



**MINUTES
OF THE
ORDINARY MEETING OF THE COUNCIL
HELD ON
TUESDAY 21 APRIL 2015
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, 21 APRIL 2015.

1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:30pm. Mr J Clark, A/Executive Manager Legal Services, 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 N Foxtton
Cr M Reynolds
Cr R Aubrey, Cr D Macphail
Cr R Willis
Cr J Barton, Cr S Taylor-Rees
Cr P Phelan
Cr N Pazolli, Cr C Schuster

WARD

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

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 J Clark	A/Executive Manager Legal Services
Ms L Reid (until 7.31pm)	Manager Cultural Services
Mr P Prendergast	Manager Statutory Planning
Mr N Fimmano	A/Governance & Compliance Program Manager
Ms S Tranchita	Minute Secretary

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

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

Nil

4.2 APPROVED LEAVE OF ABSENCE

Cr C Robartson – Bull Creek/Leeming Ward

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

Nil

PUBLIC APOLOGY

Cr Pazolli sought the leave of the meeting to provide the following Public apology -

“I advise this meeting that:

(1) A complaint has been made to the Local Government Standards Panel about certain conduct by me as a member of this Council, at its meeting held on 9 December 2013 when members of the public were present and immediately before I commenced my speech in relation to the then proposed ((Final Adoption of the Melville City Centre Structure Plan", when I orally made allegations concerning unspecified Councillors of this City; and

(2) The Local Government Standards Panel has considered the complaint, and has made a finding that by this conduct I committed a breach of regulation 7(1)(b) of the Local Government (Rules of Conduct) Regulations 2007 in that I made an improper use of my office as a Council member to cause detriment to Councillors of this City - such detriment being damage or loss to their reputations.

(3) I apologise to my fellow Councillors for my said conduct, and regret any hurt, inconvenience or unpleasantness I have caused to them."

7. AWARDS AND PRESENTATIONS

Nil

8. CONFIRMATION OF MINUTES

8.1 ORDINARY MEETING OF THE COUNCIL – 17 MARCH 2015 **Minutes 17 March 2015**

COUNCIL RESOLUTION

At 6.45pm Cr Reynolds moved, seconded Cr Willis –

That the Minutes of the Ordinary Meeting of the Council held on Tuesday, 17 March 2015, be confirmed as a true and accurate record.

At 6.45pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

8.2 NOTES OF AGENDA BRIEFING FORUM – 7 APRIL 2015 **Notes 7 April 2015**

COUNCIL RESOLUTION

At 6.45pm Cr Foxtan moved, seconded Cr Aubrey –

That the Notes of the Agenda Briefing Forum held on Tuesday, 7 April 2015, be received.

At 6.45pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

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

Nil

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

M15/5000 – Common Seal Register - Cr Pazolli – Code of Conduct
Item 16.2 - Proposal to Commence Discussions re the Future of Shirley Strickland Reserve, Ardross and Redevelopment of the Facilities there – Cr Schuster – Code of Conduct

10. APPLICATIONS FOR NEW LEAVES OF ABSENCE

At 6.46pm Cr Foxtton moved, seconded Cr Schuster –

That the applications for new leaves of absence submitted by Mayor Aubrey, Councillors Aubrey, Reynolds, Schuster and Willis on 21 April 2015 be granted.

At 6.46pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

11. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

12. PETITIONS**12.1 Petition – To prevent all day parking by non-residents in parking bays recently installed in Groves Avenue**

A petition signed by 68 residents and 2 nonresidents was received by the City of Melville on Tuesday, 21 April 2015. The petition reads as follows –

“We, the undersigned, all being Electors of the City of Melville, do humbly pray that The City of Melville urgently prevents all –day parking by non-residents in the parking bays recently installed in Groves Avenue adjacent to the walkway to Hislop Road. Employees of Melville Motors and Attadale Private Hospital routinely use the facility for all day parking while they are at work, preventing use by residents, visiting tradespeople and park users. The planned high rise developments in Groves Ave will exacerbate this problem.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION

At 6.48pm Cr Barton moved, seconded Cr Taylor – Rees

That the petition bearing 70 signatures be received and the issues investigated.

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

CARRIED UNANIMOUSLY (11/0)

13. REPORTS OF THE CHIEF EXECUTIVE OFFICER

P15/3621 - CHANGE OF USE FROM STORAGE WITH INCIDENTAL OFFICE TO MOTOR VEHICLE REPAIR (RETROSPECTIVE) AT UNIT 3/4 PARKINSON LANE, KARDINYA (AMREC) (ATTACHMENT)

Ward	:	University
Category	:	Operational
Application Number	:	DA-2014-1321
Property	:	Unit 3, 4 Parkinson lane, Kardinya
Proposal	:	Retrospective Change of Use - Mechanical Workshop
Applicant	:	Rino Cuccovia
Owner	:	Rino Cuccovia
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Nil
Responsible Officer	:	Peter Prendergast Manager Statutory Planning

AUTHORITY / DISCRETION

DEFINITION

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

**P15/3621 – CHANGE OF USE FROM STORAGE WITH INCIDENTAL OFFICE TO MOTOR VEHICLE REPAIR (RETROSPECTIVE) AT UNIT 3/4 PARKINSON LANE, KARDINYA
(AMREC) (ATTACHMENT)**

KEY ISSUES / SUMMARY

- Retrospective planning approval is sought for the continued use of the premises as a 'Motor Vehicle Repair and Service Workshop' at 3/4 Parkinson Lane, Kardinya.
- The use is a 'P' – Permitted use in the Industrial Precinct and as such its continued use is considered appropriate in principle in land use terms.
- The approval of the application requires an Absolute Majority decision of the Council pursuant to Clause 7.14(a) of Community Planning Scheme No. 5 (CPS5).
- It is recommended that the application be approved.



P15/3621 – CHANGE OF USE FROM STORAGE WITH INCIDENTAL OFFICE TO MOTOR VEHICLE REPAIR (RETROSPECTIVE) AT UNIT 3/4 PARKINSON LANE, KARDINYA (AMREC) (ATTACHMENT)**BACKGROUND**

The proposal site consists of four commercial units which were originally approved under DA-2007-1208 as “Storage with incidental Office”.

Scheme Provisions

MRS Zoning	:	Industrial
CPS 5 Zoning	:	Industrial Precinct
R-Code	:	Not applicable
Use Type	:	Motor Vehicle Service and Repair
Use Class	:	P - Permitted

Site Details

Lot Area	:	130 m ²
Street Tree(s)	:	N/A
Street Furniture (drainage pits etc.)	:	N/A
Site Details	:	Refer to aerial photo above

[3621 Site And Floor Plan](#)**DETAIL**

The City received an application on 21 October 2014 which seeks retrospective planning approval for a change of use from ‘Storage with Incidental Office’ to ‘Motor Vehicle Service and Repair’

The existing business is a small-scale operation as it is run by the owner full time and his son part time. The bulk of the repairs and servicing associated with the business is undertaken off site, with the on-site workshop used only when repairs or servicing cannot be undertaken off site. The business generally operates Monday to Friday between 7am-6pm.

Due to the small scale nature of the business, there is one vehicle service bay in use only.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

None required.

II. OTHER AGENCIES / CONSULTANTS

None required.

P15/3621 – CHANGE OF USE FROM STORAGE WITH INCIDENTAL OFFICE TO MOTOR VEHICLE REPAIR (RETROSPECTIVE) AT UNIT 3/4 PARKINSON LANE, KARDINYA (AMREC) (ATTACHMENT)

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 application.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

The continued use of the premises for the purpose outlined has been assessed against the provisions of Council Policy CP-079: Car Parking and Access. The development satisfies the provisions of this policy given there is a surplus of car parking bays across the site.

ALTERNATE OPTIONS & 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 business operates from a unit located within an Industrial Precinct. Under the provisions of CPS5, a Motor Vehicle Service and Repair such as this is a 'P' (Permitted) Use within the Industrial Precinct, and as such its continued use is acceptable in principle in land use terms.

The retention of the use has been assessed against the provisions of Council Policy CP -079: "Car Parking and Access". Given the small scale nature of the Motor Vehicle Repair activity in this case, four car parking bays are required to be made available for the use. The applicant has demonstrated that the business has the requisite four dedicated car parking bays, and on that basis, the business may continue to operate from the premises without compromise to the City's car parking requirements.

P15/3621 – CHANGE OF USE FROM STORAGE WITH INCIDENTAL OFFICE TO MOTOR VEHICLE REPAIR (RETROSPECTIVE) AT UNIT 3/4 PARKINSON LANE, KARDINYA (AMREC) (ATTACHMENT)

As stated, the nature of the business is such that the mobile (off site) service and repair of vehicles is the norm. This means that demand for on-site car parking will fluctuate, and for the bulk of the time, demand will come from the business operator and his part time assistant only.

CONCLUSION

Retrospective planning approval is considered appropriate in this case given the use is permitted within the precinct and all requirements are catered for onsite and will not create issues for the surrounding units. It is recommended therefore that retrospective planning approval be granted pursuant to clause 7.14(a) of CPS5.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3621)
ABSOLUTE MAJORITY APPROVAL**

At 6.49pm Cr Foxtan moved, seconded Cr Reynolds –

That the Council, by Absolute Majority decision, approves the retrospective planning application for a change of use from storage with incidental office to motor vehicle and repair at 3/4 Parkinson Lane, Kardinya subject to the following conditions:

- 1. All stormwater generated on site is to be retained on site.**
- 2. A maximum of two full time staff members (or the equivalent) are permitted on site at any one time.**

At 6.50pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

P15/3622 – CHANGE OF USE FROM STORAGE WITH INCIDENTAL OFFICE TO USE NOT LISTED: RECORDING STUDIO (RETROSPECTIVE) AT UNIT 1/4 PARKINSON LANE, KARDINYA (AMREC) (ATTACHMENT)

Ward : University
 Category : Operational
 Application Number : DA-2015-124
 Property : Unit 1, 4 Parkinson lane, Kardinya
 Proposal : Retrospective Change of Use- Recording Studio
 Applicant : Peter Grandison
 Owner : Peter Grandison
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Nil
 Responsible Officer : Peter Prendergast
 Manager Statutory Planning

AUTHORITY / DISCRETION

DEFINITION

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

P15/3622 – CHANGE OF USE FROM STORAGE WITH INCIDENTAL OFFICE TO USE NOT LISTED: RECORDING STUDIO (RETROSPECTIVE) AT UNIT 1/4 PARKINSON LANE, KARDINYA (AMREC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- Retrospective planning approval is sought for the continued use of the premises as a use not listed: Recording Studio at 1/4 Parkinson Lane, Kardinya.
- The use is a 'D' – Use under the provisions of the Use Class Table of Community Planning Scheme No 5 (CPS5), and is not permitted unless the Council exercises discretion and grants planning approval.
- Given the location of the use within an Industrial Precinct, a recording studio is considered to be an appropriate land use for the precinct.
- The approval of the application requires an Absolute Majority decision of the Council pursuant to Clause 7.14(a) of CPS5.
- It is recommended that the application be approved.



P15/3622 – CHANGE OF USE FROM STORAGE WITH INCIDENTAL OFFICE TO USE NOT LISTED: RECORDING STUDIO (RETROSPECTIVE) AT UNIT 1/4 PARKINSON LANE, KARDINYA (AMREC) (ATTACHMENT)

BACKGROUND

The proposal site consists of four commercial units which were originally approved under DA-2007-1208 as “Storage with Incidental Office”.

