associated with a broad range of assets, including roads and parks.
- The existing City of Melville Road and Park Names Inventory is limited to the names from the muster lists from the fleet of ships that brought the first settlers to the area and the names of significant pioneers, with more recent inclusions of notable community members.
- The current Melville Road and Park Names Inventory has not been used for recent naming processes, which has resulted in an inconsistency in the processes undertaken.
- The proposed new policy provides guidance and consistency in naming process in accordance with State requirements.
- The proposed new policy provides opportunity for an expanded Naming Schedule that provides for community input and the inclusion of more modern naming criteria.
- Landgate, through the Geographic Names Committee, is the State body that has final approval over naming processes.
- The new Policy provides guidance for community consultation in naming opportunities.

**BACKGROUND**

The City's previous Nomenclature Policy, dealt with the naming of roads, reserves, parks, ovals and pavilions. In 2010 the Naming of Parks and Roads Directorate Procedure was put in place to deal specifically with road and park naming. Both the former policy and the current procedure are coordinated by the Urban Planning Directorate.

The former policy and the current procedure refer to an 'approved names list' or the Road and Park Names Register. This document is currently known as the City of Melville Road and Park Names Inventory and has been compiled using names provided by the Melville History Society in 1999 and names provided by the wider community in 2014.

The Register is limited to the names from the muster lists from the fleet of ships that brought the first settlers to the area and the names of significant pioneers with the more recent inclusions of notable community members. The list is a compilation of names provided to the City by:

- The Melville History Society in 1999
- Consultation with the wider community in 2014

**DETAIL**

In more recent years, the naming of significant parkland features within the City of Melville has occurred outside the procedure:

Carawatha Park      Named after the former Primary School

**M16/5461 – NEW COUNCIL POLICY – NAMING OF ROADS, PARKS, BUILDINGS AND  
INFRASTRUCTURE (REC) (ATTACHMENT)**

Kadidjiny Park      Aboriginal word meaning 'learning' in reference to the former Melville Primary School site.

In December 2014, Council adopted names for the laneways within the Riseley Centre through a community engagement process rather than selecting names from the Naming of Parks and Roads Inventory:

Riseley Street Lanes	Kwilena Lane	Aboriginal word for 'dolphin'
	Post Lane	Leads to Applecross Post Office
	Teneriffe Lane	Name of former drive-in picture theatre located nearby
	Chortis Lane	Named after Andy Chortis (former developer of the area)

The City of Melville Road and Park Names Inventory is currently limited to the names from the muster lists from the fleet of ships that brought the first settlers to the area, the names of notable pioneers and the more recent inclusions of notable community members.

The recent naming of parks and laneways shows that there is community appeal for a broader range of naming options and the naming Inventory could be expanded to include:

- (a) Prominent district identities (including pioneering families);
- (b) Persons who have made a significant contribution to the community;
- (c) Elected Members who have been presented with the City of Melville Award for Distinguished Service to Council under Policy CP015;
- (d) Personal names who have had a direct long-term association with the area, or have made a significant contribution to the area such as twenty or more years voluntary service associated with a local community group or service club;
- (e) Traditional indigenous names relevant to a site or locality or with a relevant meaning;
- (f) Names that have historical connotations with the site or surrounding area;
- (g) Names that represent any relevant local landmarks, flora or fauna.

The above criteria provides clear guidance on the naming process and ensures that the Inventory contains a range of naming options not limited to pioneering identities, but reflective of modern naming concepts that embrace the heritage, culture and personalities of the area.

At a State level, Landgate and its Geographic Names Committee (GNC) have delegated authority for all official naming of topographical and cultural features and oversee policies and standards for geographical naming in Western Australia. This Committee regulates and provides guidelines for the naming of specific features to ensure the selection and recording of names in a systematic and timely manner. Any naming proposals are required to meet the GNC Policies and Standards and be submitted to the Committee for final approval.

**M16/5461 – NEW COUNCIL POLICY – NAMING OF ROADS, PARKS, BUILDINGS AND  
INFRASTRUCTURE (REC) (ATTACHMENT)**

It is proposed to reinstate a Council Policy to provide guidance on the naming of City of Melville assets and the draft policy seeks to:

- provide guidance and consistency in the process of naming and renaming of the City's assets in accordance with the Geographic Names Committee requirements;
- provide expansion on criteria for names included on the City of Melville Schedule of Names for Assets;
- outline a methodical approach, using existing community engagement processes, for the inclusion of names on the Schedule of Names for Assets;
- allow for the ad hoc inclusion of names on the Schedule that meet the City's and the GNC criteria;
- ensure that new naming opportunities follow a set process, using names from the Schedule and provide an efficient community consultation and Council approval process before being forwarded to the GNC for final approval.

There is very limited opportunity within the City of Melville for the naming of new roads, however the redevelopment and modernisation of community assets such as parks and buildings are high on the City's priority list in order to meet the needs of the community. These redevelopment projects provide many naming opportunities.

The Policy and Directorate procedure has historically been managed by the Urban Planning Directorate. As the naming opportunities for the City of Melville are now associated largely with the redevelopment of assets and projects which tend to cross directorates and service areas, it is logical for coordination of the naming process and the ongoing maintenance of the schedule of names to sit with an organisational service area.

This Policy provides guidance on areas of responsibility. It will be supported by a Process which articulates the areas of responsibility, the relevance of the GNC, and opportunities for the community to participate in the process.

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The policy seeks to utilise existing community engagement mechanisms to provide regular opportunities for the community to provide suggested names for inclusion on the City of Melville Schedule of Names for Assets. Additionally names could be accepted on an ad hoc basis. Suggestions will be assessed against the Geographic Names Committee and the City of Melville criteria and will be presented to the Council for approval to be included on the Names Schedule.



**M16/5461 – NEW COUNCIL POLICY – NAMING OF ROADS, PARKS, BUILDINGS AND INFRASTRUCTURE (REC) (ATTACHMENT)**

Once names have been approved by the Council for inclusion on its Schedule, a short list of names would be selected for a naming/renaming opportunity. The community would be consulted and the outcome of the engagement process presented to the Council for final determination.

**II. OTHER AGENCIES / CONSULTANTS**

Landgate, through the Geographic Names Committee, is the State body that has final approval over naming processes. This policy seeks to adhere to their Policies and Standards to ensure an efficient naming process.

**STATUTORY AND LEGAL IMPLICATIONS**

The Minister for Lands has delegated authority for the official naming of topographical and cultural features within the State to the Geographic Names Committee, who has published the *Policies and Standards for Geographical Naming in Western Australia*. This provides for the orderly selection and recording of names in a systematic and timely manner.

Official naming of features is also governed by:

- *Land Administration Act 1997*
- *Land Information Authority Regulations 2007*
- *AS/NZS 4819-2011 Rural and urban addressing*

**FINANCIAL IMPLICATIONS**

The Policy and Process seek to use existing community engagement mechanisms and opportunities to seek community suggestions for names to be included on the proposed expanded City of Melville Schedule of Names for Asset and any costs associated with the community consultation required for the naming of a specific asset should be included in the Project budget.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no identified strategic, risk or environmental management implications.

**POLICY IMPLICATIONS**

There are no policy implications relating to this report.

**M16/5461 – NEW COUNCIL POLICY – NAMING OF ROADS, PARKS, BUILDINGS AND INFRASTRUCTURE (REC) (ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The Council could chose not to endorse the Policy for the Naming of Roads, Parks, Buildings and Infrastructure and the existing procedure would remain in place. This procedure, however, does not provide guidance on the process to be undertaken in a naming/renaming process and does not provide the opportunity for an expanded Inventory of Names.

**CONCLUSION**

This Policy has been developed to provide clear guidance and consistency for the naming of City of Melville assets. It also provides opportunity for the development of a more modern Schedule of Names for these purposes and clarity on community consultation for naming opportunities.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5461)****APPROVAL**

**That the Council adopts the new Naming of Roads, Parks, Buildings and Infrastructure Policy.**

**[5461 Naming of Roads Parks Buildings and Infrastructure](#)**

At 9.47pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**M16/5000 – COMMON SEAL REGISTER (REC)**

Ward : All  
 Category : Operational  
 Subject Index : Legal Matters and Documentation  
 Customer Index : City of Melville  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Standard Item  
 Works Program : Not applicable  
 Funding : Not applicable  
 Responsible Officer : Jeff Clark – Governance and Compliance Program Manager

**AUTHORITY / DISCRETION**

**DEFINITION**

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<input checked="" type="checkbox"/>	Information	<b><i>For the Council/Committee to note.</i></b>

**KEY ISSUES / SUMMARY**

This report details the document to which the City of Melville Common Seal has been applied for the period from 13 November 2015 up to and including 21 January 2016 and recommends that the information be noted.

## M16/5000 – COMMON SEAL REGISTER (REC)

### BACKGROUND

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

### DETAIL

Register Reference	Party	Description	ECM Reference
1148	The City of Melville and Mr and Mrs Andrioff	Request for execution : Deed of Indemnification for Building Encroaching into the Road - Reserve: 63 McKimmie Road Palmyra	3731222
1154	The City of Melville and Murdoch University	Agreement for the Funding, Development and Shared Use of Multi-Use Sports Facility (Proposed and reliant on funding outcomes)	3739021

### STAKEHOLDER ENGAGEMENT

#### I. COMMUNITY

Not applicable.

#### II. OTHER AGENCIES / CONSULTANTS

Not applicable.

### STATUTORY AND LEGAL IMPLICATIONS

Section 2.5(2) of the *Local Government Act 1995* states:  
*The local government is a body corporate with perpetual succession and a common seal.*

**M16/5000 – COMMON SEAL REGISTER (REC)**

Section 9.49A (3) of the *Local Government Act 1995* states:

(3) *The common seal of the local government is to be affixed to a document in the presence of —*

- (a) *the mayor or president; and*
- (b) *the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.*

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

There are no policy implications in this report.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

This is a standard report for Elected Members' information.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5000)****NOTING**

**That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the document listed under the Common Seal of the City of Melville from 13 November 2015 up to and including 21 January 2016.**

At 9.47pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**C16/6091 – SUPPLY OF FIVE SIDE LOADER TRUCKS FOR THE CITY OF MELVILLE  
MUNICIPAL WASTE SERVICES (MWS) (Q08/15) (AMREC) (CONFIDENTIAL  
ATTACHMENT)**

Ward	: All
Category	: Operational
Subject Index	: Tenders
Customer Index	: City of Melville
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Not applicable.
Waste Programme	: Not applicable.
Funding	: 2014/2015 (Carried Forward Capital Replacement Programme to 2015/2016).
Responsible Officer	: Debbie Whyte, Acting Manager Financial Services

**AUTHORITY / DISCRETION**

**DEFINITION**

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<input type="checkbox"/>	Information	<i>For the Council to note.</i>



**C16/6091 – SUPPLY OF FIVE SIDE LOADER TRUCKS FOR THE CITY OF MELVILLE  
MUNICIPAL WASTE SERVICES (MWS) (Q08/15) (AMREC) (CONFIDENTIAL  
ATTACHMENT)**

**KEY ISSUES / SUMMARY**

- To recommend acceptance of a quotation from AV Trucks for the purchase and supply of five Municipal Waste Services (MWS) trucks complete with compactor bodies.

**BACKGROUND**

Quotations were called through the Western Australian Local Government Association's (WALGA) Preferred Supply Contract NPN 04-13 "Trucks and Associated Equipment" for five side loading trucks.

The vehicles will be used for the City's MWS collections.

The existing five MWS trucks are currently leased from SG Fleet until 30/6/2016, the lease being extended another 12 months in February 2015 due to the planned Council boundary changes and the uncertainty of the transfer of trucks from other councils.

<i>Plant #</i>	<i>Make</i>	<i>Model</i>	<i>Purchase/Lease Date</i>	<i>Engine HRS</i>	<i>Optimum Replacement</i>
38010	IVECCO	F2350G/260	2010	9554	8,000 hrs/8yrs
38510	IVECCO	F2350G/260	2010	8845	8,000 hrs/8yrs
38910	IVECCO	F2350G/260	2010	9,668	8,000 hrs/8yrs
39310	IVECCO	F2350G/260	2010	9547	8,000 hrs/8yrs
39510	IVECCO	F2350G/260	2010	8609	8,000 hrs/8yrs

**Price Schedule**

The Price Schedule forms part of the Attachments to the Agenda, which was distributed to the Members of the Contract and Tender Advisory Unit on Thursday 14 January 2016 and to Elected Members on Friday 29 January 2016 under confidential cover.

**C16/6091 – SUPPLY OF FIVE SIDE LOADER TRUCKS FOR THE CITY OF MELVILLE  
MUNICIPAL WASTE SERVICES (MWS) (Q08/15) (AMREC) (CONFIDENTIAL  
ATTACHMENT)**

**Quote Evaluation Process**

In 2013 and 2014 the City ordered a total of 12 Dennis Eagle waste trucks with both Superior Pak and Bucher compactor bodies, on both occasions a comprehensive and detailed analysis was completed involving Whole of Life (WOL) reports from Fleet Consultants – Uniqco and the City's Waste and Fleet services (which involved substantial stakeholder involvement).

In 2015 the City issued quotations for replacing five side loader trucks identical to those purchased in 2013/2014, the vehicle data from the previous 2013/2014 evaluations is unchanged as the City is buying like for like replacements, the only variance in the report would be the initial purchase price.

Uniqco confirm if the only variant is the price then the WOL recommendation would remain unchanged. For this evaluation therefore, the 2014 report has been used as part of the overall analysis.

Fleet Services have completed an extra evaluation on the compactor bodies to identify what is best suited for the City's needs, comparing the Superior and Bucher compactors.

The Uniqco report is based on each offer being assessed using the following selection criteria and weightings:

Criteria	Weighting
WOL Costs	40%
Operational Assessment	20%
Mechanical Assessment	20%
Environmental Assessment	10%
Warranty & Service support	10%

Note: All criteria are scored out of five for each quote.

