



— *City of* —
Melville

MINUTES

OF THE

ORDINARY MEETING OF THE COUNCIL

HELD ON

19 DECEMBER 2006

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DISTRIBUTED: 22 DECEMBER 2006



— City of —
Melville

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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 6.39PM ON TUESDAY, 19 DECEMBER 2006.

1. PRESENT

Her Worship the Mayor, Katherine Jackson JP

COUNCILLORS

Cr D J Macphail (Deputy Mayor)
Cr A Ceniviva
Cr C W Robartson; Cr R A Aubrey
Cr P M Phelan; Cr C M Halton
Cr M J Barton; Cr L J Wyatt
Cr J R Bennett; Cr L M Reynolds
Cr H R Everett, Cr J Phillips

WARD

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

2. IN ATTENDANCE

E Lumsden PSM
C McClure
M Tieleman
R G C Willis

D Gillam

M Ridgwell
K Weymes

R Dougall

POSITION TITLE

Chief Executive Officer
Director Strategic Urban Planning
Director Customer & Corporate Services
Director Technical & Development Services
A/Director Strategic Community Development
Property & Corporate Support Manager
Manager Planning & Development Services
Minutes Secretary

3. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Nil.

4. PUBLIC QUESTION TIME

Mr J Addvalue of Applecross

- “1. *A thing of beauty is a joy forever (Keats), Would the City of Melville consider an award for aesthetics / architectural excellence to Mirvac Fini for the most beautiful building they have erected on the Mount Pleasant foreshore?*

The Raffles could be considered also, after they tidy up the western corner of the Raffles Hotel, which consists of different shapes, colours and materials, presenting an unsightly picture when viewed from the Library car park.”

The Director Strategic Urban Planning. Mr Craig McClure responded:

“The Heritage Incentive Scheme was considered by elected members recently and they are looking at awards, not only for Heritage, but for Architectural and urban design excellence. The development around the Raffles is not completed with verge and foreshore upgrading to occur.”

- “2. *Is the map of Applecross Village Shopping Precinct, showing the proposed location of the proposed toilet correct? If so, I recommend that the present EXIT road be retained as an ENTRANCE road and the present ENTRANCE road be retained as an EXIT road. The present arrangement is very dangerous for cars leaving the shopping car park and wanting to turn right, especially when the parking place on Ardross Street to the immediate right is filled.*

Would the City of Melville arrange an evening meeting for residents to discuss alternative locations for the toilet and the costs involved? There are the points to be considered, eg, trees, and the cubby house and the footpath.

The Director Technical & Development Services, Mr Robert Willis responded:

“Thank you for comments Mr Addvalue. Your comments on access and traffic issues will be investigated. There is no proposed public meeting, however a survey to which the shopkeepers and public may respond has been distributed and comments received will be considered by the Council in February 2007. Council will need to determine whether there is a need for a public meeting.”

5. AWARDS AND PRESENTATIONS

5.1 Recognition of Support Certificate for Reservists

The Defence Reserve Support Council sponsored Employer Support Awards are a means of formal public recognition for employers at the state and territory level. These awards acknowledge the contributions made by employers of Reservists. The City of Melville was nominated, and recently received on the 29 November 2006, a Recognition of Support Certificate in relation to its supportive Defence Reserve Service leave policy and continued employment of Reservists.

Recognition of Support Certificates is presented to employers who are nominated by their Reservist employees as being supportive of their serving as a member of the Reserve. The certificate was presented by His Excellency Dr Kenneth Comminos Michael, AC Governor of Western Australia to Mr Eric Lumsden Chief Executive Officer.

The Chief Executive Officer, Mr Eric Lumsden advised that those involved would seek appropriate recognition.

5.2 Saturday 9th December Vehicle Safety Checks

I'm very happy to have the opportunity to invite Mr John Rickie to accept his prize of a \$200 service generously donated by Auto Masters Melville.

Mr Rickie took part in a joint effort between the City of Melville, the Department for Planning and Infrastructure, Police and Auto Masters Melville to provide free Vehicle Safety Checks to ensure cars were in a roadworthy condition before the holiday season.

This was held in the car park at Garden City on Saturday 9 December.

This event showed drivers what needed to be done to their cars to ensure they were safe and roadworthy without being issued with a yellow sticker.

**** At 6.51pm the Property and Corporate Support Manager departed the Chamber.**

5.3 A record of functions attended by the Mayor, and Elected Members representing the Mayor for the Council, for the period 21 November 2006 to 18 December 2006, forms an attachment to the Minutes of the Meeting.

Cr J R Bennett moved, seconded Cr H R Everett -

THAT THE RECORD OF FUNCTIONS ATTENDED BY THE MAYOR, AND ELECTED MEMBERS REPRESENTING THE MAYOR ON BEHALF OF THE COUNCIL, FOR THE PERIOD 21 NOVEMBER 2006 TO 18 DECEMBER 2006, BE NOTED.

[Mayoral Representation December 2006.pdf](#)

The Mayor submitted the motion,

which was declared **CARRIED WITHOUT DISSENT (13/0)**

6. CONFIRMATION OF MINUTES

6.1 ORDINARY MEETING OF THE COUNCIL – 21 NOVEMBER 2006

Cr J R Bennett moved, seconded Cr D J Macphail –

THAT THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD ON TUESDAY, 21 NOVEMBER 2006 BE CONFIRMED.

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (13/0)**

7. DISCLOSURES OF INTEREST

Nil.

8. APPLICATIONS FOR NEW LEAVES OF ABSENCE

Cr C W Robartson Bull Creek / Leeming

Cr J R Bennett moved, seconded Cr A Ceniviva -

THAT CR C W ROBARTSONS REQUEST FOR LEAVE OF ABSENCE BE GRANTED.

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (13/0)**

9. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Confidential Business- C06/7002 – Disposal & Acquisition of Land – Willcock Street, Ardross

In accordance with Section 5.23 (c) of the Local Government Act 1995 the report on the disposal and acquisition of land in Willcock Street, Ardross will be considered by the Council and will be closed to the public.

10. PETITIONS

On 4 December 2006 a petition signed by fifty two (52) residents was received by the City of Melville. The petition reads as follows:

"We, the undersigned, all being Electors of the City of Melville, do humbly pray that automatic defibrillators as recommended by St John's be brought for each of Melville's Leisure Centres for use in the event of the necessity for resuscitation".