Scheme Provisions

MRS Zoning	:	Industrial
CPS 5 Zoning	:	Industrial Precinct
R-Code	:	Not applicable
Use Type	:	Use Not Listed- Recording Studio
Use Class	:	D – Use not permitted unless the council exercises discretion and grants planning approval

Site Details

Lot Area	:	188 m ²
Street Tree(s)	:	N/A
Street Furniture (drainage pits etc.)	:	N/A
Site Details	:	Refer to aerial photo above

[3622 Floor Plans Elevation Plans Landscaping Plan Site Plan](#)

DETAIL

The City received an application on 3 February 2015 which seeks retrospective planning approval for a change of use from ‘Storage with Incidental Office’ to a “Recording Studio” which is classified as a ‘use not listed’ under the provisions of CPS5.

The studio operates with one full time employee who has stated that attendance at the premises is generally within the band from 8am to 2am, with attended recording occurring from 5pm to 10pm and on weekends.

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

None required.

II. OTHER AGENCIES / CONSULTANTS

None required.

P15/3622 – CHANGE OF USE FROM STORAGE WITH INCIDENTAL OFFICE TO USE NOT LISTED: RECORDING STUDIO (RETROSPECTIVE) AT UNIT 1/4 PARKINSON LANE, KARDINYA (AMREC) (ATTACHMENT)

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 application.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

The continued use of the premises for the purpose outlined has been assessed against the provisions of Council Policy CP-079: Car Parking and Access. The development satisfies the provisions of this policy given there is a surplus of car parking bays across the site.

ALTERNATE OPTIONS & 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 business operates from a commercial unit located within an Industrial Precinct. Under the provisions of CPS5, a Recording Studio is classed as a 'D' (Discretionary) Use within the Industrial Precinct, and as such its continued use is acceptable in principle in land use terms.

The retention of the use has been assessed against the provisions of Council Policy CP -079: "Car Parking and Access". Given the small scale nature of the Recording Studio activity in this case, two car parking bays are required to service the car parking needs of the business. The applicant has demonstrated that the business has the requisite two dedicated car parking bays, and on that basis, the business may continue to operate from the premises without compromise to the City's car parking requirements.

P15/3622 – CHANGE OF USE FROM STORAGE WITH INCIDENTAL OFFICE TO USE NOT LISTED: RECORDING STUDIO (RETROSPECTIVE) AT UNIT 1/4 PARKINSON LANE, KARDINYA (AMREC) (ATTACHMENT)

The proposed use is considered to be appropriate for the industrial precinct and will not adversely impact the amenity of surrounding properties. The proposal is considered to be a low scale use within the precinct with one employee operating from the unit with occasional visitors to the property for recording purposes.

It is considered that the studio complements the existing uses on site as the majority of recording occurs between 5pm – 10pm and on weekends when the other businesses do not trade.

CONCLUSION

The grant of retrospective planning approval is considered appropriate as the use has been assessed to be low scale and meets all relevant development requirements. It is recommended therefore that retrospective planning approval be granted pursuant to clause 7.14(a) of CPS5.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3622)
ABSOLUTE MAJORITY APPROVAL**

At 6.50pm Cr Foxtan moved, seconded Cr Aubrey –

That the Council, by Absolute Majority, decision approves the retrospective planning application for a change of use from storage with incidental office to use not listed Recording studio at 1/4 Parkinson Lane, Kardinya, subject to the following conditions.

- 3. All stormwater generated on site is to be retained on site.**
- 4. A maximum of one full time staff member (or the equivalent) is permitted on site at any one time.**

At 6.52pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

P15/3624 - RETAINING WALL (RETROSPECTIVE) AT LOT 87 (NO.35) THE RAMBLE, BOORAGOON (AMREC) (ATTACHMENT)

Ward : City
 Category : Operational
 Application Number : DA-2015-103
 Property : Lot 87 (No. 35) The Ramble, Booragoon
 Proposal : Retaining Wall (Retrospective)
 Applicant : Cassandra Gorman
 Owner : Cassandra Gorman
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Nil
 Responsible Officer : Peter Prendergast
 Manager Statutory Planning

AUTHORITY / DISCRETION

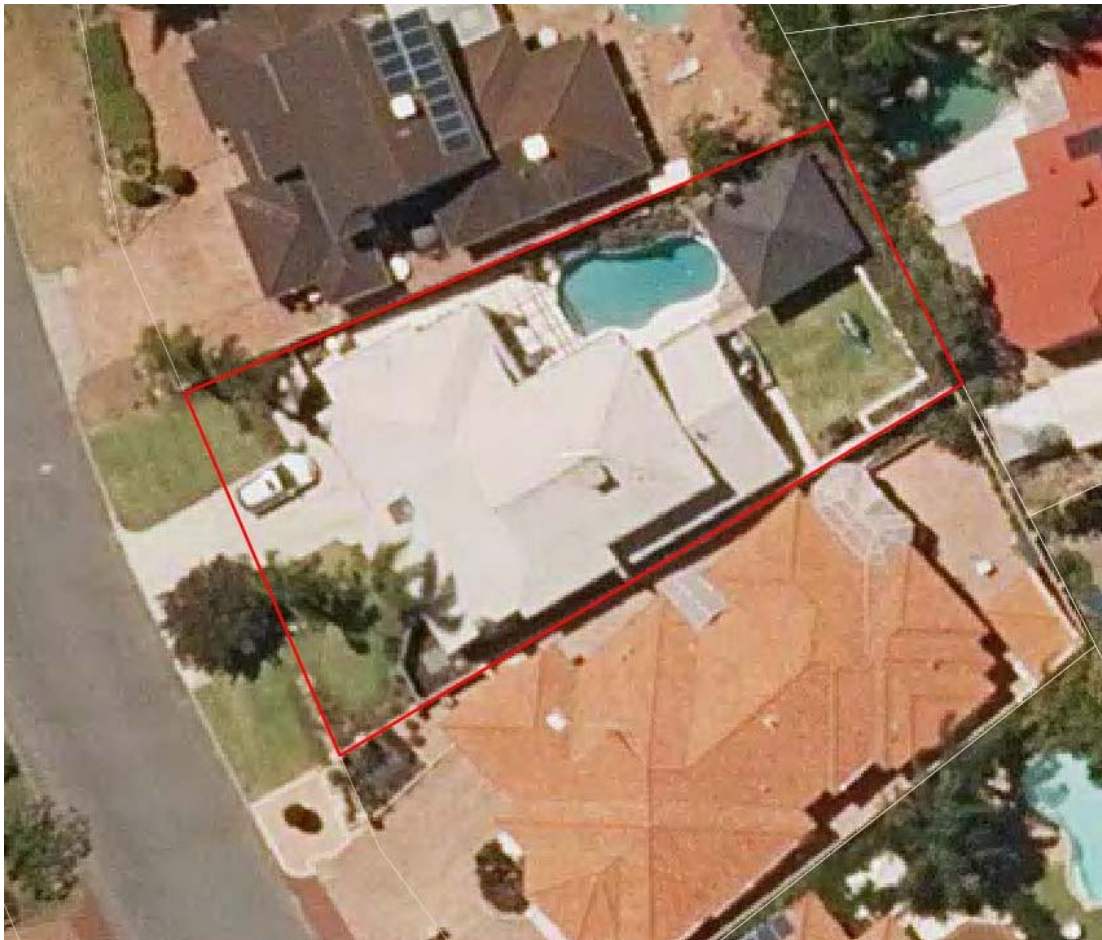
DEFINITION

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<input checked="" type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (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/Committee to note.</i>

**P15/3624 - RETAINING WALL (RETROSPECTIVE) AT LOT 87 (NO.35) THE RAMBLE,
BOORAGOON (AMREC) (ATTACHMENT)**

KEY ISSUES / SUMMARY

- Retrospective planning approval is sought for a retaining wall at 35 The Ramble, Booragoon.
- The retaining wall satisfies the Design Principles of the R codes as it retains ground at a higher level and has no impact on the neighbouring property. On this basis, the retention of the retaining wall is supported.
- The approval of the application requires an Absolute Majority decision of the Council pursuant to Clause 7.14(a) of Community Planning Scheme No. 5 (CPS5).
- It is recommended that the application be approved.



**P15/3624 - RETAINING WALL (RETROSPECTIVE) AT LOT 87 (NO.35) THE RAMBLE,
BOORAGOON (AMREC) (ATTACHMENT)**

BACKGROUND

There is no previous relevant planning history in respect of the subject site.

Scheme Provisions

MRS Zoning : Urban
CPS 5 Zoning : Living Area Precinct
R-Code : R20
Use Type : Residential
Use Class : 'P' – permitted

[3624 Site Plan](#)

Site Details

Lot Area : 725m²
Street Tree(s) : Yes, all retained
Street Furniture (drainage pits etc.) : None applicable
Site Details : Refer to aerial photo above

DETAIL

Retrospective planning approval is sought for the retention of a retaining wall at 35 The Ramble, Booragoon. The wall was built to replace an existing unauthorised retaining wall.

The retaining wall is 1.5m high and retains ground at a higher level. The wall is constructed 1.5m high on the lot boundary and 3.0m in length parallel to the lot boundary at a setback of 1.5m.

The development has been assessed against all of the relevant provisions of CPS5, the R-Codes and Council Policy and requires the following Design Principle assessment:

R-Code Requirements

Development Requirement	Deemed to Comply	Proposed	Comments	Delegation to approve variation
Retaining Walls	Retaining walls at lot boundary permitted to 0.5m in height, varied to 0.6m by CPS5.	1.5m (Below natural ground level)	Requires assessment against Design Principles of the R-Codes.	Absolute Majority decision of Council

**P15/3624 - RETAINING WALL (RETROSPECTIVE) AT LOT 87 (NO.35) THE RAMBLE,
BOORAGOON (AMREC) (ATTACHMENT)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

In accordance with Part 4 of the R Codes, no consultation was undertaken.

II. OTHER AGENCIES / CONSULTANTS

No consultation with other agencies / consultants is required.

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

No financial implications result for the City as a consequence of this application. .

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

The application has been assessed against all of the relevant Council Policies, including CP-078: Residential Development. The development satisfies all of these policy requirements.

ALTERNATE OPTIONS & 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 the Applicant considers unreasonable, the Applicant can apply to have the decision reviewed by the SAT.

P15/3624 - RETAINING WALL (RETROSPECTIVE) AT LOT 87 (NO.35) THE RAMBLE, BOORAGOON (AMREC) (ATTACHMENT)

COMMENT

The retaining wall requires assessment against the Design Principles 6.3.7: Retaining Walls of the R-Codes in relation to the Northern boundary.

In this instance, Design Principle 6.3.7 of the R-Codes is satisfied, as the wall acts to retain adjoining ground of a higher level, and the wall has no adverse impact on the adjoining property.

CONCLUSION

The retention of the retaining wall is supported on the grounds that the requirements of CPS5, the R-Codes and Council Policies are satisfied. As such it is recommended that the application be approved by an Absolute Majority decision of Council pursuant to Clause 7.14(a) of CPS5.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3624)
ABSOLUTE MAJORITY APPROVAL**

At 6.52pm Cr Macphail moved, seconded Cr Willis -

That the Council by Absolute Majority decision, approve the retrospective application for the retaining wall as constructed at No.35 The Ramble, Booragoon, subject to the following condition:

- 1. All stormwater generated on site is to be retained on site.**

At 6.53pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

P15/3625 - CHANGE OF USE FROM LIGHT INDUSTRIAL TO USE NOT LISTED: GARDEN CENTRE (RETROSPECTIVE) AT UNIT 4/496 MARMION STREET, BOORAGOON (AMREC) (ATTACHMENT)

Ward : City
 Category : Operational
 Application Number : DA-2015-187
 Property : 4/496 Marmion Street, Booragoon
 Proposal : Change of Use – Garden Centre (Retrospective)
 Applicant : Resolve Group
 Owner : Mr Craig Peterson
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Nil
 Responsible Officer : Peter Prendergast
 Manager Statutory Planning

AUTHORITY / DISCRETION

DEFINITION

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

**P15/3625 - CHANGE OF USE FROM LIGHT INDUSTRIAL TO USE NOT LISTED: GARDEN CENTRE (RETROSPECTIVE) AT UNIT 4/496 MARMION STREET, BOORAGOON
(AMREC) (ATTACHMENT)**

KEY ISSUES / SUMMARY

- Retrospective planning approval is sought to retain the change of use from 'Light Industrial' to 'Garden Centre' at 4/496 Marmion Street, Booragoon.
- The use is a 'P' – Permitted use in the Industrial Precinct and as such its continued use is considered appropriate in principle in land use terms.
- The approval of the application requires an Absolute Majority decision of the Council pursuant to Clause 7.14(a) of Community Planning Scheme No.5 (CPS5).
- It is recommended that the application be approved.