**Whole of Life Cost**

The WOL consists of the cost of owning and operating the vehicle for the determined period of ownership. For these vehicles the parameters for whole of life cost determination are 8,000hrs / 8 years.

WOL were calculated using the spreadsheet template in the Fleet Consultant's - Uniqco facility with the following input data:

- Purchase cost
- Repairs, maintenance and tyres
- Fuel cost and consumption
- Fleet management cost
- Insurance and licence

**C16/6091 – SUPPLY OF FIVE SIDE LOADER TRUCKS FOR THE CITY OF MELVILLE  
MUNICIPAL WASTE SERVICES (MWS) (Q08/15) (AMREC) (CONFIDENTIAL  
ATTACHMENT)**

Uniqco Whole of Life Evaluation forms part of the Attachments to the Agenda, which was distributed to the Members of the Contract and Tender Advisory Unit (CTAU) on Friday 20 November 2015 and will be provided to Elected Members on Friday 29 January 2016 under confidential cover.

The lowest total cost item receives a score of five. The remaining quoted items receive a percentage out of five.

Scores were rated as follows.

Assessment Rating	Score
Excellent	5
Above Average	4
Average	3
Below average	2
Poor	1

**Operational Requirements**

This was undertaken by two waste supervisors and one waste driver.

The following criteria were assessed:

- Vehicle capability to perform waste collection tasks
- Access for daily checks oil, water, greasing
- Turning circle
- Compactor body to spec compaction ability 22M3.
- Steering positions
- Controls (indicators, brake, gear shift)
- Ease of entry and exit from the cab
- Air conditioning system
- Noise under operation internal and external
- Operators seat comfort, mirrors vision

**Technical Specification (Mechanical Assessment)**

The mechanical assessment was undertaken by the Workshop Supervisor and scored by assessing similar models to the proposed trucks and completing a score card. Score cards were completed for each vehicle and scores averaged across the cards.

The following criteria were assessed:

- Ease of access for safety checks – brake wear, air cleaner, greasing
- Manufacturers service schedule breakdown support
- Ease of brake pad, shoe replacement

**C16/6091 – SUPPLY OF FIVE SIDE LOADER TRUCKS FOR THE CITY OF MELVILLE  
MUNICIPAL WASTE SERVICES (MWS) (Q08/15) (AMREC) (CONFIDENTIAL  
ATTACHMENT)**

- Ease of servicing, vehicle, cab, chassis and compactor
- Access chassis, compactor body for general maintenance
- Oil and Fuel filter frequency of change
- Overall vehicle parts support

**Environmental Assessment**

The environmental assessment was conducted by the City's Fleet Coordinator.

The following criteria were assessed:

- Fuel consumption
- Recycle parts
- Emissions ADR80/02

**Warranty Service Support**

The Warranty Service Support Assessment was conducted by the City's Fleet Coordinator.

- Local service support.
- Warranty.
- Service training for the City's staff.

**DETAIL**

In 2013 the City completed a detailed analysis of a wide range of vehicle brands and compactor bodies. This evaluation involved trial drives and detailed scoring relating to all aspects of waste truck operational requirements. This evaluation recommended the purchase of three Dennis Eagle side loader vehicles with Bucher compactors.

In 2014 the City again completed a similar but more comprehensive analysis including WOL reports from Unicqo, test drives and stakeholder involvement in all aspects of the vehicles performance and suitability for the role. The City recommended the purchase of seven Dennis Eagle side loaders with Superior Pak compactors.

In September 2015 the City issued a quotation through WALGA's Preferred Panel Supply contract for Trucks and Associated Equipment, Contract Number - NPN 04-13, for the supply of five side loader collection trucks.

The quotation specifications were detailed around specific safety features unique to the Dennis Eagle Truck, due to technical specifications the quotation request became a sole source supplier.

Two specific safety areas which make the Dennis Eagle truck the preferred option were:

- The entry and exit of the truck having a unique design feature with a low profile step in step out cab arrangement eliminating any risk of injury when entering or exiting the cab compared to a standard high entry three points of contact requirement.

**C16/6091 – SUPPLY OF FIVE SIDE LOADER TRUCKS FOR THE CITY OF MELVILLE  
MUNICIPAL WASTE SERVICES (MWS) (Q08/15) (AMREC) (CONFIDENTIAL  
ATTACHMENT)**

- A walk through cab enabling access to both dual controls without exiting the vehicle and whilst it was low in priority given the infrequency of a driver entering and exiting the cab it was noted as a significant safety point to eliminate the risk of injury.

Due to extensive previous assessments, ongoing maintenance knowledge, and the City owning and operating 12 Dennis Eagle Trucks, there was no requirement to test drive or review their capabilities or performance.

Waste and Fleet Services are in agreement that the Dennis Eagle truck is the vehicle of choice and best suited for the City's waste collection services.

The quotation called for offers on both the Superior Pak and Bucher side compactor bodies which required a separate review by Waste and Fleet.

**Quote Details:**

The AV Trucks quote utilises the Dennis Eagle's step in step out low profile cab chassis and walk through cab, this reduces the ingress and egress from the cab by 90%, which is a major safety reduction in risk for drivers.

The mechanics and operators considered the low profile access for maintenance and operational duties of high importance.

The Evaluation Panel believe that preference in the vital operation of internal controls, turning circle, steering position, large all round vision cab and ergonomics i.e.: low profile including the ingress and egress, were all significant factors of preference for the Dennis Eagle Trucks.

The Superior Pak side compactor uses the pendulum compaction system which is more efficient and compact's more waste per load than the equivalent Bucher unit.

Vehicles quoted run the Urea Add Blue exhaust system which makes them Euro5 compliance which meets the target of almost zero emissions.

The Dennis Eagle truck is compatible to both types of compactors using a Cambus (power saving) system

**Side Loading Compaction Bodies:**

Waste Services have seven Superior Pak side loading compactors which have proven to be more durable, require less maintenance and compact waste more efficiently. The Superior Pak side arm is slightly larger (bigger grab area), more compact with components like actuators and regulators on the body rather than the arm, consideration was also given to the operators positive feedback.

The Superior Pak compaction system is a different design being pendulum rather than the Bucher paddle type, this allows more bins to be collected per round which in turn reduces the trips to the waste facilities.

The Dennis Eagle truck is already established in the Western Australian (WA) waste collection business with the City currently operating twelve Dennis Eagle trucks with seven Superior Pak and five Bucher compactors.

**C16/6091 – SUPPLY OF FIVE SIDE LOADER TRUCKS FOR THE CITY OF MELVILLE  
MUNICIPAL WASTE SERVICES (MWS) (Q08/15) (AMREC) (CONFIDENTIAL  
ATTACHMENT)**

Waste and Fleet Services are in agreement that the Dennis Eagle truck with a Superior Pak side loading compactor should progress in the assessment

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

No public consultation is required for these vehicle purchases.

**II. OTHER AGENCIES / CONSULTANTS**

No consultation with other agencies has been required to complete the purchase.

**STATUTORY AND LEGAL IMPLICATIONS**

Section 3.57 11 (2) of the *Local Government Act 1995* states that “*Tenders do not have to be publically invited according to the requirements of this Division if – (b) the supply of the goods or services is to be obtained through the Council Purchasing Service of WALGA.*”

**FINANCIAL IMPLICATIONS**

Purchase:

1. \$1,840,000 expenditure was provided for in the 2014/2015 capital budget which has been carried forward to 2015/2016.
2. A transfer of additional funds is required from the Refuse Facilities Reserve, to cover the budget shortfall of \$274,260.
3. There are no direct up front financial implications / obligations.
4. Capital costs for the five side trucks will be against account 420-80235-1575-000 however running costs i.e. fuel and general maintenance will be recovered via an operational charge paid for by the service area to Fleet Services.

Running costs and service area charge.

1. The annual charge rate per vehicle for side Loaders will be \$167,667.
2. A residual value for each vehicle is set at \$110,000.
3. There are no on-going financial implications for the City in this application.

Comments on expenditure.

1. Dennis Eagle Trucks purchase price has increased by 12% since November 2013 due to general Consumer Price Index, manufacturing and exchange rate costs.
2. The compactor bodies (Superior / Bucher) have increased by 10% since 2013.
3. The five side loader trucks have a load cell Elphinstone weighing system installed at a cost of \$14,513 per truck.
4. There is a WALGA 1.5% levy.



**C16/6091 – SUPPLY OF FIVE SIDE LOADER TRUCKS FOR THE CITY OF MELVILLE  
MUNICIPAL WASTE SERVICES (MWS) (Q08/15) (AMREC) (CONFIDENTIAL  
ATTACHMENT)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

Risk Management Policy OP-004 outlines the City's commitment to implementing an enterprise wide risk management approach to the identification assessment and management of all risks and opportunities associated with the performance of organizational functions and delivery of services. It is also consistent with the Strategic Waste Management Plan developed in association with the Southern Metropolitan Regional Council

Environmental Rating (COM Minimum standards):  
Euro 5 Emission rated.

Some operational risks have been identified and assessed in the table below;

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Fatigue due to working shifts (9hr) on scheduled rosters -	Likelihood possible with a minor consequence resulting in <b>Low</b> risk	<ul style="list-style-type: none"> <li>• Trained drivers</li> <li>• Fatigue Management</li> <li>• Regular breaks and communication.</li> </ul>
Traffic Hazards (vehicle, pedestrian) Damage to infrastructure (e.g. verge, footpath, fences)	Likelihood is likely with a insignificant consequence result in a <b>Low</b> Risk	<ul style="list-style-type: none"> <li>• Trained drivers</li> <li>• Advanced Driver training.</li> <li>• Warning signage and vehicle hazard lighting.</li> </ul>

Some additional risk mitigation strategies include;

- Pre start inspection of vehicles.
- Work instructions and JHA's related to Waste collections, driver safety and vehicle daily maintenance/inspections reviewed annually by the Waste department.

**POLICY IMPLICATIONS**

There are no policy implications to Procurement of Goods and Services Policy CP-023 or Asset Financing & Borrowings Policy CP-024.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The five side loader vehicles leased from SG Fleet have exceeded their optimum hours (8,000) with the lease already being extended by 12 months making it not financially viable to extend the lease compounded by increased maintenance costs.  
To maintain the MWS collections business replacement trucks must be purchased.

There are no alternate options to be considered.

**C16/6091 – SUPPLY OF FIVE SIDE LOADER TRUCKS FOR THE CITY OF MELVILLE  
MUNICIPAL WASTE SERVICES (MWS) (Q08/15) (AMREC) (CONFIDENTIAL  
ATTACHMENT)****CONCLUSION**

The Evaluation Panel has recommended to the Contract Tender Advisory Unit that five Dennis Eagle side loaders with the Superior Pak Compactors as quoted by AV Trucks be accepted, with the life of the vehicles being set at eight years or 8,000hrs (replacement based on whichever comes first).

As the contract value exceeds the \$500,000 per tender per annum limit delegated to the Chief Executive Officer under Delegated Authority DA-027, the Council is now required to consider this tender.

**CONTRACT AND TENDER ADVISORY UNIT RESOLUTION Q08/15****APPROVAL**

1. That the Council accepts the quotation by AV Trucks for the purchase of five Dennis Eagle trucks with side loading Superior Pak compactors obtained through Western Australian Local Government Association's Preferred Supply Contract for Trucks and Associated Equipment - Contract Number NPN 04-13, for the amount of \$2,114,260. exclusive of GST, as the most advantageous;
2. That approval is given for the transfer of additional funds following a budget amendment from the Refuse Facilities Reserve to cover the budget shortfall of \$274,260; and
3. That the life of these assets within the 10 year asset management program will be eight years/8,000hrs.
4. That the quotation be referred to Council for consideration.

**CONTRACT AND TENDER ADVISORY UNIT RECOMMENDATION AND COUNCIL  
RESOLUTION Q08/15 (6091) ABSOLUTE MAJORITY**

At 9.09pm Cr Schuster moved, seconded Cr Robartson –

**That the Council;**

1. Accepts the quotation by AV Trucks for the purchase of five Dennis Eagle trucks with side loading Superior Pak compactors obtained through Western Australian Local Government Association's Preferred Supply Contract for Trucks and Associated Equipment - Contract Number NPN 04-13, for the amount of \$2,114,260. exclusive of GST, as the most advantageous;
2. Approves the transfer of additional funds following a budget amendment from the Refuse Facilities Reserve to cover the budget shortfall of \$274,260; and
3. Notes that the life of these assets within the 10 year asset management program will be eight years/8,000hrs.

At 9.09pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (13/0)**

**C16/6092 – POINT HEATHCOTE AND JEFF JOSEPH FORESHORE REVETMENT WORKS  
(CO07/15) (REC) (CONFIDENTIAL ATTACHMENT)**

Ward : Applecross/Mount Pleasant Ward  
 Category : Operational  
 Subject Index : Tenders  
 Customer Index : City of Melville  
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.  
 Previous Items : Not Applicable  
 Works Programme : Not Applicable  
 Funding : 2015/2016  
 Responsible Officers : Paul Kellick – Manager Asset Management

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**C16/6092 – POINT HEATHCOTE AND JEFF JOSEPH FORESHORE REVETMENT WORKS  
(CO07/15) (REC) (CONFIDENTIAL ATTACHMENT)****KEY ISSUES / SUMMARY**

- To recommend the acceptance of a tender submitted by Natural Area Holdings Pty Ltd T/As Natural Area Consulting Management Services for the foreshore revetment works at Point Heathcote and Jeff Joseph.

**BACKGROUND**

In early 2014 GHD was engaged by the City to undertake a review of the existing *Foreshore Restoration Strategy (2009)*. A prioritisation workshop, which included representation from The Department of Parks and Wildlife (formerly the Swan River Trust), was held and a number of priority sites were identified as requiring restoration.

In an effort to further prioritise and implement works in reasonably sized sections, the City's environmental staff considered that two of the sites posed an immediate threat to infrastructure; Jeff Joseph foreshore and the Point Heathcote foreshore.