Officer Comment

The purchase of defibrillators for emergency resuscitation use at each of the City of Melville's three (3) centres was planned for the 2007/2008 budget year.

Given the recent publicity concerning the potential for these units to save lives in the event of an emergency it has been decided to purchase the units immediately.

The process of purchasing these units will commence as soon as possible and it is hoped that they will be in place within the near future following the necessary staff training in their correct use.

Cr J Phillips moved, seconded Cr D J Macphail -

THAT THE PETITION BEARING FIFTY TWO (52) SIGNATURES BE NOTED AND THE PETIONERS BE ADVISED OF THE ACQUISITION OF DEFIBRILLATORS FOR EMERGENCY RESUSCITATION USE AT EACH OF THE CITY OF MELVILLE'S THREE (3) RECREATION CENTRES WILL BE UNDERTAKEN AND IMPLEMENTED IN THE 2006/2007 FINANCIAL PERIOD.

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (13/0)**

11. REPORTS OF THE CHIEF EXECUTIVE OFFICER

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P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

Ward	:	City
Category	:	Planning / Building Development
Application Number	:	DA-2006-1079
Property	:	22A Mullings Way, Myaree WA 6154
Proposal	:	Two (2) Storey Single Dwelling
Applicant	:	Mr L M King
Owner	:	Mr L M King
Disclosure of any Interest	:	No officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer	:	Keith Weymes, Manager Planning & Development Services
Previous Items	:	No relevant previous items

SUMMARY

The application is for a two (2) storey single dwelling on Lot 782 (22A) Mullings Way, Myaree.

The two storey on battleaxe lot development standards of the Living Area – MY1 precinct apply to the site.

It is recommended that the application be approved.

BACKGROUND

The Western Australian Planning Commission have issued an approval (WAPC Ref 131360) dated 9 June 2006 for the subdivision of the parent lot into two (2) lots in a battleaxe configuration.

The application was presented to the Council at its Ordinary Meeting on 17 October 2006. The officer recommendation was for the proposed development to be approved subject to a schedule of conditions. The Council rejected the Officer's recommendation and resolved to refuse the proposed development for the following reason:

“Non-compliance with the Two (2) Storey on Battleaxe Lot development standards of the Living Area – MY1 precinct as specified in part 4 of the Community Planning Scheme No. 5. The intent of the development standards is to prohibit development that may be considered being ‘boxy’ and ‘bulky’ on rear lots. The application proposes to vary the plot ratio, upper floor area, upper floor boundary setback (to the northern boundary only) and rear ground floor boundary setback development standards and is therefore considered not to be consistent with the intent of the Two Storey on Battleaxe Lot development standards.”

The applicant has served notice for the review of the decision of the Council to refuse to grant planning approval for the proposed development.

P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

An order was made by the State Administrative Tribunal at the Directions Hearing on 6 December 2006, that the Council reconsider its decision to refuse to grant planning approval under Section 31 of the State Administrative Tribunal Act 2005.

Under Section 31 of the Act, the Council may:

1. Affirm its decision to refuse to grant planning approval, or
2. Vary the decision to refuse to grant planning approval, or
3. Set aside the decision to refuse to grant planning approval and substitute a new decision to grant planning approval.

Scheme Provisions

MRS Zoning : Urban
 CPS 5 Zoning : Living Area – MY1
 R-Code : R20
 Use Type : Residential
 Use Class : P

Site Details

Lot Area : 432sqm total
 Retention of Existing Vegetation : No
 Street Tree(s) : No
 Street Furniture (drainage pits etc) : No
 Site Details : {Link to Site Photo}

DETAIL

Development Requirements

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Open Space	50% (176sqm)	50% (178sqm)	Complies		
Building Height	10.5 metres maximum	8.5 metres maximum	Complies		
Carparking	2 bays at least 1 covered	2 covered bays	Complies		

P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

Two Storey on Battleaxe Lot Development Standards

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Plot Ratio	0.4 effective lot area (133sqm)	0.62 (207sqm)	Does Not Comply	Council	
Upper Floor Area	30% (55sqm)	45% (82sqm)	Does Not Comply	Council	

(Note: Non-compliances are emphasised in bold)

Setbacks

Wall	Required	Proposed	Comments	Delegation to approve Variation	Plan Notation
Front (N)					
Ground	1 metre	1 metre	Complies		
Upper	4 metres	3.4 metres	Does Not Comply	Council	
Rear (S)					
Ground	3 metre min and 6 metre average	1.1 metre min and 1.8 metre average	Does Not Comply	Council	
Upper	4 metres	4 metres	Complies		

Side (E)					
Ground	1 metre	Nil	Does Not Comply	Council	
Upper	4 metres	5.7 metres	Complies		
Side (W)					
Ground	1.5 metres	4.3 metres	Complies		
Upper	4 metres	4.5 metres	Complies		

(Note: Non-compliances are emphasised in bold)

P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

POLICY IMPLICATIONS

No relevant Council Policy.

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required: Yes
 Neighbour's Comment Supplied: Yes
 Reason: Variation to precinct development standards
 Support/Object: Three (3) objections

Affected Property	Summary of Submission	Support/ Objection	Officer's Comment	Action (Condition/ Support/ Dismiss)
23 Stammers Place Myaree	1. The proposed development departs from the development standards in relation to plot ratio, upper floor area and southern ground floor setback. 2. It is grossly unjust of the Council to consider this application because it does not comply with the development standards.	Objection	1. Failure to make comment on the likely impact of the aspects of the proposed design that vary from the development standards. 2. The provisions of the CPS 5 permit the Council to vary development standards contained in the CPS 5.	1. Dismiss. 2. Dismiss.