**P15/3625 - CHANGE OF USE FROM LIGHT INDUSTRIAL TO USE NOT LISTED: GARDEN CENTRE (RETROSPECTIVE) AT UNIT 4/496 MARMION STREET, BOORAGOON
(AMREC) (ATTACHMENT)****BACKGROUND**

There is no previous relevant planning history in respect of the subject site.

Scheme Provisions

MRS Zoning	: Urban
CPS 5 Zoning	: Mixed Business
R-Code	: NA
Use Type	: Garden Centre
Use Class	: 'P' – permitted

Site Details

Lot Area	: 2,365m ²
Retention of Existing Vegetation	: None applicable
Street Tree(s)	: None applicable
Street Furniture (drainage pits etc)	: None applicable
Site Details	: Refer to aerial photo above

[3625 Floor Plans and Elevation](#)**DETAIL**

Retrospective planning approval is sought for the change of use, from 'Light Industrial' to 'Garden Centre', at 4/496 Marmion Street, Booragoon.

The development has been assessed against all of the relevant provisions of CPS5 and Council Policy.

'Garden Centre' is a permitted use within the Mixed Business Precinct.

PUBLIC CONSULTATION/COMMUNICATION

No consultation required.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

None required.

II. OTHER AGENCIES / CONSULTANTS

None required.

**P15/3625 - CHANGE OF USE FROM LIGHT INDUSTRIAL TO USE NOT LISTED: GARDEN CENTRE (RETROSPECTIVE) AT UNIT 4/496 MARMION STREET, BOORAGOON
(AMREC) (ATTACHMENT)****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

No financial implications result for the City as a consequence of this application.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

The continued use of the premises for the purpose outlined has been assessed against the provisions of Council Policy CP-079: Car Parking and Access, and Council Policy CP-087: Non-Residential Development. The development satisfies the provisions of all of these policy requirements.

ALTERNATE OPTIONS & 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 the Applicant considers unreasonable, the Applicant can apply to have the decision reviewed by the SAT.

COMMENT

The business operates from a unit located within a Mixed Business Precinct. Under the provisions of CPS5, a Garden Centre such as this is a 'P' (Permitted) Use within the Mixed Business Precinct, and as such its continued use is acceptable in principle in land use terms.

The retention of the use has been assessed against the provisions of Council Policy CP -079: "Car Parking and Access". Given the small scale nature of the Garden Centre activity in this case, two car parking bays are required to be made available for the use. The applicant has demonstrated that the business has the requisite two dedicated car parking bays, and on that basis, the business may continue to operate from the premises without compromise to the City's car parking requirements.

P15/3625 - CHANGE OF USE FROM LIGHT INDUSTRIAL TO USE NOT LISTED: GARDEN CENTRE (RETROSPECTIVE) AT UNIT 4/496 MARMION STREET, BOORAGOON (AMREC) (ATTACHMENT)

Furthermore the proposed signage is fully compliant with the draft *Outdoor Advertisements and Signage* policy which was adopted by Council for public advertising at its Ordinary Meeting of Council on 17 March 2015.

CONCLUSION

Retrospective planning approval is considered appropriate in this case given the use is permitted within the precinct and the development is satisfactory when judged against all relevant development requirements. It is recommended therefore that retrospective planning approval be granted pursuant to clause 7.14(a) of CPS5.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3625)
ABSOLUTE MAJORITY APPROVAL**

At 6.54pm Cr Aubrey moved, seconded Cr Macphail –

That the Council, by Absolute Majority, approves the retrospective application for the change of use from Light Industrial to Garden Centre at Unit 4/496 Marmion Street, Booragoon, subject to the following condition:

- 1. All stormwater generated on site is to be retained on site.**

At 6.54pm the Mayor submitted the motion, which was declared
CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

**P15/3626 - GARAGE, PATIO AND GAZEBO (RETROSPECTIVE) AT UNIT 7 /370 372
CANNING HIGHWAY, BICTON (AMREC) (ATTACHMENT)**

Ward : Bicton - Attadale
 Category : Operational
 Application Number : DA-2015-159
 Property : 7/370-372 Canning Highway, Bicton
 Proposal : Garage, Patio & Gazebo (Retrospective)
 Applicant : Thomas Cassidy
 Owner : Thomas Cassidy
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Nil
 Responsible Officer : Peter Prendergast
 Manager Statutory Planning

AUTHORITY / DISCRETION

DEFINITION

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

**P15/3626 - GARAGE, PATIO AND GAZEBO (RETROSPECTIVE) AT UNIT 7 /370 372
CANNING HIGHWAY, BICTON (AMREC) (ATTACHMENT)**

KEY ISSUES / SUMMARY

- Retrospective planning approval is sought to retain the addition of a garage, patio and gazebo at 7/370-372 Canning Highway, Bicton.
- The gazebo has been assessed against the Design Principles of the R-Codes, the policy provisions of Community Planning Scheme No 5 (CPS5), and the requirements of Council Policy CP-078 Residential Development.
- The gazebo satisfies the relevant Design Principles as it does not prejudice the existing streetscape, and adequate levels of privacy and open space are available.
- The patio and garage additions are fully compliant with the requirements of CPS5 and Council Policy.
- The approval of the application requires an Absolute Majority decision of the Council pursuant to Clause 7.14(a) of CPS5.
- It is recommended that the application be approved.



**P15/3626 - GARAGE, PATIO AND GAZEBO (RETROSPECTIVE) AT UNIT 7 /370 372
CANNING HIGHWAY, BICTON (AMREC) (ATTACHMENT)**

BACKGROUND

There is no previous relevant planning history in respect of the subject site.

Scheme Provisions

MRS Zoning : Urban
CPS 5 Zoning : Commercial Centre Frame
R-Code : R50
Use Type : Residential
Use Class : 'P' – permitted

Site Details

Lot Area : 1,419m²
Retention of Existing Vegetation : n/a
Street Tree(s) : Yes, all retained
Street Furniture (drainage pits etc) : Bus stop
Site Details : Refer to aerial photo above

[3626 Site And Elevation Plans](#)

DETAIL

Retrospective planning approval is sought to retain the addition of a garage, patio and gazebo at 7/370-372 Canning Highway, Bicton.

The development has been assessed against all of the relevant provisions of CPS5, the R-Codes and Council Policy CP-078 Residential Development, and requires the following Design Principle assessment:

R-Code Requirements

Development Requirement	Acceptable Development	Proposed	Comments	Delegation to approve variation
Lot boundary setback (Gazebo)	Setback 1.0m	0.83m setback	Requires assessment against Design Principles of the R-Codes	Absolute Majority decision of Council

**P15/3626 - GARAGE, PATIO AND GAZEBO (RETROSPECTIVE) AT UNIT 7 /370 372
CANNING HIGHWAY, BICTON (AMREC) (ATTACHMENT)****STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

The application was not required to be the subject of public consultation pursuant to Part 4 of the R-Codes.

II. OTHER AGENCIES / CONSULTANTS

No consultation with other agencies / consultants is required.

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

No financial implications result for the City as a consequence of this application.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

The development has been assessed against all of the relevant provisions of Council Policy CP-078 Residential Development.

ALTERNATE OPTIONS & 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 the Applicant considers unreasonable, the Applicant can apply to have the decision reviewed by the SAT.

**P15/3626 - GARAGE, PATIO AND GAZEBO (RETROSPECTIVE) AT UNIT 7 /370 372
CANNING HIGHWAY, BICTON (AMREC) (ATTACHMENT)****COMMENT**

The retention of the gazebo has been assessed against the provisions of the R-Codes and Council Policy CP-078 Residential Development. Assessment is required against the Design Principles of the R-Codes in relation to the northern boundary setback of the gazebo.

The gazebo is not visible from Canning Highway as it is located in the rear north eastern corner of the site. The gazebo is screened by existing dividing fences between the subject and adjoining properties, with the nearest neighbouring property to the north, 12 Kanimbla Road located approximately 12m from the northern boundary of the subject site.

In this instance, Design Principle 5.1.3 of the R-Codes is satisfied for the gazebo addition. The gazebo does not adversely impact the neighbouring property through excessive building bulk, loss of ventilation or sunlight, or loss of privacy.

The garage and patio additions are considered fully compliant with the requirements of the R-Codes and CPS5.

CONCLUSION

The retention of the gazebo, patio and garage is supported on the grounds that the requirements of CPS5, the R-Codes and Council Policies, are not compromised. As such it is recommended that the application be approved via an Absolute Majority decision of the Council pursuant to Clause 7.14(a) of CPS5.

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (3626)
ABSOLUTE MAJORITY APPROVAL**

At 6.55pm Cr Willis moved, seconded Cr Phelan –

That the Council approves by Absolute Majority decision the retrospective application for gazebo, patio and garage additions at 7/370-372 Canning Highway, Bicton, subject to the following condition:

- 1. All stormwater generated on site is to be retained on site.**

At 6.55pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

**P15/3626 - GARAGE, PATIO AND GAZEBO (RETROSPECTIVE) AT UNIT 7 /370 372
CANNING HIGHWAY, BICTON (AMREC) (ATTACHMENT)**

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

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

M15/5415 - CITY OF MELVILLE LOCAL GOVERNMENT ELECTIONS 2015 (AMREC)

Ward : All
 Category : Operational
 Subject Index : Elections
 Customer Index : Western Australian Electoral Commission
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Item M14/5388 Ordinary Meeting of Council held 18 November 2014 – City of Melville Local Government Elections 2015
 Works Programme : Not Applicable
 Funding : Budgeted in 2015/2016
 Responsible Officer : Jeff Clark
 Governance & 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>
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<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

M15/5415 - CITY OF MELVILLE LOCAL GOVERNMENT ELECTIONS 2015 (AMREC)**KEY ISSUES / SUMMARY**

- The local government elections will be held on 17 October 2015 in accordance with the *Local Government Act 1995*.
- The *Local Government Act 1995* requires that prior to formally requesting the Electoral Commissioner to conduct the City of Melville election, the Council must approve by absolute majority;
 - a) the Electoral Commissioner being responsible for the elections and;
 - b) the election being conducted as a postal election.
- This report recommends that the Western Australian Electoral Commissioner conduct the City of Melville 2015 election and that the election to be held as a postal election.

BACKGROUND

The last local government election was held on 19 October 2013 and was conducted by postal voting organised by the Western Australian Electoral Commission.

Prior to requesting the Electoral Commissioner to conduct the City of Melville elections in October 2015, there is a requirement under the *Local Government Act 1995* to appoint the Electoral Commissioner and confirm the elections are to be conducted by the postal method.

DETAIL

The City of Melville has successfully undertaken nine postal elections (1997, 1999, 2001, 2003, 2005, 2007, 2009, 2011 and 2013), and has found postal elections to elicit greater voter response. The voter response in 2013 achieved 28.80% of enrolled persons compared to a State average of 27.76%.

The Electoral Commissioner has advised his willingness to undertake a postal election on behalf of the City.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

Not required

II. OTHER AGENCIES / CONSULTANTS

The City of Melville has received a written quotation of \$206,000 from the Western Australian Electoral Commission (WAEC) to conduct the 2015 ordinary elections as postal elections.