Jeff Joseph Reserve

Jeff Joseph Reserve is a grassy parkland area along the Applecross foreshore, which provides a large range of public amenities and is highly used for passive and active recreational activities. This foreshore area consists of a sandy beach with a grass verge and pockets of vegetation. Currently there are erosion issues along a 150m stretch of foreshore.

The path behind the tennis courts has been repaired twice and a storm drainage headwall has also been damaged.

Geotextile sand bags have been installed in an attempt to protect the shoreline and adjacent infrastructure however has achieved limited success. The geotextile bags, which were originally installed as a temporary measure, are now at the end of their useful life.

Point Heathcote

Point Heathcote is a steep vegetated coastal headland, which is experiencing stability issues. This area is regularly utilised by the public for passive and active recreation and the vegetation is classified as a Bush Forever Site.

As it currently stands, there is concern for the structural integrity of the hillside, which is supporting the path and valuable Bush Forever vegetation. A large amount of vegetation has already been lost with the collapsing hillside and several large trees are at risk, while some are already dead or beyond recovery. In addition, the coastal path is at risk of being undermined by the unstable slope, which has actually reached the path at one point.

GHD Engineering Consultants developed detailed designs and technical specifications for both of these sites. The works can only be implemented over the spring/summer period when the tides are low enough to allow heavy machinery onto the beach to excavate.

**C16/6092 – POINT HEATHCOTE AND JEFF JOSEPH FORESHORE REVETMENT WORKS  
(CO07/15) (REC) (CONFIDENTIAL ATTACHMENT)**

A Tender for the works was advertised on 4 November 2015 and closed on 26 November 2015. Seven submissions were received and all have been assessed.

**Price Schedule**

The Price Schedule forms part of the Attachments to the Agenda, which was distributed to the Members of the Contract and Tender Advisory Unit on Wednesday 20 January 2016 and to Elected Members on Friday 29 January 2016 under confidential cover.

**Tender Evaluation Process**

Qualitative scores were achieved by joint agreement of the panel members at the evaluation meeting after each panel member had scored the submissions individually. Stage 1 was a weighted comparison against the following qualitative criteria – Relevant Experience, Capacity to Deliver and Methodology. Stage 2 was a weighted comparison against price. The recommended tenderer who achieved the highest score was then reference checked.

The Evaluation Sheet forms part of the Attachments to the Agenda, which was distributed to the Members of the Contract and Tender Advisory Unit on Wednesday 20 January 2016 and to Elected Members on Friday 29 January 2016 under confidential cover.

**DETAIL****Evaluation Process**

Number of Tender Documents Issued	34
Number of Tender Submissions Received	Seven

Details of the tender process and comparative evaluation assessment are detailed in the attached Confidential Attachments – Evaluation Panel Report and Evaluation Sheets.

**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

No external engagement with the community was required for this tender.

**II. OTHER AGENCIES / CONSULTANTS**

The Department of Parks and Wildlife (formerly the Swan River Trust) have contributed \$243,000 towards this project. They are the statutory body that oversee the management of the River Park. They were involved in the specification development workshops and had the final say in the specification to ensure a permit was issued to allow the City to undertake the revetment works.

**C16/6092 – POINT HEATHCOTE AND JEFF JOSEPH FORESHORE REVETMENT WORKS  
(CO07/15) (REC) (CONFIDENTIAL ATTACHMENT)**

**STATUTORY AND LEGAL IMPLICATIONS**

Section 3.57 of the Local Government Act 1995 states “A Local Government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services”.

*The Swan River Trust Act 1988* establishes a body with planning, protection and management functions in respect of the Swan and Canning Rivers and certain adjoining lands. The Act requires Local Governments to apply for and be granted a permit to undertake any development or maintenance works within the Swan and Canning Rivers.

**FINANCIAL IMPLICATIONS**

The budget for this project is held in the Foreshore Restoration Program ENV01211.

The Department of Parks and Wildlife (formerly Swan River Trust) contributed \$163,000 in 2014/2015, which was carried over in 2015/16 and in 2015/16 have contributed a further \$80,000 (a total of \$243,000 for the project)

Budget amount of \$589,130 with \$36,597 committed and actuals leaving \$553,533 in available funds allocated to this project.

Project Contract value	\$503,500
Project Management	\$ 30,000
Contingency	\$ 20,000
<b>Total</b>	<b>\$553,500</b>

Refer to Confidential Attachment – Pricing Schedule for more details.

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

**Injury**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Manual labour and works with heavy machinery	<b>Moderate</b>	<ul style="list-style-type: none"> <li>• Job Safety Analyses (JSA's) will be required</li> <li>• Safety Induction will be undertaken</li> <li>• Insurances are all in place</li> <li>• Regular meetings to monitor works and staff are operating in a safe manner.</li> </ul>



**C16/6092 – POINT HEATHCOTE AND JEFF JOSEPH FORESHORE REVETMENT WORKS  
(CO07/15) (REC) (CONFIDENTIAL ATTACHMENT)**

**Environmental**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Failure to meet the Construction Environmental Management Plan (CEMP) permit conditions required to satisfy the Department of Parks and Wildlife	<b>High</b>	<ul style="list-style-type: none"> <li>• Appoint an appropriately knowledgeable and experienced contractor.</li> <li>• Ensure appropriate contractor induction</li> <li>• Ensure all environmental risks are reviewed at regular meetings during works.</li> </ul>
Delays in the start of Construction will result in a missed opportunity to access low summer tides	<b>High</b>	<ul style="list-style-type: none"> <li>• Appoint an appropriately resourced and experienced contractor that can effectively address the DPaW permit conditions.</li> <li>• Ensure appropriate contractor induction</li> </ul>
Works do not meet the required environmental community expectations of the site	<b>Medium</b>	<ul style="list-style-type: none"> <li>• Appoint a suitably experienced and qualified contractor</li> <li>• Ensure all outcomes are met through supervision and project management</li> </ul>

**Reputation**

<b>Risk Statement</b>	<b>Level of Risk</b>	<b>Risk Mitigation Strategy</b>
Environmental Damage	<b>Medium</b>	<ul style="list-style-type: none"> <li>• Construction Environmental Management Plan (CEMP) is in place. Includes mandatory use of a silt curtain to prevent any siltation of the river</li> </ul>
Cost/variations escalation	<b>Medium</b>	<ul style="list-style-type: none"> <li>• GHD consulting engineers have designed the works and will be on hand to respond to any questions or concerns as they arise. They will also determine if a variation is legitimate if a claim is made by the contractor.</li> </ul>
Works are sub-standard (not built to specification)	<b>Medium</b>	<ul style="list-style-type: none"> <li>• Hold and inspection points are in place and schedule will reflect these</li> <li>• GHD (the designers) are contracted to provide technical expertise over the course of the construction including hold and inspection points</li> <li>• Weekly meetings are programmed with the construction contractor to ensure any problems are anticipated and dealt with before they escalate</li> </ul>
Access to popular beach area is restricted	<b>Medium</b>	<ul style="list-style-type: none"> <li>• Adjacent path will be open at all times with immediate work area fenced only</li> </ul>

**C16/6092 – POINT HEATHCOTE AND JEFF JOSEPH FORESHORE REVETMENT WORKS  
(CO07/15) (REC) (CONFIDENTIAL ATTACHMENT)**

At 9.13pm Dr Silcox left the meeting and returned at 9.15pm.

**POLICY IMPLICATIONS**

Procurement of Goods or Services CP-023.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

The erosion at Jeff Joseph Reserve has, to date, been addressed a number of times. The latest effort was the installation of a number of large sandbags, which was considered a temporary measure. These have been in place for about three years but have now reached the end of their useful life. As these bags degrade the erosion will further undermine the adjacent multi-use path, which has already been repaired a number of times, and there is a real risk that eventually the Applecross Tennis Club itself will be under threat. If we do nothing then this risk will eventually be realised.

The beach at the base of the Heathcote hill has already been eroded to a point where the hill is collapsing. There have been a number of attempts to curb the erosion by laying various kinds of matting and some planting but it has not been effective. The hill is supporting the path that traverses the riverfront up to the Heathcote Reserve. The Department of Parks and Wildlife have recently constructed an information node above the eroded section of the hill. If we do not construct the revetment the risk of the path collapsing is inevitable.

**CONCLUSION**

The Evaluation Panel recommends that the submission from Natural Area Consulting Management Services be accepted as the most advantageous. The company has demonstrated a thorough understanding of the works to be undertaken, an extensive knowledge and experience with sensitive environmental foreshore issues and has the resources and capability to complete the project. They have achieved the highest qualitative score overall and provide the City with the best value for money outcome from lump sum amount.

**CONTRACT AND TENDER ADVISORY UNIT RESOLUTION CO07/15 APPROVAL**

The Contract and Tender Advisory Unit recommend to the Council that the tender submitted by Natural Area Holdings Pty Ltd T/As Natural Area Consulting Management Services ABN 18126093356 for the Point Heathcote and Jeff Joseph Foreshore Revetment Works for the Lump Sum amount of \$502,369.85, as specified, excluding GST, be accepted as the most advantageous.

**CONTRACT AND TENDER ADVISORY UNIT RECOMMENDATION AND COUNCIL  
RESOLUTION CO07/15 (6092)****APPROVAL**

At 9.09pm Cr Barling moved, seconded Cr Pazolli –

That the Council accepts the tender by Natural Area Holdings Pty Ltd T/As Natural Area Consulting Management Services ABN 18126093356 for the Point Heathcote and Jeff Joseph Foreshore Revetment Works for the Lump Sum amount of \$502,369.85, as specified, excluding GST, be accepted as the most advantageous.

**C16/6092 – POINT HEATHCOTE AND JEFF JOSEPH FORESHORE REVETMENT WORKS  
(CO07/15) (REC) (CONFIDENTIAL ATTACHMENT)**

Amendment

At 9.10pm Cr Schuster moved, seconded Cr Robartson –

**That the current recommendation be numbered 1 and a second item be added as follows:**

- “2. Council notes that there was a lower priced tender but it inter alia included a set of clarifications or exclusions and alternative products that mean it is not the most advantageous tender for the work.”**

At 9.15pm the Mayor submitted the motion, which was declared

**CARRIED (8/5)**

Vote Result Summary	
Yes	8
No	5

Vote Result Detailed	
Cr Foxton	Yes
Cr O Malley	Yes
Cr Pazolli	Yes
Cr Robartson	Yes
Cr Schuster	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor Aubrey	Yes
Cr Aubrey	No
Cr Barton	No
Cr Barling	No
Cr Macphail	No
Cr Phelan	No

**COUNCIL RESOLUTION CO07/15 (6092)**

**That the Council:**

- 1. Accepts the tender by Natural Area Holdings Pty Ltd T/As Natural Area Consulting Management Services ABN 18126093356 for the Point Heathcote and Jeff Joseph Foreshore Revetment Works for the Lump Sum amount of \$502,369.85, as specified, excluding GST, be accepted as the most advantageous.**
- 2. Council notes that there was a lower priced tender but it inter alia included a set of clarifications or exclusions and alternative products that mean it is not the most advantageous tender for the work.**

At 9.16pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**C16/6000 - INVESTMENT STATEMENTS FOR NOVEMBER 2015 (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the investment statements for the period ending 30 November 2015 for the Council's information and noting.

**C16/6000 - INVESTMENT STATEMENTS FOR NOVEMBER 2015 (REC)**

**BACKGROUND**

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

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

**DETAIL**

Summary details of investments held as at 30 November 2015 are shown in the tables below.

CITY OF MELVILLE	
STATEMENT OF INVESTMENTS	
FOR THE PERIOD ENDING 30 NOVEMBER 2015	
SUMMARY BY FUND	AMOUNT \$
MUNICIPAL	\$ 48,448,736
RESERVE	\$ 97,527,522
TRUST	\$ 313,411
CITIZEN RELIEF	\$ 197,748
	<b>\$ 146,487,416</b>
SUMMARY BY INVESTMENT TYPE	AMOUNT \$
11AM	\$ 5,038,081
31DAYS AT CALL	\$ 1,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 5,000,000
TERM DEPOSIT	\$ 130,218,690
BOND	\$ 2,000,000
FRTD	\$ 1,000,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 146,487,416</b>
SUMMARY BY CREDIT RATING	AMOUNT \$
AA	\$ 2,500,000
AA-	\$ 113,456,771
A+	\$ 19,300,000
A	\$ 2,000,000
A-	\$ 9,000,000
BBB+	\$ -
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 146,487,416</b>

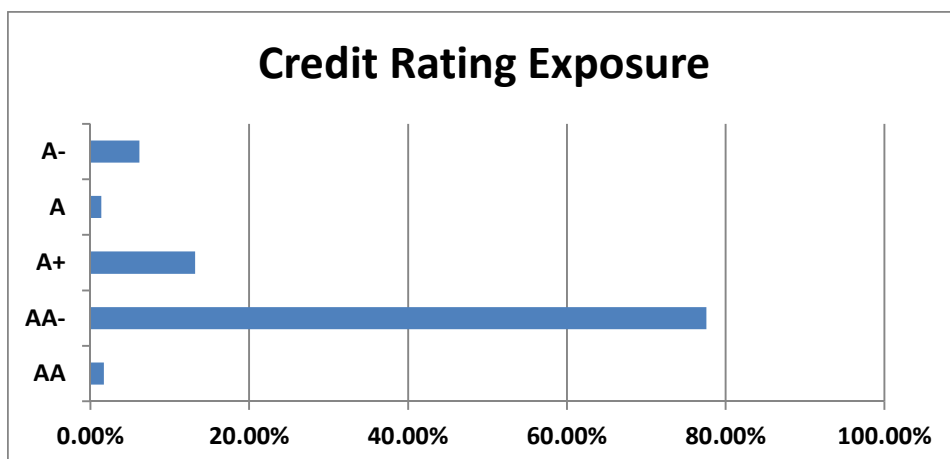
**C16/6000 - INVESTMENT STATEMENTS FOR NOVEMBER 2015 (REC)**

The following statements detail the investments held by the City for the period ending 30 November 2015.

STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 30 NOVEMBER 2015					
INSTITUTION / INVESTMENT	INVESTMENT TYPE	Interest Rate %	S & P RATING	AMOUNT \$	MATURITY DATE
BANKWEST (11AM)	11AM	2.50%	AA-	\$0	On call
WESTPAC (MAXI DIRECT)	11AM	1.70%	AA-	\$1,700,000	On call
WESTPAC (MAXI BONUS 1)	11AM	1.95%	AA-	\$2,318,978	On call
WESTPAC (MAXI BONUS 2)	11AM	1.95%	AA-	\$1,019,103	On call
				<b>\$5,038,081</b>	
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	2.15%	AA-	\$1,000,000	On call
				<b>\$1,000,000</b>	
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	2.95%	AA-	\$2,000,000	On call
				<b>\$2,000,000</b>	
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	3.05%	AA-	\$5,000,000	On call
				<b>\$5,000,000</b>	
BANK OF QUEENSLAND (TERM)	TERM	Various	A-	\$5,000,000	Various
BANKWEST (TERM)	TERM	Various	AA-	\$16,000,000	Various
BENDIGO AND ADELAIDE BANK (TERM)	TERM	Various	A-	\$4,000,000	Various
CITIBANK (TERM)	TERM	Various	AA-	\$0	Various
COMMONWEALTH BANK (TERM)	TERM	Various	AA-	\$23,020,942	Various
AMP BANK (TERM)	TERM	Various	A+	\$5,000,000	Various
ANZ BANK (TERM)	TERM	Various	AA-	\$20,500,000	Various
ING BANK (TERM)	TERM	Various	A-	\$0	Various
MACQUARIE BANK (TERM)	TERM	Various	A	\$2,000,000	Various
NAB (TERM)	TERM	Various	AA-	\$27,497,748	Various
RABODIRECT (TERM)	TERM	Various	AA	\$500,000	Various
ST GEORGE BANK (TERM)	TERM	Various	AA-	\$2,400,000	Various
SUNCORP METWAY LTD (TERM)	TERM	Various	A+	\$14,300,000	Various
WESTPAC (TERM)	TERM	Various	AA-	\$10,000,000	Various
				<b>\$130,218,690</b>	
WESTPAC (FRTD)	FRTD	2.80%	AA-	\$1,000,000	Various
				<b>\$1,000,000</b>	
COMMONWEALTH BANK (RETAIL BOND)	BOND	3.20%	AA	\$2,000,000	20-Dec-15
				<b>\$2,000,000</b>	
UNITS IN LOCAL GOVT HOUSE	NA	NA	NA	\$230,645	NA
<b>TOTAL FUNDS INVESTED</b>				<b>\$146,487,416</b>	
CREDIT RISK COMPARISON					
CREDIT RISK	AMOUNT \$	ACTUAL PROPORTION	MAX. % AMOUNT IN TOTAL PORTFOLIO	Comments	
AA	\$2,500,000	2%	80%		
AA-	\$113,456,771	77%	80%		
A+	\$19,300,000	13%	50%		
A	\$2,000,000	1%	50%		
A-	\$9,000,000	6%	50%		
BBB+	\$0	0%	20%		
UNITS IN LOCAL GOVT: HOUSE	\$230,645	0%	0.1%	<b>Council Decision</b>	
<b>TOTAL</b>	<b>146,487,416</b>	<b>100%</b>			

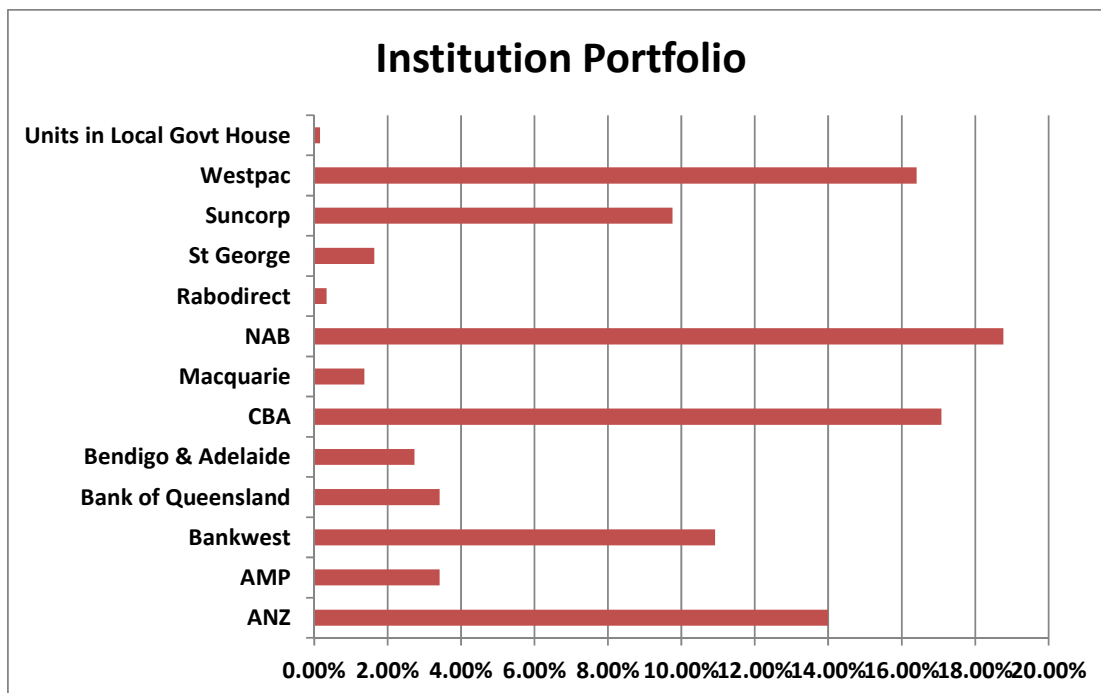


**C16/6000 - INVESTMENT STATEMENTS FOR NOVEMBER 2015 (REC)**



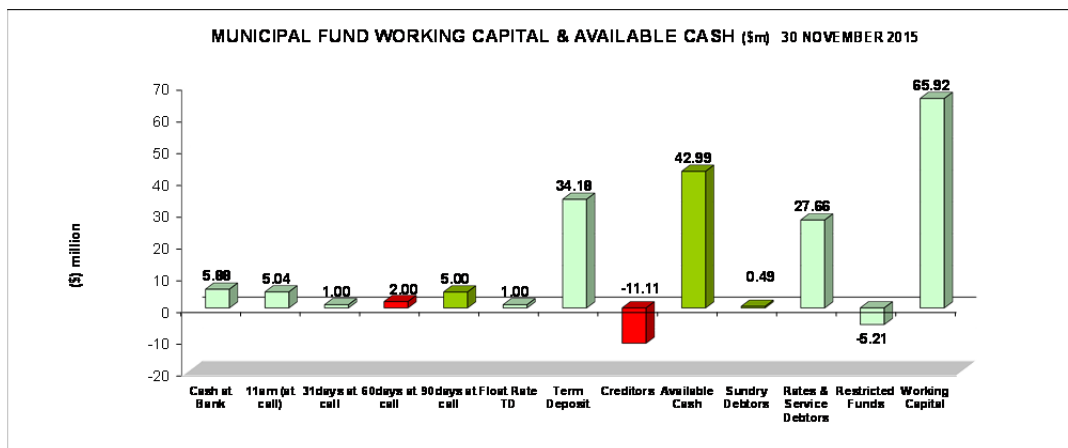
DIVERSIFICATION RISK						
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT \$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION
ANZ BANK (TERM)	TERM	AA-	20,500,000	13.99%	13.99%	20%
AMP BANK (TERM)	TERM	A+	5,000,000	3.41%	3.41%	15%
BANKWEST (11AM)	11AM	AA-	-	0.00%		
BANKWEST (TERM)	TERM	AA-	16,000,000	10.92%	10.92%	20%
BANK OF QUEENSLAND (TERM)	TERM	A-	5,000,000	3.41%	3.41%	15%
BENDIGO AND ADELAIDE BANK (TERM)	TERM	A-	4,000,000	2.73%	2.73%	15%
CITIBANK (TERM)	TERM	AA-	-	0.00%	0.00%	20%
COMMONWEALTH BANK (TERM)	TERM	AA-	23,020,942	15.72%		
COMMONWEALTH BANK (COVERED BOND)	BOND	AAA	-	0.00%		
COMMONWEALTH BANK (RETAIL BOND)	BOND	AA	2,000,000	1.37%		
COMMONWEALTH BANK (FRN)	FRN	AA	-	0.00%	17.08%	20%
ING BANK (TERM)	TERM	A-	-	0.00%	0.00%	15%
MACQUARIE BANK (TERM)	TERM	A	2,000,000	1.37%	1.37%	15%
NAB (TERM)	TERM	AA-	27,497,748	18.77%	18.77%	20%
RABODIRECT (TERM)	TERM	AA	500,000	0.34%	0.34%	15%
ST GEORGE BANK (TERM)	TERM	AA-	2,400,000	1.64%	1.64%	20%
SUNCORP METWAY LTD (TERM)	TERM	A+	14,300,000	9.76%	9.76%	15%
WESTPAC (MAXI BONUS 1)	11AM	AA-	2,318,978	1.58%		
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,019,103	0.70%		
WESTPAC (MAXI DIRECT)	11AM	AA-	1,700,000	1.16%		
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	1,000,000	0.68%		
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000	1.37%		
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	5,000,000	3.41%		
WESTPAC (FRTD)	FRTD	AA-	1,000,000	0.68%		
WESTPAC (TERM)	TERM	AA-	10,000,000	6.83%	16.41%	20%
UNITS IN LOCAL GOVT HOUSE	NA	NA	230,645	0.16%	0.16%	
			<b>146,487,416</b>	<b>100%</b>	<b>100%</b>	
MATURITY COMPARISON						
TERM to MATURITY	AMOUNT \$	ACTUAL PROPORTION	MAX. % IN ANY ONE YEAR	Comments		
MUNICIPAL & TRUST FUNDS						
< 1 year	48,531,502	100%	100%			
	<b>48,531,502</b>	<b>100%</b>				
RESERVE FUNDS						
< 1 year	97,527,522	100%	100%			
	<b>97,527,522</b>	<b>100%</b>				

**C16/6000 - INVESTMENT STATEMENTS FOR NOVEMBER 2015 (REC)**

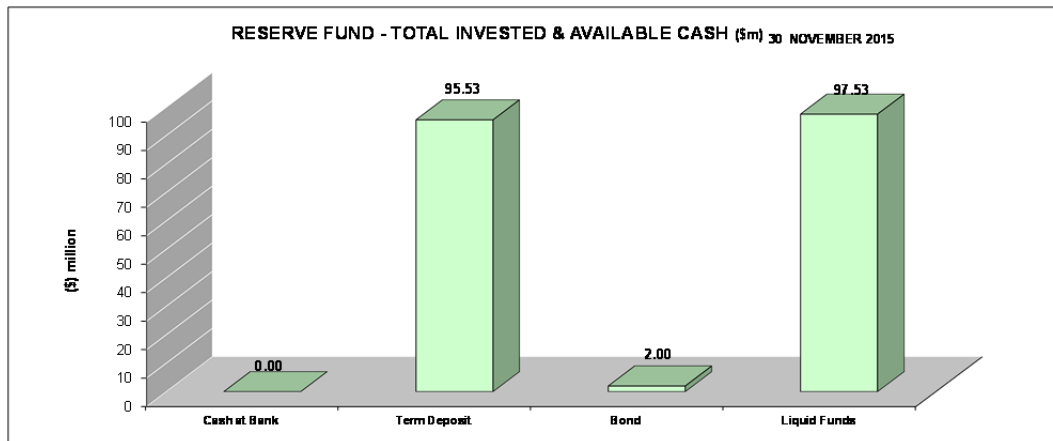


**Net Funds Held**

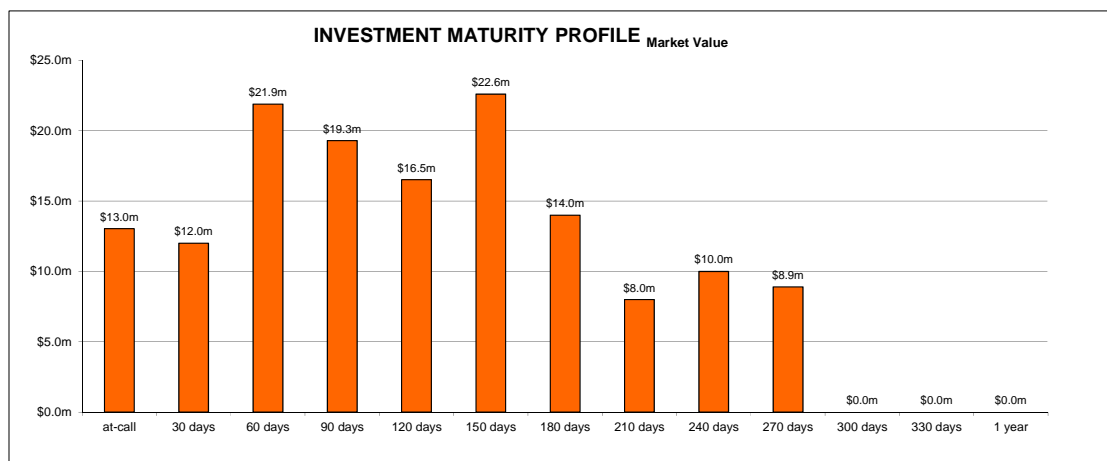
The graphs below summarise the Municipal Fund working capital and available cash and the funds held in the Reserve Fund as at 30 November 2015.



**C16/6000 - INVESTMENT STATEMENTS FOR NOVEMBER 2015 (REC)**



The graph below summarises the maturity profile of the City's investments at market value as at 30 November 2015.



## STAKEHOLDER ENGAGEMENT

### I. COMMUNITY

This report is available to the public on the City's web-site and hard copies of this agenda and attachments are available for viewing at the City's five public libraries.