P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

	<p>3. Before the submission is considered by the Council the onus should be on the builder to provide a design that complies with the development standards.</p>		<p>The important issue is the potential impact of any departure from development standards not the fact that the proposed design seeks to vary the development standards. No comment made on the potential impact.</p> <p>3. The applicant has the right to ask for the Council to consider a design that does not meet the development standards. It is the applicant's responsibility to justify any variation using arguments based on sound planning principles.</p>	<p>3. Dismiss</p>
<p>22 Mullings Way Myaree</p>	<p>1. The plot ratio standard is in the CPS for a reason and why should the applicant be permitted to vary the standard.</p> <p>2. In relation to the proposed reduced upper floor setbacks, concern is raised relating to noise, privacy, fire risk. The upper floor will be far too close to the</p>	<p>Objection</p>	<p>1. No comment relating to the potential impact of the proposed variations to the development standards.</p> <p>2. The proposed design complies with the Acceptable Development standards of Element 8 of the 2002</p>	<p>1. Dismiss</p> <p>2. Dismiss</p>

P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

	<p>dwelling on 22 Mullings Way Myaree.</p> <p>3. The proposed pool is to be located next to our outdoor living area which is of a concern due to the noise that area may generate.</p>		<p>R Codes and there is no other information provided in the comment to suggest this requires further investigation. Fire risk is assessed at building licence application stage and at this time there is nothing information provided in the comment to suggest otherwise.</p> <p>3. Any noise generated from pool pumps and any amplified music will be required to comply with the Environmental Health (Noise) Regulations 1997. Human voices and noise from the general enjoyment of the property is exempt from the noise regulations and is unlikely to adversely affect the enjoyment of 22 Mullings Way Myaree.</p>	<p>3. Dismiss</p>
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P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

<p>24 Mullings Way Myaree</p>	<p>1. The proposed building is “large” and “boxy” which is not consistent with the intent of the two storey on battleaxe lot development standards.</p> <p>2. The excessive upper floor area is very intrusive on the the enjoyment of the property, 24 Mullings Way Myaree. It is likely to reduce access to light for the garden and pool. It is likely to obstruct views of the trees in the park close by. The occupiers use the rear yard frequently and the appearance of a large and boxy dwelling will detract</p>	<p>Objection</p>	<p>1. The intent of the two storey on battleaxe lot development standards is to prohibit large and boxy developments on rear lots. The issue of whether or not the proposed design meets the intent of the development standards is discussed in the comment section below. The proposed design is close to meeting the upper floor boundary setbacks which means that any perceived ‘bulk’ is set well back from the boundaries of the site.</p> <p>2. In relation to access to light, the proposed design complies with the Acceptable Development standards of Element 9 of the 2002 R Codes. In addition to those standards, the eastern upper floor building wall is proposed to be setback in excess</p>	<p>1. Disimissed and Noted – the comment is relevant.</p> <p>2. Dismissed and Noted – the comments are relevant.</p>
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P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

	<p>from the visual amenity of that area.</p> <p>3. The east facing window in the upper floor bedroom overlooks the rear yard and pool area on 24 Mullings Way Myraee.</p>		<p>of 4 metres from the boundary. It is likely that there will be no adverse impact relating to access to light. In relation to appearance, the proposed building could be considered to have an attractive appearance. The high roof pitch rising to a flat summit, combination of difference in setbacks between the ground floor and upper floor, rendered brick and tile finish and architectural chimney feature all contribute to a neat, conservative, simple and pleasant appearance.</p> <p>3. The major opening in the eastern upper floor building wall is setback appropriately from the eastern boundary of the site complying with the Acceptable Development standards of Element 8 of the 2002 R Codes.</p>	<p>3. Dismiss and Noted – the comment is relevant.</p>
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P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

	<p>4. The eastern ground floor boundary wall is acceptable however there is concern in relation to the dividing fence (will the wall form part of the dividing fence) and the footings of the proposed wall are likely to be close to the pool on 24 Mullings Way Myaree.</p>		<p>It is acknowledged that there may be overlooking into 24 Mullings Way Myaree (based on a person being able to see further than 5.7 metres) however the distance of separation is adequate to provide privacy for 24 Mullings Way Myaree and provide access to light and ventilation and an outlook from inside the bedroom for the proposed dwelling.</p> <p>4. The matter of a dividing fence between the two properties is a matter to be resolved between the landowners. At building licence application stage the applicant will be required to find a solution to enable the construction of the boundary wall without compromising the integrity of structures on the adjoining site.</p>	<p>4. Dismissed.</p>
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P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

	<p>5. The proposed building is out of character with the existing buildings in the street.</p>		<p>The applicant will be required to enlist the services of a certified practising structural engineer.</p> <p>5. The writer has not defined the character or style of architecture of the buildings in the street. A site visit in the street observed a number of architectural styles in the street. The proposed design could be considered to be conservative and simple, it does not display aspects of unique contemporary design and for that reason is unlikely to be 'out of character' with the existing built development in the locality.</p>	
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REFERRALS TO GOVERNMENT AGENCIES

Not required.

P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

STATUTORY AND LEGAL IMPLICATIONS

Should the City of Melville refuse the application for planning approval, the applicant may have the right to have the decision reviewed in accordance with Part XIV of the Planning and Development Act 2005.

FINANCIAL IMPLICATIONS

There are no anticipated financial implications.

STRATEGIC IMPLICATIONS

There are no anticipated strategic implications.

COMMENT

The site abuts a site zoned under the Community Planning Scheme No. 5 as Living Area – MY1 and in the ownership of the Department of Land Information. The site is currently used as a local park and for the purposes of assessing this application for planning approval, there is deemed to be no impact on that site because it is occupied by a non-residential use.

The application has been assessed in accordance with the provisions of the Community Planning Scheme No. 5, Council Policy and the Acceptable Development standards of the 2002 Residential Design Codes and the application proposes to depart from the development standards as follows:

- Plot ratio of zero point six two (0.62) of the effective lot area in lieu of zero point four (0.4). This relates to the two (2) storey on battleaxe lot development standards for the Living Area – MY1 Precinct.
- Upper floor area of forty five percent (45%) of the permissible gross floor area in lieu of thirty percent (30%). This relates to the two (2) storey on battleaxe lot development standards for the Living Area – MY1 Precinct.
- Northern upper floor boundary setback of three point four metres (3.4m) in lieu of four metres (4m). This relates to the two (2) storey on battleaxe lot development standards for the Living Area – MY1 Precinct.
- Rear ground floor boundary setback minimum of one point one metres (1.1m) in lieu of three metres (3m) and average of one point eight metres (1.8m) in lieu of six metres (6m). This relates to the two (2) storey on battleaxe lot development standards for the Living Area – MY1 Precinct.