M15/5415 - CITY OF MELVILLE LOCAL GOVERNMENT ELECTIONS 2015 (AMREC)**STATUTORY AND LEGAL IMPLICATIONS**

In accordance with section 4.20(4) of the *Local Government Act 1995*, the Electoral Commissioner must agree to be responsible for the conduct of a postal election. Councils can request the Electoral Commission to conduct the election subject to the adoption of the following two motions by absolute majority;

1. Declare in accordance with section 4.20(4) of the *Local Government Act 1995* that the Electoral Commissioner be responsible for the conduct of the 2015 ordinary elections with any other elections or polls which may also be required; and
2. Decide in accordance with section 4.61(2) of the *Local Government Act 1995* that the method of conducting the election will be as a postal election.

According to the *Local Government Act 1995* Section 4.20 (2),(3) and (4), the last day for agreement of the Electoral Commissioner to conduct a postal election is eighty days prior to the election (i.e. 28 July 2015).

FINANCIAL IMPLICATIONS

The Western Australian Electoral Commission (WAEC) has quoted \$206,000 including GST (\$187,273 Ex GST) to conduct the City of Melville October 2015 elections. This is an estimate only, and has been based on the following assumptions;

- 68,900 electors
- Response rate of approximately 35%
- Seven vacancies (six Ward Councillors and one Mayor)
- Count to be conducted at the premises of the City of Melville
- Standard Australia Post delivery service to apply.

The WAEC is required by the *Local Government Act 1995* to conduct the local government elections on a full cost recovery basis, therefore the final cost may vary. The WAEC charge all materials at cost and a margin only on staff time.

There will also be additional costs incurred directly by the City of Melville (for salary costs, non statutory advertising and potential legal expenses). These additional costs have been provisionally estimated at \$18,000.

An allocation for these funds will need to be included in the 2015/2016 budget submission.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The risk of an election being conducted by the Western Australian Electoral Commission and having significant problems is assessed to be low. The risk of an election conducted by the Chief Executive Officer as Returning Officer is increased by the two year cycle of elections that do not allow skill levels of many staff to be maintained to the same level as those of the Electoral Commission. The risk of reduced voter participation for an in-person election is acknowledged from previous results.

M15/5415 - CITY OF MELVILLE LOCAL GOVERNMENT ELECTIONS 2015 (AMREC)

There are no Strategic and Environmental Implications.

Risk Statement	Level of Risk	Risk Mitigation Strategy
That a postal election conducted by WAEC being deemed invalid.	Minor consequences which are unlikely, resulting in a Low level of risk	Close liaison with WAEC to ensure all facilities and staffing provided by the City meet the WAEC requirements.

POLICY IMPLICATIONS

There are no policy implications in this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

There is an alternate option of the Chief Executive Officer conducting the election as Returning Officer. The election would be an in-person election (i.e. requiring votes to be cast in person). This may result in a lower cost but experience has indicated also lower voter participation. Should any issues arise in the election period, there is a potential for the future working relationship of the Chief Executive Officer and Elected Members to be affected.

CONCLUSION

The independence of the WAEC and the effectiveness and acceptance of a postal election by the community, demonstrated by the ongoing greater elector participation, supports the continuation of postal elections. It is recommended that the Western Australian Electoral Commissioner conduct the City of Melville 2015 election and for the election to be held as a postal election.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5415)

ABSOLUTE MAJORITY

At 6.56pm Cr Schuster moved, seconded Cr Phelan –

That the Council:

1. **By Absolute Majority decision and in accordance with Section 4.20(4) of the *Local Government Act 1995*, declares that the Western Australian Electoral Commissioner be responsible for the conduct of the City of Melville 2015 Ordinary Elections together with any other elections or polls which may also be required.**
2. **By Absolute Majority decision and in accordance with Section 4.61(2) of the *Local Government Act 1995*, declares that the method of conducting the City of Melville election will be as a postal election.**

At 6.56pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

M15/5415 - CITY OF MELVILLE LOCAL GOVERNMENT ELECTIONS 2015 (AMREC)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

M15/5416 – EXTRAORDINARY ELECTION (AMREC)

Ward : Palmyra/Melville/Willagee
 Category : Operational
 Application Number : Not Applicable
 Subject Index : Elections
 Customer Index : Western Australian Electoral Commission
 Disclosure of any Interest : No Officer involved in the preparation of this report has a declarable interest in this matter.
 Previous Items : Not Applicable
 Responsible Officer : Jeff Clark
 Governance and Compliance Program Manager

AUTHORITY / DISCRETION

DEFINITION

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

M15/5416 – EXTRAORDINARY ELECTION (AMREC)**KEY ISSUES / SUMMARY**

- An extraordinary vacancy has occurred in the Palmyra/Melville/Willagee ward as a result of the passing of former Councillor Richard Hill.
- The Council must resolve to either hold an extraordinary election to fill the ward vacancy or request the Western Australian Electoral Commissioner to allow the vacancy to remain unfilled until the forthcoming local government election in October 2015.
- This report recommends that the vacancy remain unfilled pending the forthcoming local government election in October 2015.

BACKGROUND

The City of Melville (the City) is required to respond to the unexpected vacancy created by the unfortunate passing of former Councillor Richard Hill. The City is required to take action by the provisions of the *Local Government Act 1995* to resolve whether to undertake an extraordinary election or make an application to the Western Australian Electoral Commissioner to allow the vacancy to remain unfilled until the forthcoming local government election in October 2015.

DETAIL

The City is required to take action to either commence a process to undertake an extraordinary election or request that the Western Australian Electoral Commissioner allow the vacancy to remain unfilled pending the forthcoming local government election to be held in October 2015.

The required time for an extraordinary election is within four months of the date that a vacancy occurs. Should the Council resolve that an extraordinary election be held, the Western Australian Electoral Commissioner would be approached to seek his agreement to conduct an election. The notice period for an election is usually 80 days which would mean an election would be held in mid July. A Councillor elected would then serve the remainder of the term until 17 October 2015 when the biennial local government election will take place.

The Council can resolve to request the Western Australian Electoral Commissioner to allow the vacancy to remain unfilled until the forthcoming local government election as the provisions of Section 4.17(2), (3) and (4A)(b) of the *Local Government Act 1995* apply.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

No consultation with community groups is required.

II. OTHER AGENCIES / CONSULTANTS

Consultation with the Western Australian Electoral Commissioner is required.

M15/5416 – EXTRAORDINARY ELECTION (AMREC)**STATUTORY AND LEGAL IMPLICATIONS**

The Council or the Mayor is required by the *Local Government Act 1995* Section 4.9 to nominate an election date with the consideration that there is enough time for the Western Australian Electoral Commissioner to comply with all electoral requirements. Alternatively, the Council may resolve to use Section 4.17(2), (3) and (4A)(b) of the *Local Government Act 1995* to allow the vacancy to remain unfilled, with the approval of the Western Australian Electoral Commissioner, until the local government election in October 2015.

FINANCIAL IMPLICATIONS

There will be financial implications should the Council resolve to hold an extraordinary election of an estimated cost of \$28,000 for the Western Australian Electoral Commission and additional staff and advertising costs of \$5,000 bringing an estimated total cost of \$33,000. Should the Council resolve to leave the vacancy unfilled, the election will be part of the biennial election cost.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

There are no Council Policies that relate to this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council may resolve to require an extraordinary election which will incur a significant cost and allow a Councillor elected to hold office for approximately three months before the biennial election occurs. This is not a recommended option.

CONCLUSION

The option to hold an extraordinary election immediately prior to the biennial local government election that would provide a newly elected Councillor a term of approximately three months is not recommended. The *Local Government Act 1995* makes provision for such extraordinary vacancies and provides that the vacancy may remain unfilled with the approval of the Western Australian Electoral Commissioner.

M15/5416 – EXTRAORDINARY ELECTION (AMREC)

**OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5416)
ABSOLUTE MAJORITY**

At 6.57pm Cr Phelan moved, seconded Cr Schuster –

That the Council resolves by Absolute Majority decision to request the Western Australian Electoral Commissioner to approve leaving the extraordinary vacancy in the Palmyra/Melville/Willagee ward unfilled pending the biennial local government election to be held in October 2015.

At 6.57pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

M15/5000 – COMMON SEAL REGISTER (REC)

Disclosure of Interest

Item No.	M15/5000
Member	Cr N Pazolli
Type of Interest	Interest under the Code of Conduct
Nature of Interest	On the board of Alchera Living
Decision of Council	Stay and Discuss

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

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

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 17 February 2015 up to and including 23 March 2015 and recommends that the information be noted and endorsed.

M15/5000 – 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
965	The City of Melville and Blue Gum Park Tennis Club	Renewal of lease agreement for an initial term commencing 1 October 2014 for five years then a further five years commencing 1 October 2019 and expiring 30 September 2024	3348898
1026	The City of Melville and Kardinya Murdoch Playgroup - Morris Buzacott Reserve	Renewal of the Management Licence for five years commencing 1 February 2015 and expiring 31 January 2020	3511009
1035	The City of Melville and Carrooda Pty Ltd & Sansom Nominees Pty Ltd	Request to extinguish a portion of an easement relating to a right of carriageway at 1-7 Marshall Road, Myaree	3509510
1044	The City of Melville and Alchera Living	Discharge of Mortgage to Alchera Living	3514300
1048	The City of Melville	Scheme Amendment No.74 - Amend Clause 7.14(A) Relating to unauthorised existing Developments	3410029
1051	The City of Melville and Brivern Holdings	Withdrawal of two caveats at 1-7 Marshall Road Myaree	3523561
1052	The City of Melville	Scheme Amendment No.72 to CPS5 Final Adoption - Amend Scheme Text Schedule 3 - Additional Uses and Special Conditions	3530001
1058	The City of Melville	Final Scheme Amendment 67 Report	3536091

M15/5000 – COMMON SEAL REGISTER (REC)**STAKEHOLDER ENGAGEMENT****I. COMMUNITY**

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

Section 2.5(2) of the *Local Government Act 1995* states:

The local government is a body corporate with perpetual succession and a common seal.

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

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

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

FINANCIAL IMPLICATIONS

There are no financial implications in this report.

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.

M15/5000 – COMMON SEAL REGISTER (REC)**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 17 February 2015 up to and including 23 March 2015.

At 6.59pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY EN BLOC (11/0)

C15/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 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 & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 28 February 2015 for the Council's information and noting.

C15/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 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 28 February 2015 are shown in the tables below.

CITY OF MELVILLE STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 28 FEBRUARY 2015	
SUMMARY BY FUND	
	AMOUNT \$
MUNICIPAL	\$ 43,204,851
RESERVE	\$ 80,257,474
TRUST	\$ 272,939
CITIZEN RELIEF	\$ 204,517
	\$ 123,939,781
SUMMARY BY INVESTMENT TYPE	
	AMOUNT \$
11AM	\$ 5,012,110
TERM DEPOSIT	\$ 113,697,026
BOND	\$ 2,000,000
FRTD	\$ 3,000,000
UNITS (Local Govt Hse)	\$ 230,645
	\$ 123,939,781
SUMMARY BY CREDIT RATING	
	AMOUNT \$
AA	\$ 9,000,000
AA-	\$ 77,409,136
A+	\$ 14,000,000
A	\$ 1,900,000
A-	\$ 21,400,000
BBB+	\$ -
UNITS (Local Govt Hse)	\$ 230,645
	\$ 123,939,781

C15/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2015 (REC)

The following statements detail the investments held by the City for the period ending 28 February 2015.