### II. OTHER AGENCIES / CONSULTANTS

Not applicable.

**C16/6000 - INVESTMENT STATEMENTS FOR NOVEMBER 2015 (REC)**

**STATUTORY AND LEGAL IMPLICATIONS**

The following legislation is relevant to this report:

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

**FINANCIAL IMPLICATIONS**

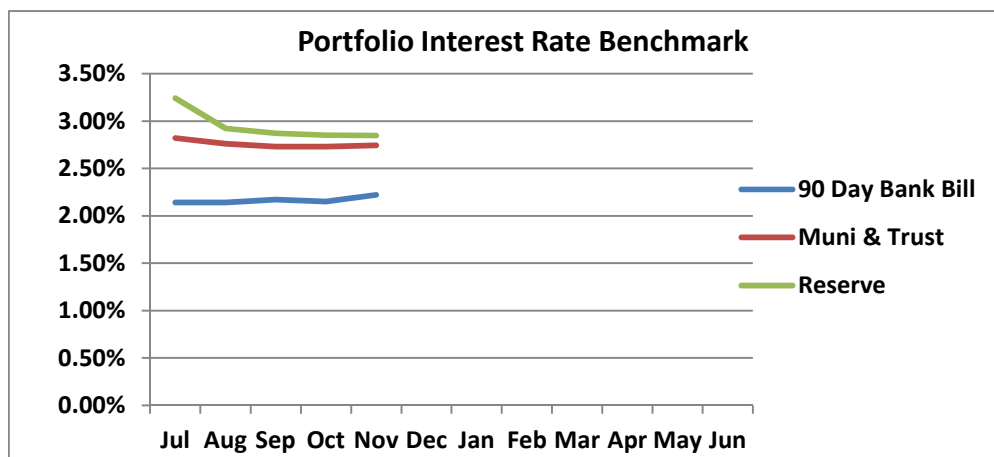
For the period ending 30 November 2015:

- Investment earnings on Municipal and Trust Funds were \$496,867 against a year to date budget of \$339,583 representing a \$157,284 positive variance.

The weighted average interest rate for Municipal and Trust Fund investments as at 30 November 2015 was 2.74% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 2.22%.

- Investment earnings on Reserve accounts were \$1,211,192 against a year to date budget of \$1,041,667 representing a \$169,525 positive variance.

The weighted average interest rate for Reserve account investments as at 30 November 2015 was 2.85% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 2.22%.



**C16/6000 - INVESTMENT STATEMENTS FOR NOVEMBER 2015 (REC)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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.

The interest rate risk is high due to the short-term nature of the City's investments and the inability, due to legislative restrictions, to lock into longer dated investments which attract higher interest rates and help reduce exposure to reductions in interest rates.

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

**POLICY IMPLICATIONS**

Council Policy CP-009 – Investment of Funds.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

The City's investment portfolio is invested in highly secure investments that are returning low investment returns. These return's are however commensurate with the low level of risk of the portfolio.

Future investment earnings are expected to continue to decrease when compared to previous years as interest rates continue to stay low, new restrictions put on banks by the regulators and the legislative restrictions that have been implemented by the State Government limiting term deposits to a maximum term of 12 months, resulting in the City not being able to invest in term deposits with the higher interest rates that are available on longer term investments.

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

**That the Investment Report for the month of November 2015 be noted.**

At 9.47pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**C16/6000 - INVESTMENT STATEMENTS FOR DECEMBER 2015 (REC)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the investment statements for the period ending 31 December 2015 for the Council's information and noting.

**C16/6000 - INVESTMENT STATEMENTS FOR DECEMBER 2015 (REC)**

**BACKGROUND**

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

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

**DETAIL**

Summary details of investments held as at 31 December 2015 are shown in the tables below.

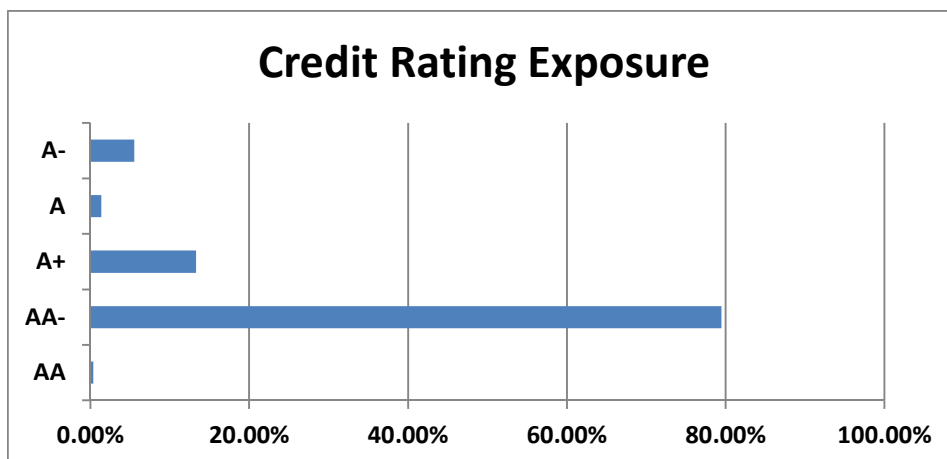
CITY OF MELVILLE	
STATEMENT OF INVESTMENTS	
FOR THE PERIOD ENDING 31 DECEMBER 2015	
SUMMARY BY FUND	AMOUNT \$
MUNICIPAL	\$ 47,453,130
RESERVE	\$ 97,527,522
TRUST	\$ 313,411
CITIZEN RELIEF	\$ 197,748
	<b>\$ 145,491,811</b>
SUMMARY BY INVESTMENT TYPE	AMOUNT \$
11AM	\$ 9,042,475
31DAYS AT CALL	\$ 1,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 5,000,000
TERM DEPOSIT	\$ 127,218,690
BOND	\$ -
FRTD	\$ 1,000,000
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 145,491,811</b>
SUMMARY BY CREDIT RATING	AMOUNT \$
AA	\$ 500,000
AA-	\$ 115,461,166
A+	\$ 19,300,000
A	\$ 2,000,000
A-	\$ 8,000,000
BBB+	\$ -
UNITS (Local Govt Hse)	\$ 230,645
	<b>\$ 145,491,811</b>



**C16/6000 - INVESTMENT STATEMENTS FOR DECEMBER 2015 (REC)**

The following statements detail the investments held by the City for the period ending 31 December 2015.

STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 31 DECEMBER 2015					
INSTITUTION / INVESTMENT	INVESTMENT TYPE	Interest Rate %	S & P RATING	AMOUNT \$	MATURITY DATE
BANKWEST (11AM)	11AM	2.50%	AA-	\$0	On call
WESTPAC (MAXI DIRECT)	11AM	1.70%	AA-	\$5,700,000	On call
WESTPAC (MAXI BONUS 1)	11AM	1.95%	AA-	\$2,322,031	On call
WESTPAC (MAXI BONUS 2)	11AM	1.95%	AA-	\$1,020,444	On call
				<b>\$9,042,475</b>	
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	2.15%	AA-	\$1,000,000	On call
				<b>\$1,000,000</b>	
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	2.95%	AA-	\$2,000,000	On call
				<b>\$2,000,000</b>	
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	3.05%	AA-	\$5,000,000	On call
				<b>\$5,000,000</b>	
BANK OF QUEENSLAND (TERM)	TERM	Various	A-	\$4,000,000	Various
BANKWEST (TERM)	TERM	Various	AA-	\$16,000,000	Various
BENDIGO AND ADELAIDE BANK (TERM)	TERM	Various	A-	\$4,000,000	Various
CITIBANK (TERM)	TERM	Various	AA-	\$0	Various
COMMONWEALTH BANK (TERM)	TERM	Various	AA-	\$23,020,942	Various
AMP BANK (TERM)	TERM	Various	A+	\$5,000,000	Various
ANZ BANK (TERM)	TERM	Various	AA-	\$20,500,000	Various
ING BANK (TERM)	TERM	Various	A-	\$0	Various
MACQUARIE BANK (TERM)	TERM	Various	A	\$2,000,000	Various
NAB (TERM)	TERM	Various	AA-	\$27,497,748	Various
RABODIRECT (TERM)	TERM	Various	AA	\$500,000	Various
ST GEORGE BANK (TERM)	TERM	Various	AA-	\$2,400,000	Various
SUNCORP METWAY LTD (TERM)	TERM	Various	A+	\$14,300,000	Various
WESTPAC (TERM)	TERM	Various	AA-	\$8,000,000	Various
				<b>\$127,218,690</b>	
WESTPAC (FRTD)	FRTD	2.80%	AA-	\$1,000,000	Various
				<b>\$1,000,000</b>	
UNITS IN LOCAL GOVT HOUSE	NA	NA	NA	\$230,645	NA
<b>TOTAL FUNDS INVESTED</b>				<b>\$145,491,811</b>	
<b>CREDIT RISK COMPARISON</b>					
CREDIT RISK	AMOUNT \$	ACTUAL PROPORTION	MAX. % AMOUNT IN TOTAL PORTFOLIO	Comments	
AA	\$500,000	0%	80%		
AA-	\$115,461,166	79%	80%		
A+	\$19,300,000	13%	50%		
A	\$2,000,000	1%	50%		
A-	\$8,000,000	5%	50%		
BBB+	\$0	0%	20%		
UNITS IN LOCAL GOVT: HOUSE	\$230,645	0%	0.1%	Council Decision	
<b>TOTAL</b>	<b>145,491,811</b>	<b>100%</b>			

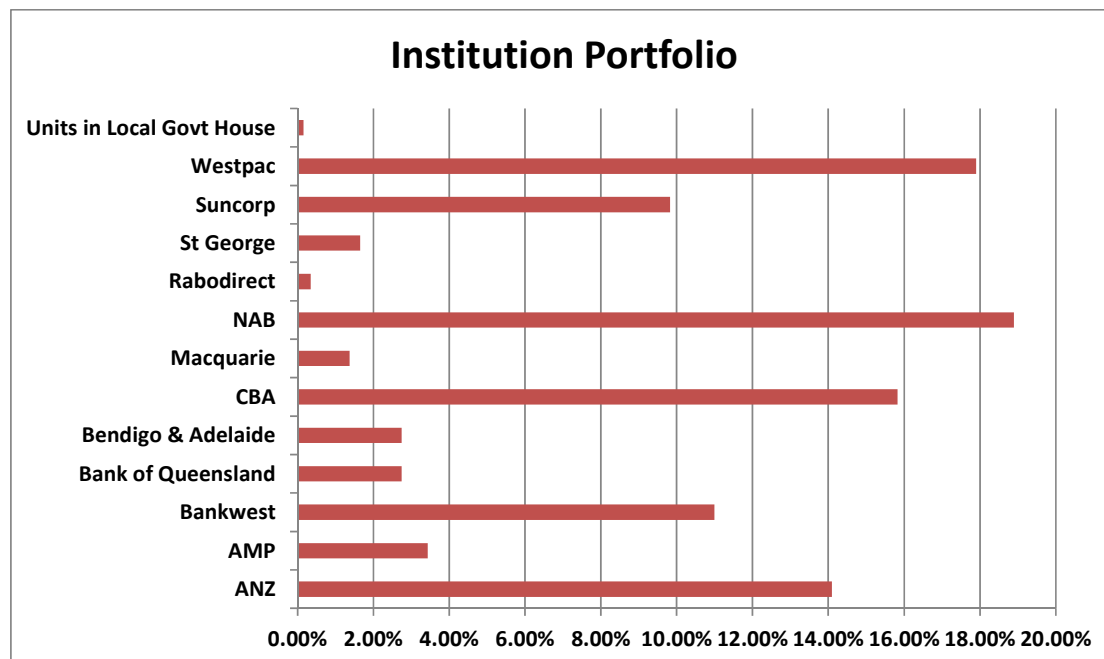


**C16/6000 - INVESTMENT STATEMENTS FOR DECEMBER 2015 (REC)**

DIVERSIFICATION RISK						
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT	\$	ACTUAL PROPORTION	INSTITUTION PROPORTION
ANZ BANK (TERM)	TERM	AA-	20,500,000		14.09%	14.09%
AMP BANK (TERM)	TERM	A+	5,000,000		3.44%	3.44%
BANKWEST (11AM)	11AM	AA-	-		0.00%	
BANKWEST (TERM)	TERM	AA-	16,000,000		11.00%	11.00%
BANK OF QUEENSLAND (TERM)	TERM	A-	4,000,000		2.75%	2.75%
BENDIGO AND ADELAIDE BANK (TERM)	TERM	A-	4,000,000		2.75%	2.75%
CITIBANK (TERM)	TERM	AA-	-		0.00%	0.00%
COMMONWEALTH BANK (TERM)	TERM	AA-	23,020,942		15.82%	
COMMONWEALTH BANK (COVERED BOND)	BOND	AAA	-		0.00%	
COMMONWEALTH BANK (RETAIL BOND)	BOND	AA	-		0.00%	
COMMONWEALTH BANK (FRN)	FRN	AA	-		0.00%	15.82%
ING BANK (TERM)	TERM	A-	-		0.00%	0.00%
MACQUARIE BANK (TERM)	TERM	A	2,000,000		1.37%	1.37%
NAB (TERM)	TERM	AA-	27,497,748		18.90%	18.90%
RABODIRECT (TERM)	TERM	AA	500,000		0.34%	0.34%
ST GEORGE BANK (TERM)	TERM	AA-	2,400,000		1.65%	1.65%
SUNCORP METWAY LTD (TERM)	TERM	A+	14,300,000		9.83%	9.83%
WESTPAC (MAXI BONUS 1)	11AM	AA-	2,322,031		1.60%	
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,020,444		0.70%	
WESTPAC (MAXI DIRECT)	11AM	AA-	5,700,000		3.92%	
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	1,000,000		0.69%	
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000		1.37%	
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	5,000,000		3.44%	
WESTPAC (FRTD)	FRTD	AA-	1,000,000		0.69%	
WESTPAC (TERM)	TERM	AA-	8,000,000		5.50%	17.90%
UNITS IN LOCAL GOVT HOUSE	NA	NA	230,645		0.16%	0.16%
			<b>145,491,811</b>		<b>100%</b>	<b>100%</b>