P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

- Comment from the potentially affected land owners has been provided with three (3) objections. Two (2) of the objections do not make comment relating to the any potential impact on amenity and are considered to be of no benefit in the subjective assessment on impact to amenity. The other objection makes comment relating to potential impact on amenity and should be considered to be of benefit in the subjective assessment on amenity. Technical comment relating to the objection has been provided above in the public consultation section of this report.
- The intent of the two (2) storey on battleaxe lot development standards is to prevent 'bulky' developments on rear lots. The proposed design does not comply with the plot ratio, upper floor area, northern upper floor boundary setback and rear ground floor boundary setback standards. Despite this, the development does not appear to be 'bulky.' There are a number of articulations in the walls on the proposed upper floor and the proposed upper floor is generally well setback from the site boundaries. The combination of the two assists the proposed design in ameliorating the impact of building bulk and protecting access to sunlight and ventilation for the proposed development and the potentially affected sites.
- The proposed upper floor does not comply with the plot ratio standard and upper floor area standard but is close to achieving compliance with the upper floor boundary setbacks. Plot ratio is a tool usually incorporated into development standards to control building bulk. If the building (and associated bulk) is appropriately setback from the boundaries of the site then it is reasonable to conclude that the building bulk is not likely to be imposing on the potentially affected sites.
- More than half of the proposed excess plot ratio is contained in the ground floor. This has less impact than if contained in the upper floor and is likely to have less impact as the setbacks for the proposed building, generally, comply with the Acceptable Development standards of the 2002 R Codes.

It is recommended that the proposed variations to the two (2) storey on battleaxe lot development standards of the Living Area –MY1 precinct be supported.

- Eastern ground floor boundary setback to the Garage of nil in lieu of one metre (1m).
This relates to the provisions of the 2002 Residential Design Codes.
 - Comment has been obtained from the potentially affected owner. The comment objects to the proposed variations to the two (2) storey on battleaxe lot development standards but does not object to the proposed boundary wall.
 - The shadow cast from the proposed wall will be down the boundary line as measured to comply with the provisions of Element 9 of the 2002 Residential Design Codes. The proposed wall is likely to assist the potentially affected site achieve better solar passive living by providing minimal protection of the outdoor living area from afternoon sunlight.

P06/3017 – TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE (REC) (ATTACHMENT)

- In relation to building bulk, the existing dwelling on the potentially affected site is ends before the location of the proposed boundary wall and therefore there is likely to be no visual impact on major openings on the potentially affected dwelling. The existing outdoor living area on the adjoining site is extensive and the proposed wall is close to being compliant with the Acceptable Development standard. It is unlikely the proposed boundary wall will have an adverse visual impact.
- There are no openings proposed in the wall, the privacy of the potentially affected site is protected.

It is recommended that the proposed boundary wall be supported.

**** At 6.55pm the Property & Corporate Support Manager re-entered the Chamber.**

Officer Recommendation

That the application for a two (2) storey Single Dwelling on Lot 782 (22A) Mullings Way, Myaree, be approved and subject to the following:

Special conditions:

- 1. The existing bore cavity in the access way being filled in and compacted appropriately or being modified, in a manner suitable to a certified practising Structural Engineer, to be trafficable and safe so as not to cause harm to any vehicles or persons whom are likely to travel on or over the bore cavity. Details relating to the bore cavity being provided in the application for a Building Licence and those details being endorsed by a certified practising Structural Engineer.**
- 2. During construction of the approved development access to the site is permitted using the street frontage only.**

Standard conditions:

Resd 03, 04, 06, 11, 13, 16 and resgd 07.

Cr J R Bennett moved, seconded Cr A Ceniviva -

THAT THE COUNCIL RESOLUTION OF 17 OCTOBER 2006 -

THAT THE APPLICATION FOR A TWO (2) STORY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE, BE REFUSED FOR THE FOLLOWING REASON:

NON-COMPLIANCE WITH THE TWO (2) STORY ON BATTLEAXE LOT DEVELOPMENT STANDARDS OF THE LIVING AREA – MY1 PRECINT AS SPECIFIED IN PART 4 OF THE COMMUNITY PLANNING SCHEME NO. 5. THE INTENT OF THE DEVELOPMENT STANDARDS IS TO PROHIBIT DEVELOPMENT THAT MAY BE CONSIDERED BEING ‘BOXY’ AND ‘BULKY’ ON REAR LOTS. THE APPLICATION PROPOSES TO VARY THE PLOT RATIO, UPPER FLOOR AREA, UPPER FLOOR BOUNDARY SETBACK (TO THE NORTHERN BOUNDARY ONLY) AND REAR GROUND FLOOR BOUNDARY SETBACK DEVELOPMENT STANDARDS AND IS THEREFORE CONSIDERED NOT TO BE CONSISTENT WITH THE INTENT OF THE TWO STORY ON BATTLEAXE LOT DEVELOPMENT STANDARDS.

The Mayor submitted the motion,
which was declared

BE RESCINDED

CARRIED (11/2)

COUNCIL RESOLUTION (3017)

APPROVAL

Cr J R Bennett moved, seconded Cr A Ceniviva -

THAT THE APPLICATION FOR A TWO (2) STOREY SINGLE DWELLING ON LOT 782 (22A) MULLINGS WAY, MYAREE, BE APPROVED AND SUBJECT TO THE FOLLOWING:

SPECIAL CONDITIONS:

- 1. THE EXISTING BORE CAVITY IN THE ACCESS WAY BEING FILLED IN AND COMPACTED APPROPRIATELY OR BEING MODIFIED, IN A MANNER SUITABLE TO A CERTIFIED PRACTISING STRUCTURAL ENGINEER, TO BE TRAFFICABLE AND SAFE SO AS NOT TO CAUSE HARM TO ANY VEHICLES OR PERSONS WHOM ARE LIKELY TO TRAVEL ON OR OVER THE BORE CAVITY. DETAILS RELATNG TO THE BORE CAVITY BEING PROVIDED IN THE APPLICATION FOR A BUILDING LICENCE AND THOSE DETAILS BEING ENDORSED BY A CERTIFIED PRACTISING STRUCTURAL ENGINEER.**
- 2. DURING CONSTRUCTION OF THE APPROVED DEVELOPMENT ACCESS TO THE SITE IS PERMITTED USING THE STREET FRONTAGE ONLY.**

STANDARD CONDITIONS:

RESSD 03, 04, 06, 11, 13, 16 AND RESGD 07.