STATEMENT OF INVESTMENTS FOR THE PERIOD ENDING 28 FEBRUARY 2015						
INSTITUTION / INVESTMENT	RISK of IMPAIRMENT	INVESTMENT TYPE	Interest Rate %	S & P RATING	AMOUNT \$	MATURITY DATE
BANKWEST (11AM)	Very Low	11AM	2.50%	AA-	\$0	On call
WESTPAC (MAXI DIRECT)	Very Low	11AM	2.50%	AA-	\$3,700,000	On call
WESTPAC (MAXI BONUS 1)	Very Low	11AM	2.85%	AA-	\$306,137	On call
WESTPAC (MAXI BONUS 2)	Very Low	11AM	2.85%	AA-	\$1,005,973	On call
					\$5,012,110	
BANK OF QUEENSLAND (TERM)	Very Low	TERM	Various	A-	\$5,500,000	Various
BENDIGO AND ADELAIDE BANK (TERM)	Very Low	TERM	Various	A-	\$5,500,000	Various
CITIBANK (TERM)	Very Low	TERM	Various	AA-	\$14,284,834	Various
COMMONWEALTH BANK (TERM)	Very Low	TERM	Various	AA-	\$14,000,000	Various
AMP BANK (TERM)	Very Low	TERM	Various	A+	\$9,000,000	Various
ING BANK (TERM)	Very Low	TERM	Various	A-	\$10,400,000	Various
MACQUARIE BANK (TERM)	Very Low	TERM	Various	A	\$1,900,000	Various
NAB (TERM)	Very Low	TERM	Various	AA-	\$23,290,784	Various
RABODIRECT (TERM)	Very Low	TERM	Various	AA	\$7,000,000	Various
ST GEORGE BANK (TERM)	Very Low	TERM	Various	AA-	\$4,100,000	Various
SUNCORP METWAY LTD (TERM)	Very Low	TERM	Various	A+	\$5,000,000	Various
WESTPAC (TERM)	Very Low	TERM	Various	AA-	\$6,721,408	Various
					\$113,697,026	
WESTPAC (FRTD)	Very Low	FRTD	3.42%	AA-	\$3,000,000	Various
					\$3,000,000	
COMMONWEALTH BANK (RETAIL BOND)	Very Low	BOND	3.76%	AA	\$2,000,000	20-Dec-15
					\$2,000,000	
UNITS IN LOCAL GOVT HOUSE	NA	NA	NA	NA	\$230,645	NA
TOTAL FUNDS INVESTED					\$123,939,781	

CREDIT RISK COMPARISON					
CREDIT RISK	AMOUNT \$	ACTUAL PROPORTION	MAX. % AMOUNT IN TOTAL PORTFOLIO	Comments	
AA	\$9,000,000	7%	80%		
AA-	\$77,409,136	62%	80%		
A+	\$14,000,000	11%	50%		
A	\$1,900,000	2%	50%		
A-	\$21,400,000	17%	50%		
BBB+	\$0	0%	20%		
UNITS IN LOCAL GOVT: HOUSE	\$230,645	0%	0.1%		Council Decision
TOTAL	123,939,781	100%			

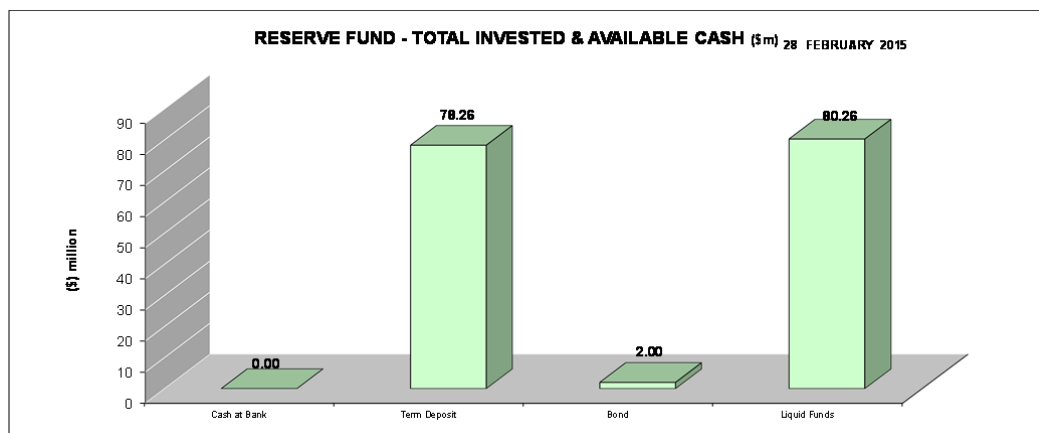
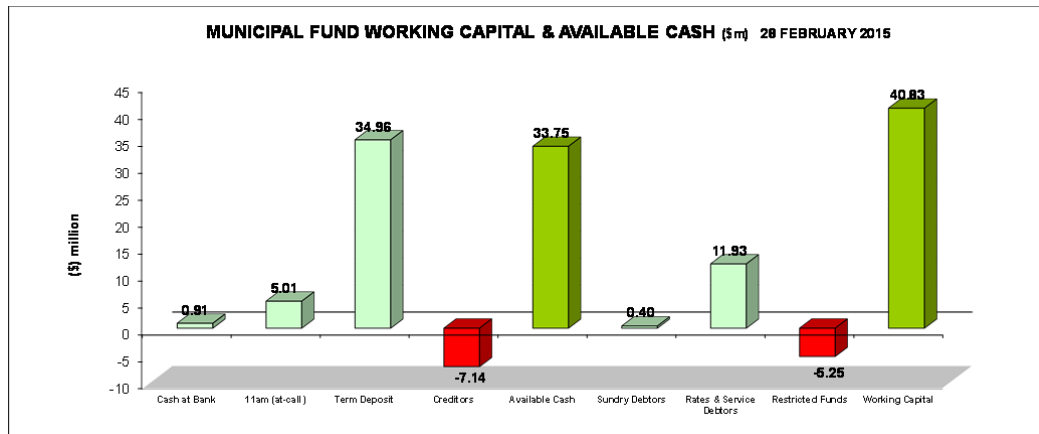
DIVERSIFICATION RISK						
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT \$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION
ANZ BANK (TERM)	TERM	AA-	5,000,000	4.03%	4.03%	20%
AMP BANK (TERM)	TERM	A+	9,000,000	7.26%	7.26%	15%
BANKWEST (11AM)	11AM	AA-	-	0.00%		20%
BANKWEST (TERM)	TERM	AA-	2,000,000	1.61%	1.61%	20%
BANK OF QUEENSLAND (TERM)	TERM	A-	5,500,000	4.44%	4.44%	15%
BENDIGO AND ADELAIDE BANK (TERM)	TERM	A-	5,500,000	4.44%	4.44%	15%
CITIBANK (TERM)	TERM	AA-	14,284,834	11.53%	11.53%	20%
COMMONWEALTH BANK (TERM)	TERM	AA-	14,000,000	11.30%		20%
COMMONWEALTH BANK (COVERED BOND)	BOND	AAA	-	0.00%		20%
COMMONWEALTH BANK (RETAIL BOND)	BOND	AA	2,000,000	1.61%		20%
COMMONWEALTH BANK (FRN)	FRN	AA	-	0.00%	12.91%	20%
ING BANK (TERM)	TERM	A-	10,400,000	8.39%	8.39%	15%
MACQUARIE BANK (TERM)	TERM	A	1,900,000	1.53%	1.53%	15%
NAB (TERM)	TERM	AA-	23,290,784	18.79%	18.79%	20%
RABODIRECT (TERM)	TERM	AA	7,000,000	5.65%	5.65%	15%
ST GEORGE BANK (TERM)	TERM	AA-	4,100,000	3.31%	3.31%	20%
SUNCORP METWAY LTD (TERM)	TERM	A+	5,000,000	4.03%	4.03%	15%
WESTPAC (MAXI BONUS 1)	11AM	AA-	306,137	0.25%		20%
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,005,973	0.81%		20%
WESTPAC (MAXI DIRECT)	11AM	AA-	3,700,000	2.99%		20%
WESTPAC (FRTD)	FRTD	AA-	3,000,000	2.42%		20%
WESTPAC (TERM)	TERM	AA-	6,721,408	5.42%	11.89%	20%
UNITS IN LOCAL GOVT HOUSE	NA	NA	230,645	0.19%	0.19%	
			123,939,781	100%	100%	

C15/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2015 (REC)

MATURITY COMPARISON			
TERM to MATURITY	AMOUNT \$	ACTUAL PROPORTION	MAX. % IN ANY ONE YEAR
MUNICIPAL & TRUST FUNDS			
< 1 year	43,247,145	100%	100%
	43,247,145	100%	
RESERVE FUNDS			
< 1 year	80,257,474	100%	100%
	80,257,474	100%	

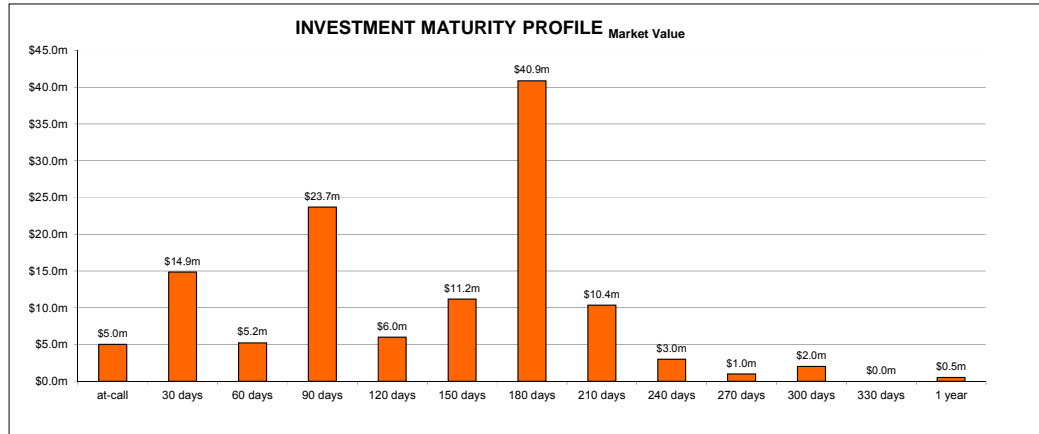
Net Funds Held

The graphs below summarise the Municipal Fund working capital and available cash and the funds held in the Reserve Fund at purchase price and last valuation at 28 February 2015.



C15/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2015 (REC)

The graph below summarise the maturity profile of the City's investments at market value as at 28 February 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.

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 28 February 2015:

- Investment earnings on Municipal and Trust Funds were \$774,810 against a year-to-date budget of \$980,000 representing a \$205,190 negative variance.
- Investment earnings on Reserve accounts were \$2,259,373 against a year-to-date budget of \$1,666,667 representing a \$592,706 positive variance.

Due to the decreasing 'Cash' rate City's revenue budget for earnings from Municipal Fund investment earnings was reduced by \$250,000 in the mid-year budget review. This reduction will be reflected in the March investment report to Council.

C15/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2015 (REC)**STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS**

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 decrease, 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 February 2015 be noted.

At 6.59pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY EN BLOC (11/0)

**C15/6001 – SCHEDULE OF ACCOUNTS PAID FOR FEBRUARY 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	: 2014/2015 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>
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<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input checked="" type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

KEY ISSUES / SUMMARY

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

**C15/6001 – SCHEDULE OF ACCOUNTS PAID FOR FEBRUARY 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 28 February 2015 ([6001 February 2015](#)), including Payment Registers numbers, Cheques 444 to 448 and Electronic Funds Transfers batches 359 to 360 was distributed to the Elected Members of Council on 2 April 2015.