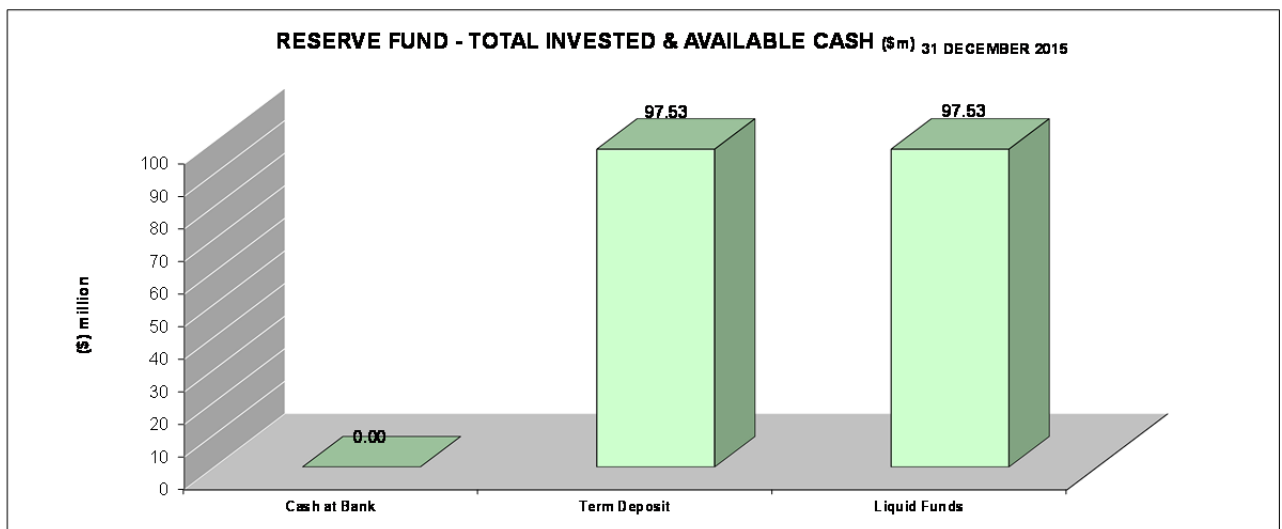
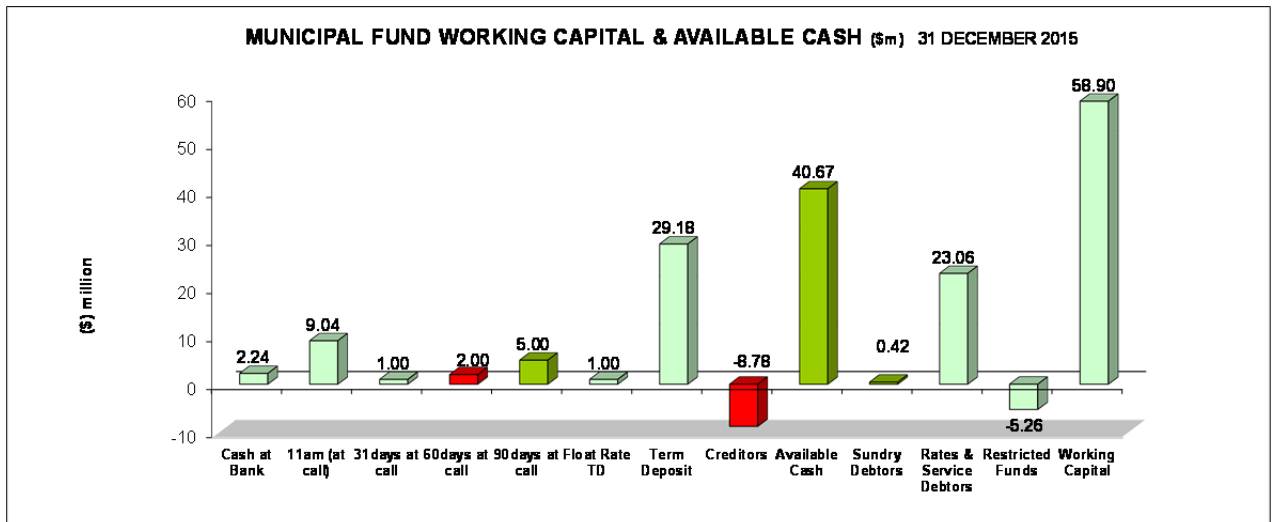
MATURITY COMPARISON				
TERM to MATURITY	AMOUNT	\$	ACTUAL PROPORTION	MAX. % IN ANY ONE YEAR
MUNICIPAL & TRUST FUNDS				
< 1 year	47,535,896		100%	100%
	<b>47,535,896</b>		<b>100%</b>	
RESERVE FUNDS				
< 1 year	97,527,522		100%	100%
	<b>97,527,522</b>		<b>100%</b>	



**C16/6000 - INVESTMENT STATEMENTS FOR DECEMBER 2015 (REC)**

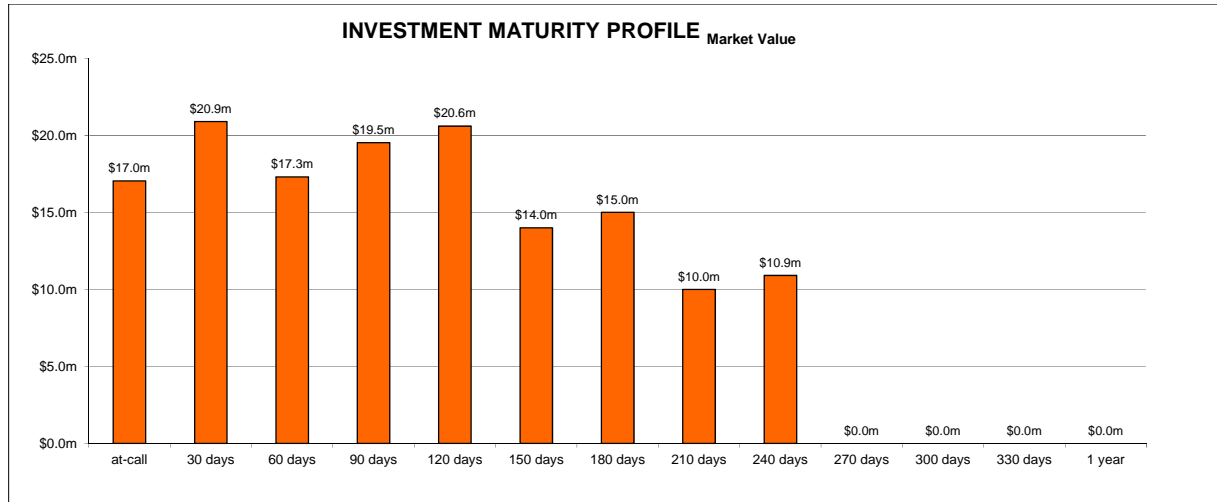
**Net Funds Held**

The graphs below summarise the Municipal Fund working capital and available cash and the funds held in the Reserve Fund as at 31 December 2015.



## C16/6000 - INVESTMENT STATEMENTS FOR DECEMBER 2015 (REC)

The graph below summarises the maturity profile of the City's investments at market value as at 31 December 2015.



## STAKEHOLDER ENGAGEMENT

### I. COMMUNITY

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### II. OTHER AGENCIES / CONSULTANTS

Not applicable.

## STATUTORY AND LEGAL IMPLICATIONS

The following legislation is relevant to this report:

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

## C16/6000 - INVESTMENT STATEMENTS FOR DECEMBER 2015 (REC)

### FINANCIAL IMPLICATIONS

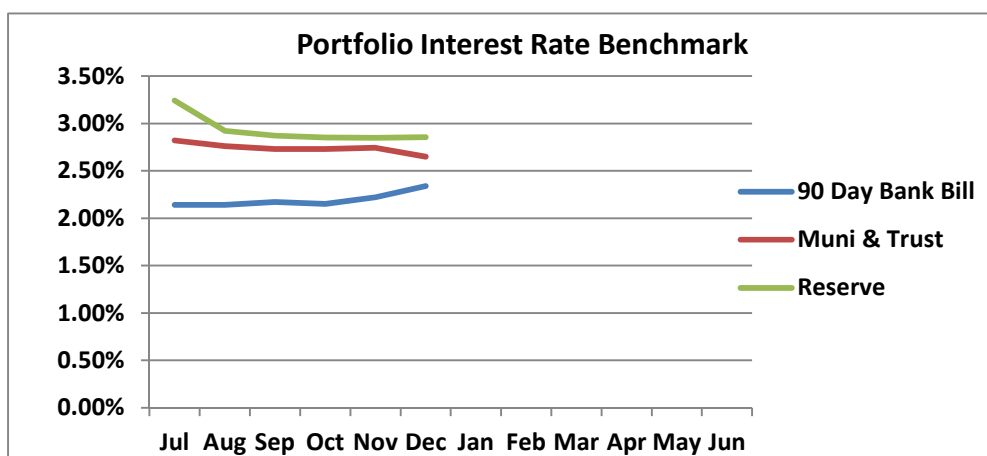
For the period ending 31 December 2015:

- Investment earnings on Municipal and Trust Funds were \$573,436 against a year to date budget of \$407,500 representing a \$165,936 positive variance.

The weighted average interest rate for Municipal and Trust Fund investments as at 31 December 2015 was 2.65% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 2.34%.

- Investment earnings on Reserve accounts were \$1,462,077 against a year to date budget of \$1,249,999 representing a \$212,078 positive variance.

The weighted average interest rate for Reserve account investments as at 31 December 2015 was 2.85% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 2.34%.



### STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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.

The interest rate risk is high due to the short-term nature of the City's investments and the inability, due to legislative restrictions, to lock into longer dated investments which attract higher interest rates and help reduce exposure to reductions in interest rates.

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

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**C16/6000 - INVESTMENT STATEMENTS FOR DECEMBER 2015 (REC)****POLICY IMPLICATIONS**

Council Policy CP-009 – Investment of Funds.

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

The City's investment portfolio is invested in highly secure investments that are returning low investment returns. These return's are however commensurate with the low level of risk of the portfolio.

Future investment earnings are expected to continue to decrease when compared to previous years as interest rates continue to stay low, new restrictions put on banks by the regulators and the legislative restrictions that have been implemented by the State Government limiting term deposits to a maximum term of 12 months, resulting in the City not being able to invest in term deposits with the higher interest rates that are available on longer term investments.

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

**That the Investment Report for the month of December 2015 be noted.**

At 9.47pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR NOVEMBER 2015 (REC)**  
**(ATTACHMENT)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the details of payments made under delegated authority to suppliers for the month of November 2015 and recommends that the Schedule of Accounts Paid be noted.



**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR NOVEMBER 2015 (REC)**  
**(ATTACHMENT)**

**BACKGROUND**

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

**DETAIL**

The Schedule of Accounts Paid for the month ending 30 November 2015 ([6001 November 2015](#)), including Payment Registers numbers, Cheques 488 to 494 and Electronic Funds Transfers batches 382 to 384 was distributed to the Elected Members of Council on 29 January 2016.

Payments in excess of \$25,000 for the month are detailed as follows:

Supplier Name	Remittance Number	Remittance Details	Amount
Action Asbestos Removals	E046864	Demolition at Attadale Pre Primary, 3 Willcock Street & Canning Bridge Senior Citizens Centre	\$91,223.00
Asphaltech Pty Ltd	E047168	Road resurfacing at Pulo Road, Adamson Road, Dean Road & Canning Avenue	\$432,716.63
Asset Infrastructure Management Pty Ltd	E047187	Stormwater drainage inspections	\$40,018.00
Bucher Municipal Pty Ltd	E046766	Purchase of Bucher RT655 Road Sweeper & servicing of equipment	\$377,705.74
Calibre Coatings Pty Ltd	E046802 & E047067	Painting at Walters River Café, John Connell Reserve, Riseley Centre, 2 Hickey Street, 4 Hickey Street, 6 Hickey Street & 8 Hickey Street	\$70,593.60
City of Cockburn	E047012	Tip fees for October	\$164,330.02
Dowsing Concrete	E047000 & E047242	Concrete works	\$28,868.86
DVG Midland City	Chq 063378	Purchase of Kia Sorrento 2.2L Four Wheel Drive Wagon	\$41,386.55
EMSO Maintenance T/A Crabclaw Holdings Pty Ltd	E046825 & E047082	Building maintenance	\$104,513.56
Envisionware Pty Ltd	E046858 & E047108	Installation of 5 Coin & Bill Acceptors for Libraries & subscription fees	\$26,147.00
Fire & Emergency Services Authority WA	E047162	ESL remittance for October	\$1,270,223.05
Flexi Staff	E046780 & E047045	Temporary employment	\$30,299.71
Fredon Air Pty Ltd	E046959 & E047203	Service & repairs to air conditioners City wide	\$63,346.42
Hydroquip Pumps	E046789 & E047054	Irrigation pumps & pump repairs at various locations	\$60,038.00
Infor Global Solutions	E046869 & E047122	Implementation of Pathway Smart Mobile & assistance with server move	\$47,319.02
Major Motors Pty Ltd	E046767 & E047022	Purchase of Isuzu NRP400 Crew Cab Truck & servicing of vehicles	\$69,107.85
Marketforce	E046888 & E047139	Advertisements	\$35,001.44

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR NOVEMBER 2015 (REC)**  
**(ATTACHMENT)**

<b>Supplier Name</b>	<b>Remittance Number</b>	<b>Remittance Details</b>	<b>Amount</b>
Melville City Hockey Club Incorporated	E047208	Contribution to temporary change rooms at Morris Buzzacott Reserve	\$94,490.00
Melville Subaru	E047058	Purchase of 3 Subaru Impreza 2.0L Hatchback's	\$71,070.20
Pearmans Electrical & Mechanical Services	E046891 & E047144	Electrical services	\$29,001.38
Rhysco Electrical Services	E046878 & E047132	Electrical services	\$39,956.40
SirsiDynix Pty Ltd	E047040	Software	\$35,457.23
Southern Metropolitan Regional Council	E047101	MSW gate fees for October, mixed recyclables for October & green waste gate fees for October	\$814,617.68
Synergy	E046779 & E047044	Electricity charges	\$295,114.12
Titan Ford	E046804 & E047068	Purchase of 2 Ford Focus Hatchback's & servicing of vehicles	\$48,522.55
Tree Amigos Tree Surgeons	E046877 & E047130	Tree lopping services	\$39,688.90
Triton Electrical Contractors Pty Ltd	E046917	Electrical services for irrigation cubicles	\$43,848.40
Turfmaster	E046775 & E047038	Mowing maintenance & herbicide application to various reserves	\$66,149.13
Water Corporation	Chq's 063265 & 063369	Water charges	\$38,895.20
Western Power	E046778	Cash call 6 for Ardross East, cash call 2 for Melville South & design fee for Riseley Street	\$1,451,708.50
Young's Plumbing Service Pty Ltd	E046865 & E047117	Building maintenance	\$43,991.69

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

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**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR NOVEMBER 2015 (REC)**  
**(ATTACHMENT)****STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

This is a regular monthly report for Elected Members' information.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001)****NOTING**

**That the Council notes the Schedule of Accounts paid for the month ending 30 November 2015 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 November 2015](#)**

At 9.47pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR DECEMBER 2015 (REC)**  
**(ATTACHMENT)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents the details of payments made under delegated authority to suppliers for the month of December 2015 and recommends that the Schedule of Accounts Paid be noted.