The Mayor submitted the motion,
which was declared

CARRIED (12/1)

T06/2008 – OLD MELVILLE PRIMARY SCHOOL (REC) (ATTACHMENT)

Ward	:	Palmyra/Melville/Willagee
Category	:	Operational
Subject Index	:	Melville Primary School Redevelopment
Customer Index	:	n/a
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	C04/8011 C05/7000 T06/2007
Works Programme	:	2006/2007 Capital Works Programme Future Capital Works Programme
Funding	:	\$500,000 2006/07 Capital Works Programme Future Capital Works Programme
Responsible Officer	:	Philip Gale Manager Infrastructure Services

SUMMARY

In August 2006 Infrastructure Services released the Draft Master Plan for public comment. This Consultation Period is now complete, resulting in overall positive results for the plan.

BACKGROUND

In 2003, local residents overwhelmingly supported the City of Melville in approaching the Department of Education regarding the purchase of the old Melville Primary School site. After three (3) years of negotiating the land was purchased by the City of Melville in 2006. Purchasing this land has increased the percentage of public open space within the suburb of Melville to the desired amount as indicated in the City of Melville Public Open Space Strategy.

In November 2005, Infrastructure Services, held a search conference to obtain the desires of local residents. These desires were transferred into a draft master plan for the site – named 'The Game of Life'. This plan was adopted by Council for public consultation.

DETAIL**Survey**

In August 2006 a survey was sent out to residents within a four hundred metre (400m) radius of Melville Primary School to ascertain the acceptance of the Melville Primary School draft Master Plan – named The Game of Life (2 x A4 coloured plans form part of the attachments) and to assist in the prioritisation of areas to commence constructing once demolition has been completed.

Forty six (46) responses, including group responses from the MORE Group and the Kardinya Residents Association, were received with a sixty-three percent (63%) acceptance of the master plan, with emphasis being placed on the retention of open space.

T06/2008 – OLD MELVILLE PRIMARY SCHOOL (REC) (ATTACHMENT)

The following table shows the priorities received from the survey in order of preference.

OVERALL PRIORITY TO BE UTILISED FOR CONSTRUCTION	NAME OF AREA INDICATED OF DRAFT MASTER PLAN	PROPOSED USAGE OF INDICATED AREA	INDIVIDUAL PRIORITY RESPONSES RECEIVED FOR EACH AREA			
			HIGH	MEDIUM	LOW	NOT ANSWERED
1	Ball Sports	Open Space	29	7	4	6
2	Adventuring Spirit	Bush Land	25	11	3	7
3	Farmyard	Young Child play Area	22	12	4	8
4	The Life Hub	Central Plaza	21	11	6	8
5	Card Play area	Exercise/Relaxation Area	20	14	5	7
6	Chess Area	Library Plaza	18	13	8	7
7	Snakes and Ladders Area	Child Play Area	17	19	2	8
8	Dominoes Area	Community Gardens	16	18	5	7
9	School Yard Area	Water Play Park	16	18	5	7
10	Television/ Nintendo Area	Performance Space	12	11	17	6
11	Television/ Nintendo Area	Urban Skate Track	12	7	21	6

As indicated in the above table the priority for the site is the demolition of the buildings and the transformation of the site into a useable public open space as soon as possible. A master plan for the redevelopment of the old Melville Primary School site (5173A1-06PG) has been developed to reflect the survey results and forms part of the attachments for this item.

Other ideas presented during the consultation included the following and are incorporated in the new plan as indicated. This plan 5173A1-06PG forms part of the attachments for this item.

Ideas which have been included in the Melville Primary School Master Plan:

- Reference Library - will be considered as a community use for the buildings.
- Internet/Video area - will be considered as a community use for the buildings.
- Adult Education Centre - will be considered as a community use for the buildings.
- Joggers Track - was always to be included within Card exercise/Relaxation Area.
- Circulation Paths – were always being considered, the master plan only shows the main thoroughfare paths.
- BBQ's - were always being considered for installation.
- Art work – is considered an integral part of the development of the area, although specific sites have not been designated on the master plan.
- Adult Swing – play areas will be designed to incorporate all ages in safe play.
- Dog Walkers Area – paths will allow for owners to walk their dogs through the park.

T06/2008 – OLD MELVILLE PRIMARY SCHOOL (REC) (ATTACHMENT)

- 'Roads and signals' – designated paths will have elements of the road rules added around them to allow young children to learn the road rules in a safe environment.
- No smoking – Consideration is being given to making the whole park smoke free and more investigation shall take place over the course of the redevelopment to ascertain the practicality of this request.

Ideas which have not been included in the Melville Primary School Master Plan, but consideration shall be given to them if interested parties approach the City of Melville in due course:

- Big Screen Movies
- Wishing Well

Ideas which have not been included in the Melville Primary School Master Plan and will not be considered in the future as they are considered inappropriate for the site:

- A Graffiti Wall
- Dirt Bike Track
- Dog Exercise Area
- Mini Golf Course
- Surfing Wave Wall

Requests were also received to recycle the building material from the old school buildings, into the new park. This request is to be problematic and not considered a priority for the redevelopment of the site.

The three (3) major points of contention within the returned surveys were the Skate Park Facility, creating 'theme park' instead of a local park and the retention of the existing shelter.

Concerns regarding the concentration of youth at a designated area, named in the preliminary plan as the Computer/Nintendo, have been addressed by removing the designated area from the new plan. Selected paths within reserve shall incorporate elements and small areas to allow for utilisation by bike riders and skate boarders. All other paths within the reserve shall actively discourage this type of use.

The over crowding of the park and its perceived transformation into a 'theme park' can be considered as an over reaction to the Draft Master plan. The park is large enough to require various areas of interest, whilst retaining the aspect of open space. The various levels within the site allows for these elements to be spread out throughout the park, limiting the impact on the local residents, but still creating points of interest to encourage people to utilise the site to its potential.

T06/2008 – OLD MELVILLE PRIMARY SCHOOL (REC) (ATTACHMENT)

The shelter has long been a gathering point for anti-social behaviour, which has increased with the emptiness of the site at present. The revised master plan has removed this shelter, eliminating this concern. The removal of the shelter will also remove the designated performance space from the plan, which was given the second lowest priority by the survey respondents. It should be noted that under our sale agreement with the Department of Education and Training, specific buildings were nominated for possible demolition; the shelter was not one of these buildings. Should we wish to undertake demolition of this facility prior to change of ownership (probably land title handover) we would need to write to Department of Education and Training to obtain their approval to remove this building.