Payments in excess of \$25,000 for the month of February 2015 are detailed as follows:

Supplier Name	Remittance Number	Remittance Details	Amount
Adesa Services	E043072	Installation of Colorbond roofing at Alan Edwards Reserve Clubrooms	\$30,778.00
Asphaltech Pty Ltd	E042903	Progress claim 3 for road resurfacing at North Lake Road, progress claim 4 for road resurfacing at Westminster Road, progress claim 1 for road resurfacing at Calley Drive and progress claim 1 for road resurfacing at Envall Way	\$1,634,815.12
City of Cockburn	E042968	Tip fees for January	\$54,438.12
Crawclaw Holdings	E042806 & E043018	Building maintenance	\$29,493.06
Data#3 Limited	E043028	Symantec Enterprise Vault emailing archive	\$36,615.90
Department of Planning	E042882 & E043064	DAP application fees	\$27,652.00
Downer EDI Works Pty Ltd	E042862 & E043059	Kerbing works at Winnacott Street	\$26,133.98
Fire & Emergency Services Authority WA	E043073	ESL remittance for January	\$702,069.96
Flexi Staff	E042767 & E042993	Temporary employment	\$114,187.66
GHD Pty Ltd	E042859	Stormwater management strategy review, review of submissions for Canning Bridge Activity Centre and progress claim for Heathcote and Jeff Joseph Reserve foreshore restoration	\$29,407.40
Glad Commercial Cleaning	E042860 & E043058	Cleaning services	\$25,268.84
Hays Specialised Recruitment	E042902 & E043080	Temporary employment	\$28,129.29
Hydroquip Pumps	E042776 & E042998	Irrigation infield to Booragoon Lake, head works to bore at Trevor Knowles Reserve and replaced aerators at Piney Lakes Reserve	\$61,574.70
Infor Global Solutions	E042846	Gencon software	\$26,348.17
JMG Air Conditioning & Electrical Services Pty Ltd	E042892 & E043071	Service and maintenance to air conditioners	\$71,362.79

C15/6001 – SCHEDULE OF ACCOUNTS PAID FOR FEBRUARY 2015 (REC)
(ATTACHMENT)

Supplier Name	Remittance Number	Remittance Details	Amount
Landmark Products	Chq 061089	Installation of boardwalk, steps and handrails to Kadidjiny Park	\$33,874.50
Programmed Property Services Pty Ltd	E042766	Drainage works at Kadidjiny Park	\$39,222.51
RBM Drilling	E043007	Bore replacement at Phillip Jane Park	\$31,185.00
Rhysco Electrical Services	E042857 & E043055	Electrical services	\$42,350.00
Roads 2000 Pty Ltd	E043081	Asphalt to Winnacott Street	\$25,623.77
Robinson Buildtech	E042747 & E042978	Building maintenance	\$35,490.69
Southern Metropolitan Regional Council	E042823 & E043029	MSW gate fees for January, recyclable gate fees for January and green waste gate fees for January	\$808,030.01
Synergy	E042765 & E042992	Electricity charges on various properties	\$291,156.84
TJS Cleaning Services Perth Pty Ltd	E042914 & E043088	Cleaning services	\$29,838.69
Tree Amigos Tree Surgeons	E042854 & E043053	Tree pruning	\$26,735.21
Tree Planting & Watering	E042901 & E043077	Street tree watering	\$48,521.00
Water Corporation	Chq's 060991 & 061080	Water charges	\$26,653.50

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.

**C15/6001 – SCHEDULE OF ACCOUNTS PAID FOR FEBRUARY 2015 (REC)
(ATTACHMENT)****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 28 February 2015 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 February 2015](#)

At 6.59pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY EN BLOC (11/0)

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 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

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

KEY ISSUES / SUMMARY

This report presents:

- The Statements of Financial Activity for the period ending 28 February 2015 and recommends that they be noted by the Council.
- Budget amendments for the period ending 28 February 2015 and recommends that they be adopted by Absolute Majority decision of the Council.
- The variances for the month of February 2015 and recommends that they be noted by the Council.

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 2015 (AMREC)
(ATTACHMENTS)**

BACKGROUND

The Statements of Financial Activity for the period ending 28 February 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 28 February 2015, net operating positive variances of \$9.030m and net capital positive variances of \$5.596m were recorded.

Variances

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

CITY OF MELVILLE STATEMENT OF VARIANCES IN EXCESS OF \$50,000 FOR THE PERIOD ENDED 28 FEBRUARY 2015							
	February Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
Revenues							
Governance	176,804	1,126,018	1,566,365	440,348	39%	6,495,230	6,632,842
General Purpose Funding	1,182,942	9,791,885	10,392,029	600,144	6%	12,112,400	12,112,400
Community Amenities	11,729	898,342	807,321	(91,021)	-10%	1,170,728	1,183,030
Recreation and Culture	652,362	6,828,539	6,605,120	(223,419)	-3%	10,147,119	10,148,119
Transport	191,427	4,074,628	2,931,692	(1,142,936)	-28%	4,231,564	5,486,569
	2,302,928	26,238,026	25,899,116	(506,481)	-1%	37,998,637	39,298,217
Expenses							
Governance	(747,595)	(8,405,718)	(6,965,351)	1,440,367	-17%	(16,642,685)	(16,026,661)
General Purpose Funding	(671,836)	(2,832,669)	(2,422,839)	409,830	-14%	(4,501,714)	(4,501,714)
Law, Order, Public Safety	(284,356)	(2,736,899)	(2,407,649)	329,250	-12%	(4,105,440)	(4,083,009)
Health	(70,260)	(638,958)	(585,313)	53,646	-8%	(937,721)	(937,589)
Education & Welfare	(429,959)	(3,810,598)	(3,301,825)	508,773	-13%	(5,637,590)	(5,654,174)
Community Amenities	(1,684,043)	(14,244,677)	(13,138,713)	1,105,964	-8%	(21,193,172)	(21,597,647)
Recreation and Culture	(2,443,628)	(20,491,592)	(18,989,775)	1,501,817	-7%	(29,964,882)	(30,458,341)
Transport	(798,594)	(7,735,347)	(6,156,447)	1,578,900	-20%	(11,348,408)	(11,462,767)
Other Property and Services	(746,516)	(6,381,270)	(6,169,258)	212,012	-3%	(8,524,746)	(9,196,887)
	(7,899,535)	(67,390,543)	(60,264,185)	10,690,384	-11%	(103,021,227)	(104,083,660)
Capital Revenue & Expenditure							
Purchase of Furniture & Equipment	(67,579)	(1,054,807)	(471,906)	582,901	-55%	(1,593,524)	(2,035,585)
Purchase of Plant & Equipment	(25,587)	(6,449,362)	(4,300,945)	2,148,417	-33%	(4,702,747)	(8,016,944)
Purchase of Land & Buildings	(124,453)	(1,744,835)	(1,058,077)	686,758	-39%	(2,034,000)	(3,900,291)
Purchase of Infrastructure Assets	(1,899,860)	(12,104,849)	(8,813,837)	3,291,012	-27%	(16,125,081)	(21,337,491)

Revenue

\$77.708m in Rates was raised to 28 February 2015. This is compared with a year to date budget of \$76.888m, resulting in a positive variance of \$820K.

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY for FEBRUARY 2015 (AMREC)
(ATTACHMENTS)****Money Expended in an Emergency and Unbudgeted Expenditure**

Not applicable for February 2015.

Budget Amendments

Details of Budget Amendments requested for the month of February 2015 are shown in attachment [6002J February 2015](#). These were minor amendments under \$50,000.

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 \$3.85m were collected over the course of the month. Rates collection progress for the month of February is 1.4% above target which represents a dollar value of \$1,363,849. As at 28 February, 89.4% of 2014/2015 rates had been collected. This was 0.4% more than collected for the same time last year.

Total sundry debtor balances decreased by \$48,093 over the course of the month. The 90+ day's debtor balance decreased by \$18,908.

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 February 2015.

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 2015 (AMREC)
(ATTACHMENTS)**

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

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

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:

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 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 February 2015](#) (Notes on Rate Setting Statement reporting on variances of 10% or greater).

**C15/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 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 28 February 2015.

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

At 6.59pm Cr Schuster moved, seconded Cr Willis –

That the Council:

- Note the Rate Setting Statement and Statements of Financial Activity for the month ending 28 February 2015 as detailed in the following attachments:**

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

**C14/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 2015 (AMREC)
(ATTACHMENTS)**

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

At 6.59pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY BY ABSOLUTE MAJORITY (11/0)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

M15/5420 - CHANGE OF MEETING DATE – MAY 2015 (REC)

Ward	:	All
Category	:	Operational
Subject Index	:	Schedule of Meetings
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	:	M14/5385 – Council Meeting Cycle – October 2014 – Ordinary Meeting of Council
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Jeff Clark Governance & 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"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

M15/5420 - CHANGE OF MEETING DATE – MAY 2015 (REC)**KEY ISSUES / SUMMARY**

- A request has been received by the Mayor to change the meeting date for the May 2015 Council Meeting.
- The 19 May 2015 meeting date was set at the 21 October 2014 Ordinary Meeting of Council.
- The proposal is to bring the meeting forward by one week to Tuesday, 12 May 2015.
- The report recommends adoption of the proposed meeting date.

BACKGROUND

Council at its meeting held on the 21 October 2014, resolved as follows:

That the Council:

1. Approve the Ordinary Meetings of Council to be held on the third Tuesday of each month commencing in February to September 2015, November 2015 and on the second Tuesday of October 2015 and December 2015.
2. Approve the Agenda Briefing Forums to be held on the first Tuesday of each month from February to September 2015 and on 29 September 2015 and 24 November 2015 and be chaired by the Mayor or his delegate.
3. Go into recess in January 2015 and neither the Ordinary Meeting of Council nor an Ordinary Meeting of Council Agenda Briefing Forum will be held.
4. Endorse that Elected Member Information Sessions occur as required on any Tuesday evenings that are not required for Ordinary Meetings of Council, Ordinary Meetings of Council Agenda Briefing Forums or meetings of Standing Committees.
5. Request the Chief Executive Officer to advertise the Schedule of Council Meetings in order to inform the community of the Council Meeting dates.

The above dates were advertised in the West Australian and Local Paper in January 2015,

DETAIL

At the 17 March 2015 Ordinary Meeting of Council, it was resolved that in accordance with Council Policy – CP-092 Elected Members Professional Development, Council approves Councillor Clive Robartson, Councillor Cameron Schuster and Councillor Robert Willis to attend the World Waste to Energy City Summit in London from 19-20 May 2015 and a Study Tour outside of Western Australia at the same time.

It should be noted that a vacancy currently exists due to the recent passing of Councillor Richard Hill.

M15/5420 - CHANGE OF MEETING DATE – MAY 2015 (REC)

The Chief Executive Officer, Director Corporate Services and Director Technical Services will also be attending the World Waste to Energy City Summit in London and Study Tour.

As three senior officers and three councillors will be away for the 19 May 2015 Council Meeting, the Mayor has requested that the May meeting be brought forward by one week to Tuesday, 12 May 2015 and that the meeting scheduled for Tuesday, 19 May 2015, be cancelled.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

The City informs the public of the dates that meetings will be held through the media, press releases and notices at the Civic Centre, Libraries and website. If adopted, the change of meeting date will be advertised in the local newspaper, website, Libraries and Council Notice Boards.

II. OTHER AGENCIES / CONSULTANTS

Whilst no direct consultation has taken place with other agencies the views of the Department of Local Government were obtained to ascertain whether or not the Council resolution of the 21 October 2014 should be revoked, the Department advised that this was not required.

STATUTORY AND LEGAL IMPLICATIONS

The Local Government Act 1995, Section 5.3 - Ordinary and Special Council Meetings provides that:-

- (1) A Council is to hold ordinary meetings and may hold special meetings.*
- (2) Ordinary meetings are to be held not more than three months apart.*

Council must formally resolve to provide its meeting schedule for the next 12 months and advertise the times and dates for future meetings of the Council, should Council resolve to adopt the proposed change of meeting dates, Section 5.25(1) (g) of the Local Government Act 1995 requires that local public notice of meetings is provided.