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR DECEMBER 2015 (REC)**  
**(ATTACHMENT)**

**BACKGROUND**

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

**DETAIL**

The Schedule of Accounts Paid for the period ending 5 January 2016 ([6001 December 2015](#)), including Payment Registers numbers, Cheques 495 to 498 and Electronic Funds Transfers batches 385 to 386 was distributed to the Elected Members of Council on 29 January 2016.

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

Supplier Name	Remittance Number	Remittance Details	Amount
Arterial Design Pty Ltd	E047473	50% of fabrication for War Memorial Project	\$26,400.00
Australian Visual Hardware	Chq 063514	Purchase of Roland XR640 Pro 4 Series sign printer	\$36,934.81
Bucher Municipal Pty Ltd	E047257 & E047547	Replaced drawer panel assembly to waste truck & minor repairs	\$29,984.00
City of Cockburn	E047540	Tip fees for November 15	\$144,989.09
Dickies Tree Service	E047250 & E047542	Tree lopping services	\$41,806.68
Dowsing Concrete	E047671	Concrete footpath, damaged kerb & kerbing	\$42,839.37
Emso Maintenance T/A Crabclaw Holdings Pty Ltd	E047329 & E047581	Building maintenance, refurbishment of clubrooms at Beasley Reserve	\$117,199.92
Excel Kerbing	E047382 & E047606	Kerbing	\$32,497.85
Fire & Emergency Services Authority WA	E047413	ESL remittance for November 15	\$402,795.06
Flexi Staff	E047280 & E047559	Temporary employment	\$31,437.57
Hydroquip Pumps	E047288 & E047563	Irrigation pumps & repairs at various areas	\$83,890.82
Major Motors Pty Ltd	E047258	2 x Isuzu NPR400 Crew Cab Tipper Trucks	\$131,446.05
Pentagon Systems Pty Ltd	Chq 063508	Traffic counters	\$27,104.00
Perfekt Pty Ltd	E047611	HDPS capacity licence conversion commcell	\$40,333.70
RBM Drilling	E047306	Drilling of bores at Heathcote Reserve & Jim Ainsworth Reserve	\$47,443.00
Rhysco Electrical Services	E047378 & E047601	Electrical services at various locations	\$55,503.53
Roads 2000 Pty Ltd	E047424 & E047623	Road resurfacing to Murdoch Drive	\$49,758.56
Sifting Sands	E047527	Maintenance to sandpits City wide	\$28,599.16
Southern Metropolitan Regional Council	E047347 & E047589	MSW gate fees for December 15, green waste gate fees for December 15, RRRC loan repayment for December 15 & sale of mixed recyclables for November 15	\$1,175,571.18

**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR DECEMBER 2015 (REC)**  
**(ATTACHMENT)**

<b>Supplier Name</b>	<b>Remittance Number</b>	<b>Remittance Details</b>	<b>Amount</b>
Synergy	E047279 & E047558	Electricity charges City wide	\$311,238.45
TJS Cleaning Services Perth Pty Ltd	E047442	Cleaning of LeisureFit Booragoon & LeisureFit Melville	\$52,280.84
T-Quip Turf Equipment Solutions	E047265	Purchase of Toro Groundmaster 360 Quad Mower	\$33,699.85
Triton Electrical Contractors Pty Ltd	E047418 & E047618	Electrical contractors for various locations	\$38,355.86
Ultimo Catering & Events Pty Ltd	E047464 & E047644	Catering services	\$40,830.55
WA Australian Electoral Commission	E047285	Local Government election expenses for October 15	\$202,632.46
Water Corporation	Chq's 063498 & 063623	Water charges	\$39,629.12

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

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**C16/6001 – SCHEDULE OF ACCOUNTS PAID FOR DECEMBER 2015 (REC)**  
**(ATTACHMENT)****ALTERNATE OPTIONS AND THEIR IMPLICATIONS**

Not applicable.

**CONCLUSION**

This is a regular monthly report for Elected Members' information.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6001)****NOTING**

**That the Council notes the Schedule of Accounts paid for the period ending 5 January 2016 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 December 2015](#)**

At 9.47pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY EN BLOC (13/0)**



**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2015 (AMREC)**  
**(ATTACHMENTS)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents:

- The Statements of Financial Activity for the period ending 30 November 2015 and recommends that they be noted by the Council.
- Budget amendments for the period ending 30 November 2015 and recommends that they be adopted by Absolute Majority decision of the Council.
- The variances for the month of November 2015 and recommends that they be noted by the Council.

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2015 (AMREC)**  
**(ATTACHMENTS)**

**BACKGROUND**

The Statements of Financial Activity for the period ending 30 November 2015 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

**DETAIL**

The attached reports have been prepared in compliance with the requirements of the legislation and Council policy.

For the period ending 30 November 2015, net operating positive variances of \$5.507 million and net capital positive variances of \$1.501 million were recorded.

**Variances**

A summary of variances and comments are provided in attachment [6002H November 2015](#).

**Revenue**

\$80.857 million in Rates was raised to 30 November 2015. This is compared with a revised year to date budget of \$80.598 million, resulting in a positive variance of \$259k.

CITY OF MELVILLE RATE SETTING STATEMENT STATEMENT OF VARIANCES IN EXCESS OF \$50,000							
	November Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
<b>Revenues</b>							
General Purpose Funding	903,310	6,771,050	6,598,442	(172,608)	-3%	10,579,550	10,579,550
Law, Order, Public Safety	50,697	2,347,397	2,407,666	60,269	3%	2,503,484	2,503,484
Community Amenities	118,322	2,126,796	2,284,697	157,901	7%	3,205,507	3,076,624
Recreation and Culture	636,360	3,292,930	3,383,014	90,084	3%	8,286,606	8,290,606
Transport	243,240	1,353,775	1,423,663	69,889	5%	3,124,779	3,693,266
Economic Services	231,717	1,455,666	1,632,640	176,974	12%	2,803,255	2,803,255
Other Property and Services	(60,750)	375,414	606,290	230,876	61%	3,374,667	3,587,667
	2,171,385	18,106,528	18,829,040	915,604	4%	31,697,763	32,354,367
<b>Expenses</b>							
Governance	(271,866)	(1,711,914)	(1,301,404)	410,510	-24%	(4,195,642)	(4,482,256)
General Purpose Funding	(71,451)	(2,672,021)	(2,917,884)	(245,863)	9%	(4,243,834)	(4,953,336)
Law, Order, Public Safety	(317,295)	(1,485,459)	(1,432,565)	52,895	-4%	(3,807,299)	(3,801,844)
Education & Welfare	(130,979)	(1,119,241)	(1,012,184)	107,057	-10%	(2,899,612)	(2,862,579)
Community Amenities	(1,607,315)	(10,330,592)	(8,768,200)	1,562,392	-15%	(24,390,165)	(24,839,395)
Recreation and Culture	(823,855)	(11,340,211)	(10,611,363)	728,848	-6%	(29,594,045)	(28,968,802)
Transport	(704,068)	(3,809,209)	(3,181,893)	627,316	-16%	(8,903,681)	(9,260,431)
Economic Services	(224,667)	(862,605)	(1,030,278)	(167,673)	19%	(2,142,783)	(2,142,783)
Other Property and Services	2,281,632	(9,198,359)	(8,170,931)	1,027,428	-11%	(20,130,413)	(20,344,916)
	(1,952,515)	(42,986,531)	(38,845,540)	6,062,012	-10%	(101,412,725)	(102,763,774)
<b>Capital Revenue &amp; Expenditure</b>							
Purchase of Furniture & Equipment	(225,995)	(1,202,700)	(845,458)	357,242	-30%	(1,476,120)	(2,585,834)
Purchase of Plant & Equipment	(599,377)	(1,030,369)	(972,651)	57,718	-6%	(4,496,368)	(5,334,368)
Purchase of Infrastructure Assets	(856,272)	(5,344,569)	(4,064,497)	1,280,073	-24%	(16,644,956)	(21,456,907)

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2015 (AMREC)**  
**(ATTACHMENTS)****Money Expended in an Emergency and Unbudgeted Expenditure**

Not applicable for November 2015.

**Budget Amendments**

Details of Budget Amendments requested for the month of November 2015 are shown in attachment [6002J November 2015](#). Highlighted are six budget amendment journals greater than \$50,000 that were processed in November 2015.

- \$75,000 – Transfer surplus from Shirley Strickland re-drilling Bore Project to Urban Forest Renewal.
- \$71,724 – Transfer for salaries and related costs from responsible officer Director Technical Services to Manager Asset Management.
- \$297,030 – Transfer of six Parks staff salaries and related costs to Arboriculture.
- \$186,977 – Transfer surplus from Jeff Joseph Reserve Cycleway to Murdoch Drive Path.
- \$707,805 – Depreciation Adjustment to match actuals in the non fleet assets register.
- \$138,417 – Depreciation Adjustment to match actuals in fleet assets register.

**Rates Collections and Debtors**

Details of Rates and Sundry Debtors are shown in attachments 6002L, 6002M and 6002N. Rates, Refuse, Fire and Emergency Service Authority & Underground Power payments totalling \$2,639,903 was collected over the course of the month. Rates collection progress for the month of November is 2.2% below target which represents a dollar value of \$1,865,802. As at 30 November, 73.8% of 2015/2016 rates had been collected. This was 2.2% less than collected for the same time last year.

Total sundry debtor balances decreased by \$20,586 over the course of the month from \$512,494 to \$491,908. The 90+ day's debtor balance decreased by \$106,980 from \$166,789 to \$59,508.

**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.

Three sundry debts, being two firebreak charges and one commercial waste charge, totalling \$685.08 were written off under delegated authority in the month of November 2015, as we had been advised by our debt collectors that these debts were not feasible to collect.

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2015 (AMREC)  
(ATTACHMENTS)**

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

DESCRIPTION	LINK
Rate Setting Statement November 2015	<a href="#">6002A November 2015</a>
Statement of Financial Activity – November 2015	<a href="#">6002B November 2015</a>
Representation of Net Working Capital – November 2015	<a href="#">6002E November 2015</a>
Reconciliation of Net Working Capital – November 2015	<a href="#">6002F November 2015</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – November 2015	<a href="#">6002H November 2015</a>
Details of Budget Amendments requested – November 2015	<a href="#">6002J November 2015</a>
Summary of Rates Debtors – November 2015	<a href="#">6002L November 2015</a>
Graph Showing Rates Collections – November 2015	<a href="#">6002M November 2015</a>
Summary of General Debtors aged 90 Days Old or Greater – November 2015	<a href="#">6002N November 2015</a>

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2015 (AMREC)**  
**(ATTACHMENTS)****34. Financial activity statement report — s. 6.4**

(1A) In this regulation — **committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.

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

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

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

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

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

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

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

The variance adopted by the Council is 10% or \$50,000 whichever is greater.

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

**FINANCIAL IMPLICATIONS**

Variances are dealt with in attachment [6002H November 2015](#) (Notes on Statement of Variances in excess of \$50,000).

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR NOVEMBER 2015 (AMREC)  
(ATTACHMENTS)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no identifiable strategic, risk and environmental management implications arising from this report.

**POLICY IMPLICATIONS**

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

**CONCLUSION**

The attached financial reports reflect a positive financial position of the City of Melville as at 30 November 2015.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (6002)  
ABSOLUTE MAJORITY**

At 9.20pm Cr Schuster moved, seconded Cr Woodall –

**That the Council:**

- Note the Rate Setting Statement and Statements of Financial Activity for the month ending 30 November 2015 as detailed in the following attachments:**

DESCRIPTION	LINK
Rate Setting Statement November 2015	<a href="#">6002A November 2015</a>
Statement of Financial Activity – November 2015	<a href="#">6002B November 2015</a>
Representation of Net Working Capital – November 2015	<a href="#">6002E November 2015</a>
Reconciliation of Net Working Capital – November 2015	<a href="#">6002F November 2015</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – November 2015	<a href="#">6002H November 2015</a>
Details of Budget Amendments requested – November 2015	<a href="#">6002J November 2015</a>
Summary of Rates Debtors – November 2015	<a href="#">6002L November 2015</a>
Graph Showing Rates Collections – November 2015	<a href="#">6002M November 2015</a>
Summary of General Debtors aged 90 Days Old or Greater – November 2015	<a href="#">6002N November 2015</a>

- By Absolute Majority Decision adopt the budget amendments, as listed in the Budget Amendment Reports for November 2015, as detailed in attachment [6002J November 2015](#).**

At 9.21pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**



**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2015 (AMREC)**  
**(ATTACHMENTS)**

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

**AUTHORITY / DISCRETION**

**DEFINITION**

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

**KEY ISSUES / SUMMARY**

This report presents:

- The Statements of Financial Activity for the period ending 31 December 2015 and recommends that they be noted by the Council.
- Budget amendments for the period ending 31 December 2015 and recommends that they be adopted by Absolute Majority decision of the Council.
- The variances for the month of December 2015 and recommends that they be noted by the Council.