Several community groups have approached the City of Melville regarding the possibility of relocating permanently to the new park. These groups include The MORE Community Group, The Ideas Place and The Melville Group of the Western Australian Woodturners Association, with the backing of the West Australian Guild of Woodcarvers. These groups are all considered potential residents of the site and will be incorporated with the park as the design develops if practical. It must be noted a temporary lease arrangement to the MORE

Community group is being considered for the Mt Williamson Library building, whilst the park is being redeveloped.

Demolition

A preliminary report from the building surveyors has been received. Further investigation is needed to ascertain the full structural integrity of the buildings we intend to keep, namely the Doris Donovan Centre, the Early Primary School Buildings and the Mt Williamson Library.

The asphalt basketball courts, adjacent to the existing shelter, have been identified as being in poor condition and will be destroyed during the demolition process. This area, already identified during the recent public consultation as a point of contention, will now be removed during the demolition process and a smaller basket ball area installed as indicated on the Melville Primary School Master Plan.

It is anticipated the documentation for the demolition will be completed by Christmas. The demolition process itself should commence in March 2007.

In January 2007 a services plan will be completed for the site, incorporating the future electrical, sewerage, water, gas needs for the transformation of the site. This will allow the commencement of this stage of the project as soon as possible after the completion of the demolition of the old school buildings.

T06/2008 – OLD MELVILLE PRIMARY SCHOOL (REC) (ATTACHMENT)**POLICY IMPLICATIONS**

Nil.

PUBLIC CONSULTATION/COMMUNICATION

Consultation for this project has proceeded in accord with Communication Policy C20 and the communication plan adopted by Council (T06/2007). This has included a letter drop to residents within a 400m radius was conducted, including the plan and survey form. Further discussion was stimulated during an on site information session on Saturday 2nd September 2006 to interested residents and community representatives, an information session to internal staff on Wednesday 6th September 2006 and a presentation to the students and teachers of Melville Primary School on Thursday 14th September 2006.

Further consultation shall continue to involve the community in accordance with C20, through information sessions, direct mail, web site updates, on site signage and design sessions as appropriate.

STATUTORY AND LEGAL IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The amount of five hundred thousand dollars (\$500,000) has been provided in the 2006/2007 capital works budget to start this project.

Funding for completion of the works is not certain at this stage but as more definite plans are developed all funding sources, including grants will be pursued.

Allowing for the demolition of all unwanted buildings, making the site safe and all re-developments as shown on the concept plans, Infrastructure Services have attempted to cover all known costs, to provide an early stage costing, of two point nine six one million dollars (\$2.961 million), which is very preliminary.

Further to this there will be the ongoing maintenance costs of approximately one hundred thousand dollars (\$100,000) per year for the building and grounds maintenance.

T06/2008 – OLD MELVILLE PRIMARY SCHOOL (REC) (ATTACHMENT)

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk*	Risk Mitigation Strategy
Risk of funding shortages to complete the project to a high standard	Moderate consequences which are likely, resulting in a high level of risk	Reassess required funding regularly apply for available external grant funding, stage works as necessary to ensure works completed to a high standard.
Risk of Community impediment regarding the ongoing development of the site	Minor consequences which are almost certain, resulting in a High level of risk	Continue to involve and promote the project through ongoing consultation. Review the design in regards to these consultation outcomes.
Risk of increased ongoing maintenance expenses due to proposed changes in layout, structures and use of the park or facility.	Minor consequences which are almost certain, resulting in a High level of risk	Review use of materials and design plans such that more durable and lower maintenance materials are used.

COMMENT

The development of the Old Melville Primary School Site is an exciting, long term project for the City of Melville as a whole. Additional funding over a number of years will ensure the project is completed to a high standard and is something all officers and residents involved in will be proud of.

** At 7.28pm the Property and Corporate Support Manager departed the Chamber and re-entered the Chamber at 7.33pm.

** At 7.36pm Cr J R Bennett departed the Chamber and re-entered the Chamber at 7.41pm.

** At 8.10pm the Committee Clerk departed the Chamber and re-entered the Chamber at 8.12pm.

Officer recommendation

1. That the Master Plan (5173a1-06pg) for the redevelopment of the old Melville Primary School site be adopted for development.
2. That the residents of the City of Melville be updated on the development of this plan on a regular basis through a variety of methods including signage on site, direct mailing and advertisements in the local papers.

T06/2008 – OLD MELVILLE PRIMARY SCHOOL (REC) (ATTACHMENT)**Reject and Replace**

Cr R Aubrey moved, seconded Cr D J Macphail -

That the Officer recommendation be rejected and replaced with the following:

- 1. That the Master Plan (5173A1 – 06PG) for the redevelopment of the Old Melville Primary School site be received**
- 2. That an alternative Master Plan be developed that incorporates the open space priorities of the wider City of Melville community.**

The Mayor submitted the motion,
which was declared

LOST (3/10)

COUNCIL RESOLUTION (2008)

APPROVAL

Cr P M Phelan moved, seconded Cr L M Reynolds -

- 1. THAT THE MASTER PLAN (5173A1-06PG) FOR THE REDVELOPMENT OF THE OLD MELVILLE PRIMARY SCHOOL SITE BE ADOPTED FOR DEVELOPMENT.**
- 2. THAT THE RESIDENTS OF THE CITY OF MELVILLE BE UPDATED ON THE DEVELOPMENT OF THIS PLAN ON A REGULAR BASIS THROUGH A VARIETY OF METHODS INCLUDING SIGNAGE ON SITE, DIRECT MAILING AND ADVERTISEMENTS IN THE LOCAL PAPERS.**

The Mayor submitted the motion,
which was declared

CARRIED (10/3)

Cr D J Macphail and Cr R Aubrey requested that their names be recorded as having voted against the motion.

T06/3001 - MOUNT PLEASANT UNDERGROUND POWER PROJECT (REC)
(ATTACHMENT)

Ward	:	Applecross/Mt Pleasant
Category	:	Operational
Subject Index	:	Mount Pleasant Underground Power
Customer Index	:	Insert Customer Index from Dataworks
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	T05/3009 Underground Power Round Four (4) Submission October 2005
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Philip Gale Manager Infrastructure Services

SUMMARY

The City of Melville was invited to prepare and submit submissions for consideration in the State Underground Power Program (SUPP) Round four (4). The submission for the Mount Pleasant area (north) was accepted by the Office of Energy and Western Power to proceed to the detail design and feasibility stage.