The Local Government (Administration) Regulations 1996 also requires at Regulation 12(2), that the Local Government give local public notice of any change to advertised meetings date, time or place.

FINANCIAL IMPLICATIONS

A provision for the cost of advertising is held in an operational budget cost center.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There is no risk or environmental management implications in this report.

M15/5420 - CHANGE OF MEETING DATE – MAY 2015 (REC)

POLICY IMPLICATIONS

There are no policy implications in this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Council can resolve not to change the meeting date; however, issues could arise with obtaining a quorum, should further applications for Leave of Absence be received from Councillors or Councillors not been able to attend the meeting for any reason.

CONCLUSION

It is recommended that the change of meeting date be approved and the meeting date for May be changed from Tuesday, 19 May 2015 to Tuesday, 12 May 2015.

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (5420) APPROVAL

At 7.04pm Cr Macphail moved, seconded Cr Schuster –

That the Council:

1. Approves for the May 2015 Ordinary Meeting Council to be held on Tuesday, 12 May 2015, to commence at 6.30pm.
2. Approves the cancellation of the Ordinary Meeting of Council scheduled for Tuesday, 19 May 2015.
3. Request the Chief Executive Officer to advertise the Change of Meeting date in order to inform the community accordingly.

At 7.04pm the Mayor submitted the motion, which was declared

CARRIED (10/1)

Vote Result Summary	
Yes	10
No	1

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Reynolds	No

CD15/8070 - CONTINUATION OF SERVICE - CIVIC SQUARE LIBRARY (REC)

Ward	: All
Category	: Operational
Subject Index	: Civic Square Library
Customer Index	: Melville Civic Square Library
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	: 2016
Funding	: \$92,000 (\$27,000 Operational, \$65,000 Capital)
Responsible Officer	: Leeann Reid Manager Cultural Services

AUTHORITY / DISCRETION

DEFINITION

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

CD15/8070 - CONTINUATION OF SERVICE - CIVIC SQUARE LIBRARY (REC)**KEY ISSUES / SUMMARY**

- Civic Square Library building will be demolished as part of the City Centre Project and future development of a new Library and Cultural Centre.
- Civic Square Library has over 150,000 attendances each year and 195,000 issues, 11,500 active members, over 200 attendances at Story Time and Baby Rhyme Time each month.
- This item outlines the most appropriate outcome for the continuation of key library services in the City of Melville during construction of the new City Centre Library and Cultural Centre.
- Key determining factors in the continuation of the service during this period include, ensuring accessibility to services, collections and facilities.
- Contract obligations with the State Library as part of the State Library Partnership Agreement have been assessed to ensure they continue to be met during this period.
- Financial implications associated with the continuation of the main library service have been considered to ensure the most efficient and cost effective outcome is delivered.

BACKGROUND

The City of Melville City Centre Project anticipates a future land transaction and development that will see the existing Civic Square Library demolished and a new Library and Cultural Centre developed. This development presents a period of approximately two years where the library will be displaced from the existing facility. Being the City's main library, Officers believe it is integral to ensure the continuation of this important community service.

Civic Square Library is the City's main library. It houses the back-of-house operations for the five branch system, including staff. The library has over 150,000 attendances each year and 195,000 issues, 11,500 active members and over 200 attendances at Story Time and Baby Rhyme Time each month. It also plays the role of the City's main after hour's returns service for the five libraries.

Civic Square Library's current location, being central, allows the library to have a far reaching catchment and increased accessibility from public transport, and of several neighbouring schools. Each of our libraries has a slightly different offering to reflect the needs of the community in which they are located. The main library offers the full range of library services so they are accessible in a central point for the whole of the City of Melville community.

DETAIL

Staff have investigated future options for the continuation of the Civic Square Library service during the two year displacement period. They have considered four key determining factors; continuation of service, accessibility, contract obligations (State Library Partnership Agreement) and cost. These factors have been assessed across multiple options to determine the best outcome for the future Civic Square Library service.

CD15/8070 - CONTINUATION OF SERVICE - CIVIC SQUARE LIBRARY (REC)

Due to the nature, importance and high utilisation of this community service the continuation of the City's main library is important during this two year displacement period. With this understanding, the options for continuation of the service were focussed on the appropriate temporary facility to house the City's main library service. Considering the above mentioned key determining factors, the Civic Centre foyer including the current Melville Discovery Centre space; and the Main Hall were seen as the two preferred options as the most appropriate temporary library location.

The Civic Centre has significant open space that is used as foyer or remnant areas that could be used as an exciting and constructive space for the temporary library. The current Civic Centre could become a vibrant people space and support the transition to a converged multi purpose space. The ground floor foyer and current Melville Discovery Centre would house the lounging, popular collection, magazines, newspaper, main Wi-Fi area and library central services. City Customer Service would converge with libraries customer service (which is planned for the new facility), allowing staff to work through any changes in team culture and customer experiences prior to the opening of the new facility. Upper levels of the civic building could be used for the libraries collection and quieter reading and study zones.

The Museum's Team would relocate from Melville Discovery Centre to Wireless Hill Museum during this two year period which will allow appropriate space for library central services and other staffing requirements. Local History Services will be provided from the upgraded Wireless Hill Museum until the new Library and Cultural facility is built that will house the future municipal museum.

The City's Main Hall is also a key option for the temporary library. The Main Hall and the Civic Centre being in the same location as the existing Civic Square Library provides appropriate alternatives for the library to relocate and continue services in a slightly reduced format. The location provides consistency for regular customers, members and the location provides convenience with close proximity to Garden City Shopping Centre and major public transport. The Main Hall does present challenges in regard to establishing sufficient ICT infrastructure which is more accessible in the Civic Centre.

Below are some of the key elements for consideration in the option to relocate to the Civic Centre or Main Hall:

- Limited to no storage of the libraries collection will be required due to the size of the facilities being able to house the majority of the collection. This allows the collection to continue to be accessed by the community.
- These spaces will allow for the continuation of key services including Story time, Baby Rhythm Time, public computer access, loans and Wi-Fi facilities.
- The existing library furniture and equipment can be transferred to the new location.
- The budget request for \$65,000 capital and \$27,000 operational is a one off cost for the minor modifications, networking, cabling, removalists and partitioning. These costs would be required for the library to relocate to any facility.
- There are no lease fees as the proposal is to use existing City of Melville facilities.
- Parking issues and access to Garden City Shopping Centre are not ideal during this major development although these will be addressed throughout the project timeline. Opening up of temporary parking, phasing of the development and allowing street parking are options for the entire City Project to consider.

CD15/8070 - CONTINUATION OF SERVICE - CIVIC SQUARE LIBRARY (REC)

- The Main Hall option will result in a loss of income from hall hire and inconvenience hall hirers and users. The main hall generates approximately \$50,000 per year with an average of 24,000 attendances per year.
- The Civic Centre opportunity will allow the City to showcase and progress the future converged model with shared customer service interface, and the showcasing of the City's Art Collection and Civic areas.
- The Civic Centre opportunity will also create efficiency savings with energy and infrastructure costs, due to utilisation of an existing space rather than a separate facility.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

The level of communication in accordance with the Stakeholder Engagement Policy CP-002 for this item is to "inform" the community. The community will be informed of the changes, timeframes and expectations in the temporary facility.

No external engagement has been carried out to date with the community on the future of the Civic Square Library. A communications plan will be developed as part of the project plan for the broader City Centre project that will include the temporary library information.

II. OTHER AGENCIES / CONSULTANTS

Consultant CK Design International, Space Planning and Library Consultancy were engaged to identify capacity and viability of the Civic Centre and Main Hall options. The consultant's advice and recommendation was used in the development of this item.

STATUTORY AND LEGAL IMPLICATIONS

As part of the State Library Partnership Agreement, the City of Melville has obligations to ensure that the collection is made available to the public. The recommended option for the continuation of the Civic Square Library in the City's Civic Centre will meet these requirements.

FINANCIAL IMPLICATIONS

The amount of \$27,000 has been requested as part of the draft 2015/16 operational budget process. This amount includes; removalists, partitioning and the relocation of RFID Self Service.

The amount of \$65,000 was requested as part of the 2015/16 capital budget process for minor building modifications, networking, and cabling.

Both the above requests are one off projects for the relocation of the Civic Square Library.

CD15/8070 - CONTINUATION OF SERVICE - CIVIC SQUARE LIBRARY (REC)

The current Melville Discovery Centre space is identified as future office accommodation for staff with an amount of \$310,000 requested in the draft 2015/2016 Capital Works budget. This would be delayed if the City's main library is relocated to this space, and would result in a delayed expenditure in the 2015/2016 budget.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk*	Risk Mitigation Strategy
Closing the library for two years may lead to major customer criticism.	Moderate consequences which are likely, resulting in a High level of risk.	Continuation of a temporary library facility.

Risk Statement	Level of Risk*	Risk Mitigation Strategy
Risk to social outcomes and community wellbeing resulting from a reduced library service.	Moderate consequences which are likely, resulting in a High level of risk.	Continuation of a temporary library facility.

* As derived from using the Risk Assessment Matrix

POLICY IMPLICATIONS

Not applicable.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

In developing the report that informed this Agenda Item, staff have considered four key determining factors:

1. Continuation of Service;
2. Accessibility;
3. Contract obligations – State Library Partnership Agreement; and
4. Cost.

These factors have been considered across all options for the Civic Square Library during the two year period whilst the new facility is constructed. The alternative option is to discontinue the Civic Square Library service during this two year displacement period.

To close the City's main library facility for this significant period has a high risk of negative community outcomes and may disadvantage those already disadvantaged in our community. Being the second highest attended and issuing library in the City this would have a large impact on users and risk significant community criticism. Even though the City of Melville has four other libraries, these library facilities are mainly small facilities and therefore unable to accommodate increased collection, usage, programs or staffing, with the exception of AH Bracks which could accommodate a slight increase. Therefore, the option to increase services at our four other library locations is not feasible due to their size.

CD15/8070 - CONTINUATION OF SERVICE - CIVIC SQUARE LIBRARY (REC)

Below are some of the key elements for consideration in the alternate option to close the library for two years:

- No access for some customers with barriers to transport.
- Significant public criticism.
- Poor impact on the City's reputation.
- Customers inconvenienced. Over 300,000 anticipated visits over the two year period.
- Inability of the other four other library branches to accommodate the increased demand for services due to their size.
- No capacity for the other branches to grow in terms of stock or staff. AH Bracks could accommodate approximately 25% increase, although this would impact on the events and people spaces.
- Two years is a significant amount of time to go without an important and valued public service.
- The relocation of 25% of Civic Square to AH Bracks, including costs for storage of the remainder of the collection for two years, relocating furniture to other libraries, additional networking at four other branches would cost approximately \$70,000.
- No apparent staff cost savings as staff are permanent employees.
- Poor community outcome with impacts on community wellbeing.

CONCLUSION

Civic Square Library is an important service for the City of Melville community. The current structure of our multi branch system relies on the City's main branch. The other branches offer more localised approaches with limited room for expansion. The closure of this facility even temporarily would have impacts on the wellbeing of our community.

The options explored in this item detail the rationale for the recommendations. The two options (Civic Centre Foyer and Melville Discovery Centre space; and Main Hall) address all the key determining factors in ensuring continuation of service, accessibility and maintaining our state library partnership agreement obligations.

Having analysed the risks associated with the options we believe this recommendation has the lowest risk rating in terms of negative community perception and social impact.

The City of Melville is seen as leaders in the library industry. Our innovation, customer focus, and the importance placed on the libraries as key contributors to community wellbeing have been recognised. To maintain good leadership is to continue this service and reaffirm the City's strong position on the importance of library services to their communities. The community of Melville have continually responded to City surveys with their high value and support for library services and this is seen in the statistics, 52% of all households in the City of Melville have at least one library member.