**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2015 (AMREC)**  
**(ATTACHMENTS)**

**BACKGROUND**

The Statements of Financial Activity for the period ending 31 December 2015 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

**DETAIL**

The attached reports have been prepared in compliance with the requirements of the legislation and Council policy.

For the period ending 31 December 2015, net operating positive variances of \$9.491 million and net capital positive variances of \$1.503 million were recorded.

**Variances**

A summary of variances and comments are provided in attachment [6002H December 2015](#).

**Revenue**

\$83.876 million in Rates was raised to 31 December 2015. This is compared with a revised year to date budget of \$80.602 million, resulting in a positive variance of \$0.274 million.

CITY OF MELVILLE RATE SETTING STATEMENT FOR THE PERIOD ENDED 31 DECEMBER 2015								
	December Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$	Current Commit. \$
<b>Revenue</b>								
Governance	8,371	500	47,697	47,197	9439%	1,000	1,000	-
General Purpose Funding	372,223	7,086,550	6,970,664	(115,886)	-2%	10,579,550	10,579,550	-
Law, Order, Public Safety	36,750	2,359,624	2,444,415	84,792	4%	2,503,484	2,503,484	-
Health	4,877	258,216	291,259	33,043	13%	326,433	326,433	-
Education & Welfare	30,055	131,597	171,088	39,492	30%	234,195	234,195	-
Housing	4,053	31,528	29,938	(1,590)	-5%	61,543	61,543	-
Community Amenities	184,380	2,329,628	2,469,077	139,448	6%	3,205,507	3,156,624	-
Recreation and Culture	666,438	4,110,481	4,049,452	(61,030)	-1%	8,286,606	8,290,606	-
Transport	198,688	1,608,695	1,622,351	13,656	1%	3,124,779	3,693,266	-
Economic Services	157,660	1,565,712	1,790,300	224,589	14%	2,803,255	2,803,255	-
Other Property and Services	115,472	476,707	721,763	245,055	51%	3,374,667	3,587,667	67,762
	1,778,966	19,959,239	20,608,006	893,822	3%	31,697,763	32,434,367	67,762
<b>Expenses</b>								
Governance	(574,173)	(2,277,787)	(1,875,577)	402,211	-18%	(4,195,642)	(4,462,256)	(100,064)
General Purpose Funding	(58,965)	(2,765,234)	(2,976,849)	(211,614)	8%	(4,243,834)	(4,953,336)	(8,084)
Law, Order, Public Safety	(389,446)	(1,885,626)	(1,822,010)	63,616	-3%	(3,807,299)	(3,801,844)	(52,640)
Health	(99,335)	(548,695)	(498,232)	50,463	-9%	(1,071,022)	(1,070,760)	(4,616)
Education & Welfare	(285,535)	(1,386,868)	(1,297,719)	89,149	-6%	(2,899,612)	(2,852,048)	(25,971)
Housing	(3,188)	(20,397)	(23,130)	(2,734)	13%	(34,229)	(37,116)	(196)
Community Amenities	(2,283,812)	(12,635,110)	(11,052,012)	1,583,099	-13%	(24,390,165)	(24,838,830)	(388,557)
Recreation and Culture	(2,487,161)	(14,000,440)	(13,098,611)	901,829	-6%	(29,594,045)	(28,809,795)	(984,707)
Transport	(741,145)	(4,654,512)	(3,923,038)	731,473	-16%	(8,903,681)	(9,260,715)	(548,633)
Economic Services	(247,229)	(1,089,931)	(1,277,507)	(187,576)	17%	(2,142,783)	(2,162,783)	(32,778)
Other Property and Services	(1,705,301)	(11,626,032)	(9,876,232)	1,749,800	-15%	(20,130,413)	(20,465,452)	(422,244)
	(8,875,289)	(52,890,633)	(47,720,917)	8,011,941	-10%	(101,412,725)	(102,714,935)	(2,568,491)
<b>Capital Revenue &amp; Expenditure</b>								
Purchase of Furniture & Equipment	(106,970)	(1,318,702)	(952,427)	366,274	-28%	(1,476,120)	(2,585,834)	(191,941)
Purchase of Plant & Equipment	(200,745)	(1,276,369)	(1,173,396)	102,973	-8%	(4,496,368)	(5,334,368)	(430,881)
Purchase of Land & Buildings	(258,689)	(896,805)	(830,456)	66,349	-7%	(5,153,700)	(6,699,179)	(55,000)
Purchase of Infrastructure Assets	(663,120)	(5,957,681)	(4,727,617)	1,230,065	-21%	(16,644,956)	(21,536,907)	(104,741)

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2015 (AMREC)**  
**(ATTACHMENTS)****Money Expended in an Emergency and Unbudgeted Expenditure**

Not applicable for December 2015.

**Budget Amendments**

Details of Budget Amendments requested for the month of December 2015 are shown in attachment [6002J December 2015](#). Highlighted are five budget amendment journals greater than \$50,000 that were processed in December 2015.

- \$134,492 – Transfer from cancelled Footpath Projects to Murdoch Drive capital project due to change in scope as a result of Fiona Stanley and Murdoch Precinct.
- \$80,000 – New grant funding from Department of Parks & Wildlife for Foreshore Restoration.
- \$204,683 – Transfer from Brockman Avenue and Honour Avenue projects to Melville Beach Road Stage 3 to cover shortfall in funds.
- \$110,000 – Transfer from Road Major Maintenance project to Leach/Murdoch Left Hand Lane Extension.
- \$4,234,869 – To Allocate declared 2014/2015 budget surplus in accordance with Council Item C15/6088.

**Rates Collections and Debtors**

Details of Rates and Sundry Debtors are shown in attachments 6002L, 6002M and 6002N. Rates, Refuse, Fire and Emergency Service Authority & Underground Power payments totalling \$4,650,486 were collected over the course of the month. Rates collection progress for the month of December is 1.4% above target which represents a dollar value of \$1,187,329. As at 31 December 81.4% of 2015/2016 rates had been collected. This is 1.3% more than collected for the same time last year.

Total sundry debtor balances decreased by \$64,538 over the course of the month from \$491,908 to \$427,369. The 90+ day's debtor balance increased by \$26,427 from \$59,508 to \$85,935.

**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.

No debts were written off under delegated authority in the month of December 2015.

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2015 (AMREC)  
(ATTACHMENTS)**

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

DESCRIPTION	LINK
Rate Setting Statement December 2015	<a href="#">6002A December 2015</a>
Statement of Financial Activity – December 2015	<a href="#">6002B December 2015</a>
Representation of Net Working Capital – December 2015	<a href="#">6002E December 2015</a>
Reconciliation of Net Working Capital – December 2015	<a href="#">6002F December 2015</a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – December 2015	<a href="#">6002H December 2015</a>
Details of Budget Amendments requested – December 2015	<a href="#">6002J December 2015</a>
Summary of Rates Debtors – December 2015	<a href="#">6002L December 2015</a>
Graph Showing Rates Collections – December 2015	<a href="#">6002M December 2015</a>
Summary of General Debtors aged 90 Days Old or Greater – December 2015	<a href="#">6002N December 2015</a>

**STAKEHOLDER ENGAGEMENT**

**I. COMMUNITY**

Not applicable.

**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

**STATUTORY AND LEGAL IMPLICATIONS**

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

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

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2015 (AMREC)**  
**(ATTACHMENTS)****34. Financial activity statement report — s. 6.4**

(1A) In this regulation — **committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.

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

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

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

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

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

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

(4) A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

The variance adopted by the Council is 10% or \$50,000 whichever is greater.

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

**FINANCIAL IMPLICATIONS**

Variances are dealt with in attachment [6002H December 2015](#) (Notes on Statement of Variances in excess of \$50,000).

At 9.21pm Cr Pazolli left the meeting and returned at 9.22pm

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2015 (AMREC)  
(ATTACHMENTS)**

**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

There are no identifiable strategic, risk and environmental management implications arising from this report.

**POLICY IMPLICATIONS**

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

**CONCLUSION**

The attached financial reports reflect a positive financial position of the City of Melville as at 31 December 2015.

**OFFICER RECOMMENDATION (6002)**

**ABSOLUTE MAJORITY**

At 9.21pm Cr Schuster moved, seconded Cr Woodall –

**That the Council:**

- Note the Rate Setting Statement and Statements of Financial Activity for the month ending 31 December 2015 as detailed in the following attachments:**

DESCRIPTION	LINK
Rate Setting Statement December 2015	<a href="#"><u>6002A December 2015</u></a>
Statement of Financial Activity – December 2015	<a href="#"><u>6002B December 2015</u></a>
Representation of Net Working Capital – December 2015	<a href="#"><u>6002E December 2015</u></a>
Reconciliation of Net Working Capital – December 2015	<a href="#"><u>6002F December 2015</u></a>
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – December 2015	<a href="#"><u>6002H December 2015</u></a>
Details of Budget Amendments requested – December 2015	<a href="#"><u>6002J December 2015</u></a>
Summary of Rates Debtors – December 2015	<a href="#"><u>6002L December 2015</u></a>
Graph Showing Rates Collections – December 2015	<a href="#"><u>6002M December 2015</u></a>
Summary of General Debtors aged 90 Days Old or Greater – December 2015	<a href="#"><u>6002N December 2015</u></a>

- By Absolute Majority Decision adopt the budget amendments, as listed in the Budget Amendment Reports for December 2015, as detailed in attachment [6002J December 2015](#).**

**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2015 (AMREC)  
(ATTACHMENTS)**

Amendment

At 9.21pm Cr Barling moved, seconded Cr Robartson –

*That the Council include the following words to point 2 of the recommendation after the words “as detailed in attachment [6002J\\_December\\_2015](#),”*

*“with the inclusion of a further budget amendment to increase the budget for the Disaster Relief – Donation/Contributions/Sponsorships cost account 100.25299.7900.000 by \$10,000 with this increase being offset by a reduction in the budget for Special Project Funding Account cost account 100.26419.7550.000 and approves a donation of \$10,000 to the Lord Mayors Distress Relief Fund - Waroona and District Fires Appeal.”*

At 9.22pm the Mayor submitted the amendment, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**COUNCIL RESOLUTION (6002)**

**ABSOLUTE MAJORITY**

**That the Council:**

- Note the Rate Setting Statement and Statements of Financial Activity for the month ending 31 December 2015 as detailed in the following attachments:**

DESCRIPTION	LINK
Rate Setting Statement December 2015	<a href="#">6002A December 2015</a>
Statement of Financial Activity – December 2015	<a href="#">6002B December 2015</a>
Representation of Net Working Capital – December 2015	<a href="#">6002E December 2015</a>
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Summary of Rates Debtors – December 2015	<a href="#">6002L December 2015</a>
Graph Showing Rates Collections – December 2015	<a href="#">6002M December 2015</a>
Summary of General Debtors aged 90 Days Old or Greater – December 2015	<a href="#">6002N December 2015</a>



**C16/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR DECEMBER 2015 (AMREC)  
(ATTACHMENTS)**

- 2. By Absolute Majority Decision adopt the budget amendments, as listed in the Budget Amendment Reports for December 2015, as detailed in attachment [6002J December 2015](#) with the inclusion of a further budget amendment to increase the budget for the Disaster Relief – Donation/Contributions/Sponsorships cost account 100.25299.7900.000 by \$10,000 with this increase being offset by a reduction in the budget for Special Project Funding Account cost account 100.26419.7550.000 and approves a donation of \$10,000 to the Lord Mayors Distress Relief Fund - Waroona and District Fires Appeal.**

At 9.22pm the Mayor submitted the motion

**CARRIED BY ABSOLUTE MAJORITY (13/0)**

Reasons for Amendment

In the 2015/2016 Budget the Council approve a budgetary provision of \$5,000 to donate to disaster appeals. The budget allocation has previously been expended under delegated authority in accordance with Council Policy CP-022 Disaster Appeals and DA-045 Responses to Disaster Appeals, to fund a donation to the Esperance Bush Fire Appeal. The budget amendment is required to provide additional funding should the Council decide to contribute to the Lord Mayors Distress Relief Fund - Waroona and District Fires Appeal.

Currently the policy states that the maximum donation will be \$5,000 per event unless otherwise determined by Council.

## **POLICY STATEMENT**

*“Funding to support disasters is restricted to the total allocation which is determined annually during the budget process, with a maximum amount (unless otherwise determined by Council) of five thousand dollars (\$5,000) to any one incident/appeal.”*

Due to the extent of the Waroona and District bush fire event, a sum of \$10,000 is being recommended by the officers. Should the Council wish to determine a different amount this would also necessitate a change in the amount of the budget variation to match the extent of the donation which is determined by the Council.

Prior to any amendment the Special Projects Funding cost account has a budget of \$255,000. These funds are only used in the event of an unforeseen event such as major storm damage that may occur in the City. Any budgetary funds that have not been expended from this account are carried forward by way of end of year surplus in order to fund the following year's contingency amount.



**15. EN BLOC ITEMS**

At 9.47pm moved Cr Wieland, seconded Cr Aubrey –

**That the recommendations for items P16/3685, T16/3681, M16/5461, M16/5000, C16/6000 (November and December), C16/6001 (November and December), be carried En Bloc.**

At 9.47pm the Mayor submitted the motion, which was declared

**CARRIED UNANIMOUSLY (13/0)**

**16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL**

Nil.

**18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil.

**19. CLOSURE**

There being no further business to discuss, the Mayor declared the meeting closed at 9.50pm.