The City of Melville has undertaken a survey of property owners in the project area to measure the support for the project. The survey has demonstrated that a majority of those surveyed support the installation of underground power and that they are also prepared to pay the estimated cost.

BACKGROUND

The City of Melville has been involved in the installation of underground power for a number of years. Details of projects completed within the City of Melville are:

- Applecross was chosen as a pilot project for the State Underground Power Program (SUPP) and work was completed between April 1996 and August 1997. The project comprised two thousand four hundred (2,400) lots.
- West Bicton was selected in Round two (2) and comprised three hundred and thirty nine (339) lots.
- Mount Pleasant/Booragoon was selected in Round two (2) and comprised one thousand three hundred (1,300) lots.

The City of Melville was unsuccessful in Round three (3) of the State underground Power Program.

In mid 2005 the Office of Energy invited Local Government authorities to submit submissions for consideration in Round four (4) of the State Government Underground Power Program.

**T06/3001 - MOUNT PLEASANT UNDERGROUND POWER PROJECT (REC)
(ATTACHMENT)**

The City of Melville prepared twelve (12) submissions following advice from Western Power on which areas that currently have overhead power distribution would benefit from underground power. The following submissions were presented to the Office of energy for consideration:

- Melville East/Myaree West
- Alfred Cove/Myaree East
- Palmyra West
- Bicton Central
- Attadale South
- Melville North
- Alfred Cove West
- Willagee
- Attadale North
- Brentwood/Mount Pleasant South
- Kardinya
- Mount Pleasant North.

Following the evaluation of the submissions by the Office of Energy in consultation with Western Power the City of Melville was advised that the Mount Pleasant North was selected to proceed to the detailed design and feasibility study stage.

At a subsequent meeting with the Office of Energy and Western Power the City of Melville and Western Power requested that a portion of the Brentwood/Mount Pleasant South submission be incorporated into the Mount Pleasant North project. This additional portion was bounded by Coomoora Road, The Esplanade, Henley Road and Queens Road. The inclusion of the area was a logical proposal to tie in with the area of previously undergrounded power as part of Round two (2). The request to enlarge the project area is currently under consideration and it is anticipated that proposal will be approved.

The Mount Pleasant South area was separated from the Mount Pleasant North area in the submissions to comply with the submission guideline that any submission should comprise of between eight hundred (800) and one thousand three hundred (1,300) lots.

DETAIL

A design of the proposed Mount Pleasant project area was prepared by Western Power. The design included the locations of transformers and switchgear cabinets. Western Power endeavour to place transformers and switchgear where possible in open space such as parks but often it is necessary that they be located in road verges.

Homeowners whose property is in the immediate vicinity of a proposed transformer or switchgear unit were advised by letter and invited to make comment. A photograph showing the equipment superimposed onto the site photo was provided with the correspondence (an example forms an attachment to the report).

**T06/3001 - MOUNT PLEASANT UNDERGROUND POWER PROJECT (REC)
(ATTACHMENT)**

Homeowners who had expressed concerns were invited to meet with officers from Western Power and the City of Melville on site to discuss their concerns. Following this process there have been some minor modifications to the locations of the transformers and switchgear without significantly increasing the impact on neighbouring homeowners.

Part of the process of undertaking an underground power project is to demonstrate that there is strong support in the project area for the proposal and that the homeowners are prepared to meet the cost.

A marketing company, JMG Marketing were engaged to undertake a survey of homeowners within the Mount Pleasant project area. A questionnaire and information on the project was sent to all homeowners in the project area. A copy of the questionnaire and information sheet forms an attachment to this item. The information contained details of the project including information on estimated costs to the homeowner, method of payment, benefits of underground power.

Two thousand one hundred and fifty six (2156) questionnaires were sent out to homeowners during November 2006. During the period of the consultation there were approximately seventy (70) phone calls received from homeowners in the survey area who wished to discuss various aspects on the information provided with the questionnaire. The predominant issues raised are listed below:

- Pensioners enquiring about the rebates on the GRV related component of the cost.
- The situation where there are multiple dwellings on a single lot
- Proposed timelines for the project
- Payment methods
- The implications for homeowners who will not be able to afford the cost. Pensioners in particular were concerned over this issue.
- Those residents who already had an internal underground connection to their property.

In general the majority of callers were supportive of underground power.

There were nine hundred and seventy completed survey forms returned giving a response rate of forty five percent (45%). This response rate is considered to be representative of the surveyed group. A copy of the report forms an attachment to this item.

A breakdown of the response to the questionnaire is given below:

- Eighty five percent (85%) of the respondents were in favour of underground power in principle.
- Seventy four percent (74%) of the respondents are in favour of underground power and also prepared to pay the associated outlined in the questionnaire.
- The preferred payment option was payment in full with a three percent (3%) discount with remainder opting for payments over a given period.

**T06/3001 - MOUNT PLEASANT UNDERGROUND POWER PROJECT (REC)
(ATTACHMENT)**

The most relevant question on the survey form is question three (3) “Do you wish to participate in the project and are you prepared to pay the costs involved?”

There is a clear majority of seventy four percent (74%) in the number of respondents who answered yes to this question.

The sequence of events from here will be:

- Western Power is currently negotiating a cost for the works with their contractors. Following this a detailed budget will be presented to the City of Melville for their approval. It is anticipated that this will occur during February 2007. It is worth noting at this point should the detail budget exceed the estimate provided to homeowners in the questionnaire then consideration may need to be given to a re-survey.
- Western Power will request that the City of Melville provide a *Letter of Intent* stating their acceptance of the detailed cost and intention to proceed with the underground power project. The Letter of Intent is to be forwarded to the Office of Energy. The letter of intent will provide Western Power with the authority to begin ordering materials and supplies prior to commencement of the work. It is anticipated that the letter of intent will be finalised by the end of March 2007.
- A draft agreement with design diagrams and final budget figures will be provided by the Office of Energy to the City of Melville for its approval. Once approved the three parties to the project being the Minister for Energy, City of Melville and Western Power will be required to sign the agreement. It is anticipated that the agreement sign off will take place during April 2007.
- A newsletter will be sent to homeowners and residents in the project area providing an update on the progress of the proposal.
- Commencement of works in April/May 2007.