CD15/8070 - CONTINUATION OF SERVICE - CIVIC SQUARE LIBRARY (REC)

OFFICER RECOMMENDATION AND COUNCIL RESOLUTION (8070)

APPROVAL

At 7.05pm Cr Phelan moved, seconded Cr Aubrey –

1. That the Council endorse:

- a) The continuation of library services in the City Centre to replace the current Civic Square Library during the City Centre redevelopment.
- b) That further investigation of the two options, Civic Centre foyer including Melville Discovery Centre and the Main Hall, as the preferred locations for the temporary City Library progress to determine the most appropriate and cost effective option.
- c) That the Council approve the 2015/2016 budget request of \$27,000 operational and \$65,000 capital for the development of the temporary library facility.

Amendment

At 7.21pm moved, Cr Pazolli seconded Cr Barton –

That item 1c be amended to read as follows:

“That an amount of \$27,000 operational and \$65,000 capital for the development of the temporary library facility be approved for consideration in the 2015/2016 budget.”

At 7.29pm the Mayor submitted the amendment, which was declared

CARRIED (8/3)

Vote Result Summary	
Yes	8
No	3

Vote Result Detailed	
Cr Barton	Yes
Cr Foxtton	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Aubrey	No
Cr Macphail	No
Cr Phelan	No

CD15/8070 - CONTINUATION OF SERVICE - CIVIC SQUARE LIBRARY (REC)

Council Resolution

1. That the Council endorse:

- a) **The continuation of library services in the City Centre to replace the current Civic Square Library during the City Centre redevelopment.**
- b) **That further investigation of the two options, Civic Centre foyer including Melville Discovery Centre and the Main Hall, as the preferred locations for the temporary City Library progress to determine the most appropriate and cost effective option.**
- c) ***That an amount of \$27,000 operational and \$65,000 capital for the development of the temporary library facility be approved for consideration in the 2015/2016 budget***

At 7.29pm the Mayor submitted the substantive motion, as amended, which was declared
CARRIED UNANIMOUSLY (11/0)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

Ms L Reid left the meeting at 7.31pm

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**14.1 Condolence Motion to mark the passing of the Rt Hon (John) Malcolm Fraser AC, CH, GCL – Former Prime Minister**

At 7.31pm Cr Schuster moved, seconded Cr Pazolli –

That the Council;

Notes with regret the passing of former Prime Minister of Australia the Rt Hon (J) Malcolm Fraser AC, CH, GCL on 20 March 2015 and resolves to note its appreciation of his service to the Australian community.

Requests the Chief Executive Officer to write to Mr Fraser's family to offer the Council's condolences on their loss and advise them of this resolution and the Council's appreciation for the late Mr Fraser's service to Australia.

At 7.31pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

Reasons for Motion

Cr Schuster provided the following reasons in support of the motion.

1. Mr Fraser passed away on 20 March 2015 and was a significant figure in Australia's political and public policy history;
2. It is unusual for two former Prime Ministers (Mr Fraser and the late Rt Hon E G Whitlam) to be so closely linked to tumultuous events in Australia's history, and then to pass away within months of each other. To the credit of both gentlemen in later life they came together to cooperate in some common cause.
3. I think it is appropriate for the Council to recognise Mr Fraser's long and important service to the Australian community through a condolence motion such as this.

15. EN BLOC ITEMS

At 7.34pm Cr Willis moved, seconded Cr Schuster –

That the recommendations for items, M15/5000, C15/6000 and C15/6001 be carried En Bloc.

At 7.35pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

16. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

16.1 Proposed Budget Consideration for Charitable Venue Hires and Review of Grants Policy

At 7.38pm Cr Aubrey moved, seconded Cr Macphail -

That Cr Schuster be permitted to present to the Council a Motion Without Notice relating to Proposed Budget Consideration for Charitable Venue Hires and Review of Grants Policy.

At 7.38pm the Mayor submitted the motion which was declared

CARRIED BY ABSOLUTE MAJORITY (9/2)

Vote Result Summary	
Yes	9
No	2

Vote Result Detailed	
Cr Aubrey	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Reynolds	Yes
Cr Barton	No
Cr Foxtton	No

COUNCIL RESOLUTION

APPROVAL

At 7.39pm Cr Schuster moved, seconded Cr Macphail –

That the Council:

1. **Request the Chief Executive Officer to consider the inclusion in the 2015/2016 budget and future years the sum of \$10,000, to be used to offset the fees that would otherwise be paid for Council managed and operated venue (building and reserves) hire by organisations that have Deductible Gift Recipient status under Australian law for a one off event or annual event, or otherwise where the ultimate beneficiary of any funds raised by the proposed event is a holder of Deductible Gift Recipient status, compliant upon no profit being taken by the organiser;**
2. **In the event that in any year the existing budget allowance of \$5,000 for donations to disaster relief is not used in part or wholly the remaining balance be transferred to reserves to assist in funding this item in the following budget year; and,**
3. **Request the Chief Executive Officer to amend any existing operational Policy and procedures to account for this motion.**

Procedural Motion

Cr Pazolli moved a procedural motion in accordance with Standing Orders Clause 11.1(b) that the question be adjourned;

At 7.48pm Cr Pazolli moved, seconded Cr Barton

That the motion without notice be deferred for further consideration to the next Ordinary Meeting of Council for the Chief Executive Officer to prepare a report and recommendation.

At 7.53pm the Mayor submitted the motion which was declared

CARRIED (10/1)

Vote Result Summary	
Yes	10
No	1

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtan	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Reynolds	No

16.2 Proposal to Commence Discussions re the Future of Shirley Strickland Reserve, Ardross, and Redevelopment of the Facilities There

Disclosure of Interest

Item No.	16.2
Member	Cr C Schuster
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Committee member Junior Cricket Club, Ardross
Decision of Council	Stay and Discuss

At 7.55pm Cr Macphail moved, seconded Cr Willis -

That Cr Schuster be permitted to present to the Council a Motion Without Notice relating to Proposal to Commence Discussions re the Future of Shirley Strickland Reserve, Ardross, and Redevelopment of the Facilities there.

At 7.56pm the Mayor submitted the motion which was declared

CARRIED BY ABSOLUE MAJORITY (7/4)

Vote Result Summary	
Yes	7
No	4

Vote Result Detailed	
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes
Cr Aubrey	No
Cr Barton	No
Cr Foxton	No
Cr Phelan	No

8.11pm Cr Phelan left the meeting and returned at 8.13pm

COUNCIL RESOLUTION

APPROVAL

At 7.58pm Cr Schuster moved, seconded Cr Macphail –

That the Council:

1. **Request the Chief Executive Officer to commence the planning process for the redevelopment of the existing facilities, and the possible addition of new facilities at Shirley Strickland Reserve.**
2. **Further request the Chief Executive Officer to engage with current and potential new user groups regarding their future needs to inform the appropriate mix of activities that could be accommodated at the reserve.**
3. **Notes that the current registered user groups with a membership of the Applecross –Mount Pleasant Sporting Association are the Fremantle Rebels Softball Club; the Applecross Cricket Club; and the Melville City Touch Football Association (acting under the membership of the Mount Pleasant Rugby Club). Current additional users and proposed future users might include the Ardross Junior Cricket Club; the Applecross Junior Football Club; the Southern Districts Gaelic Football Club and the Mount Pleasant Bowls Club. There is also a great deal of personal use of the Reserve for dog walking, running and organised fitness programs that should also be considered in this process;**
4. **Request the Chief Executive Officer to consider including an allowance in the 2015 - 2016 budget to fund this activity; and,**
5. **Request the Chief Executive Officer to report to the Elected Members at a Briefing Session on the outcomes of these initial discussions and how a potential redevelopment and expansion of users could be arranged and funded prior to a formal report to the Council for approval to initiate a formal process.**

At 8.19pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

Vote Result Summary	
Yes	11
No	0

Vote Result Detailed	
Cr Aubrey	Yes
Cr Barton	Yes
Cr Foxtton	Yes
Cr Macphail	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Reynolds	Yes
Cr Schuster	Yes
Cr Taylor-Rees	Yes
Cr Willis	Yes
Mayor Aubrey	Yes

16.2 Proposal to Commence Discussions re the Future of Shirley Strickland Reserve, Ardross, and Redevelopment of the Facilities There (Continued)Reasons for Motion

Cr Schuster provided the following reasons in support of the motion –

1. I have been a part time user and observer of activities at the Shirley Strickland Reserve for over 25 years and recently my engagement with the Reserve has become more regular. I find the Reserve, which I think with its area and location, should be one of the “jewels in the crown” of the City’s active reserves, to be not as well used as perhaps it should be with a physical facility at its core that is simply not up to contemporary standard from a structural point of view, and also does not encourage junior sport to use it because of the liquor licensing arrangements there. In recent times, because of the unavailability of sufficient groundwater, the verges around the Reserve have become degraded through irregular vehicle parking –in the Financial Year 2015-2016 draft budget there are proposed funds to rectify this situation by the installation of verge parking, which itself would be an essential component of any long term redevelopment;
2. About a year ago when I was first part of a briefing on the City’s long term reserves planning I was surprised to find the Shirley Strickland Reserve did not have any priority for action prior to about 2026 –as my questions at the time indicated I did not understand this and thought that the policy needed some revision;
3. Since then I have consulted widely with users and potential users of the Reserve and found many people similarly wondering why this Reserve was not higher in the priority list given its potential and the relative absence of constraints (such as an expensive shared physical facility geared around functions such as exists at Tompkins Park);
4. The City’s policies and plans are very supportive of organised and private recreation and sporting activities being integral to the vibrancy and effective functioning of our communities, and indeed one of the City’s largest areas of expenditure is in developing and maintaining facilities for that very purpose;
5. With this in mind, and following initial consultation with City staff to advise them of my thinking, I spoke with leaders and executives in the current controlling users: Applecross –Mount Pleasant Sporting Association; Applecross Cricket Club; the Melville Districts Touch Football Association which operates under the Mount Pleasant Rugby Club; and the Fremantle Rebels Softball Club. I also spoke with executive members of other current or potential users including the Ardross Junior Cricket Club; the Applecross Junior Football Club and the Mount Pleasant Bowls Club. In each case I was simply asking if their group would be interested in the discussion –I specifically was not asking for their support for any particular plan or option, but I did say from my perspective that the discussion should start with a clean canvas and people initially putting forward their unencumbered future plans. It is clear that compromise and consensus will be necessary as the process develops and that is a challenge for all involved if they wanted to be part of something grand. Just as a personal comment I would like to see, if such a redevelopment occurred, that a statue of the person the Reserve was named after [esteemed former resident and Councillor Shirley (Strickland) Delahunty] could be installed at the Reserve entrance (similar to the statue of the late Ms Delahunty outside the MCG in Melbourne) to effectively honour her contribution to the City and Australia (with her family’s necessary support); and,

16.2 Proposal to Commence Discussions re the Future of Shirley Strickland Reserve, Ardross, and Redevelopment of the Facilities There (Continued)

6. The inclusion of the Mount Pleasant Bowls Club was sought for two reasons, firstly because they are another Club with a degrading asset base that is expensive to maintain, and secondly (and at a personal level I did raise this with the Club) I understand that if the Club moved to the Shirley Strickland Reserve then the land it sits on can be sold for a purpose consistent with its surrounds (in this case residential), as long as the funds recovered are spent on the initial purpose of the land, which is sport and recreation –I don't know but suspect the development of this land would yield a substantial part of the cost of any redevelopment at Shirley Strickland Reserve.

17. CLOSURE

There being no further business to discuss the Mayor declared the meeting closed at 8.20pm.