Please note that all timelines quoted above are those estimated by Western Power. Throughout the project life residents and homeowners in the project area will be provided with a newsletter on a regular basis. It is anticipated that a three monthly update will be sufficient.

POLICY IMPLICATIONS

Policy T4 Electricity Supply.

PUBLIC CONSULTATION/COMMUNICATION

1. The City of Melville has distributed a survey questionnaire to home owners in the project area. Regular updates on the progress of the works in the form of a newsletter will be sent to homeowners and residents in the project area.

**T06/3001 - MOUNT PLEASANT UNDERGROUND POWER PROJECT (REC)
(ATTACHMENT)****STATUTORY AND LEGAL IMPLICATIONS**

- Provision by the City of Melville to the Office of Energy of a Letter of Intent
- Agreement signed by the Minister for Energy, City of Melville and Western Power.
- There will be statutory and legal implications as they apply to Western Power and other state bodies.

FINANCIAL IMPLICATIONS

There will be only a minimal net cost of the scheme to the City of Melville, since costs not covered by the State Government are recovered from the property owners benefiting from the scheme. It is planned that, consistent with the practice in previous underground power schemes undertaken within the City, the costs will be recovered partially by a service connection charge levied under s6.38(1) of the Local Government Act 1995, and partly by a Specified Area Rate which will be levied in order to recover the overall network infrastructure costs.

Since it is possible that work on the scheme will commence prior to the 2007 Rates season, there will be cash flow implications that will need to be covered by the City of Melville in the interim. Costs associated with this will need to be built into the financial modelling.

The questionnaire sent to property owners canvassed a range of repayment options ranging from payment in full within twenty one (21) days, allowing a three percent (3%) discount, to an extended payment period of up to three (3) years with staged interest levels being charged up to a level of seven percent (7%) in the third year.

Officers are conscious of the dramatic cost increases involved in this scheme and are seeking to ensure that appropriate options are available to property owners in order to assist with meeting the costs that will be charged. To this end, further possibilities over and above those already offered are being sought.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS**Vision 1-The Organisation and its People**

Strategic Objective 1.2-Effective Planning for the Future

To plan for the future of the City, ensuring that available resources are used effectively and that services are both available and affordable for our community.

**T06/3001 - MOUNT PLEASANT UNDERGROUND POWER PROJECT (REC)
(ATTACHMENT)**

Vision 2-Community Environment

Strategic Objective 2.1-Community Planning Scheme

A Community Planning Scheme that articulates the community expectations for diversity, density and design.

Strategic Objective 2.2-Infrastructure Assets

Infrastructure assets are maintained and /or renewed to ensure safety and visual amenity.

Strategic Objective 2.3-Community Urban Safety and Environment

A community Environment Where Residents Can Live in Safety

Risk Statement	Level of Risk*	Risk Mitigation Strategy
Risk of injury to members of the public during undergrounding of power and removal of existing overhead infrastructure	Medium level risk	Western Power and their contractors to project manage such that members of the public are not exposed to risk.
Risk of dissatisfied residents due to Western Power and their contractors actions	Medium level risk	Western Power and their contractors to ensure that a high level of communication is maintained with the community. City of Melville client liaison officers will be act as conduit between residents and the contractors where necessary.
Risk of final costs being in excess of those outlined to property owners in the survey.	Medium level of risk	The estimated cost was derived from current underground power projects. Western Power are confident that current negotiations with the contractors will not result in a significant difference in cost to that quoted in the survey. Should however, this be the case then consideration would need to be given for a re-survey of the property owners in the area.

* As derived from using the Risk Assessment Matrix

**T06/3001 - MOUNT PLEASANT UNDERGROUND POWER PROJECT (REC)
(ATTACHMENT)**

COMMENT

The survey has demonstrated that there is majority support from the respondents for the undergrounding of power in the Mount Pleasant project area. The benefits of underground power to the community has been recognised by the City of Melville

COUNCIL RESOLUTION (3001)

APPROVAL

Cr C Halton moved, seconded Cr J R Bennett -

- 1. THAT FOLLOWING A SEVENTY FOUR PERCENT (74%) RESIDENT ACCEPTANCE RATE FOR THE INSTALLATION OF UNDERGROUND POWER IN THE MOUNT PLEASANT AREA THE CITY OF MELVILLE SUPPORTS THE STATE UNDERGROUND POWER PROGRAM (SUPP) ROUND FOUR (4) PROJECT.**
- 2. THAT THE RESIDENTS AND HOME OWNERS IN THE PROJECT AREA BE ADVISED BY A NEWSLETTER OF THE OUTCOMES OF THE SURVEY AND ANTICIPATED START DATES FOR THE PROJECT.**
- 3. THAT FOLLOWING FINAL DESIGN AND COSTINGS A FURTHER REPORT BE SUBMITTED TO COUNCIL FOR THE ADOPTION OF BUDGET OBJECTIVES FOR THE STATE UNDERGROUND POWER PROGRAM (SUPP) ROUND FOUR (4) MOUNT PLEASANT PROJECT.**

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (13/0)**

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)

Ward	: All
Category	: Policy
Subject Index	: Insert the Subject Index from Dataworks
Customer Index	: Insert the Customer Index from Dataworks
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: Nil
Works Programme	: 2007/2008 – 2010/2011
Funding	: Not Applicable
Responsible Officer	: Dennis Gillam Manager Health and Lifestyles

SUMMARY

The City is in the process of developing a strategic plan for sport and recreation. The purpose of this report is to gain “in principle” support for two new policies that have been drafted following a review of the current policies relative to these groups.

These policies also recommend changes for asset maintenance, leases and licenses, hierarchy of reserves and facilities, and fees and charges.

This report also highlights the estimated budgetary impact that the proposed policies will have. A further report will be presented to the Council following consultations with community sport and recreation club/groups.

BACKGROUND

At the July 2006 Elected Members workshop a presentation was made on a shift in philosophy with regard to Council’s relationship with its sporting groups.

These philosophies were developing following a number of concerns expressed by the community sporting club/groups and recognition by officers that asset management was a growing concern. Viability of clubs was being threatened by the expectation from the council that clubs would maintain the asset to a standard beyond their means.

Other issues requiring clarifications were:

- Clubs seeking a one stop contact point at the City for customer service
- The current policies for community sport and recreation are ambiguous and inequitably applied,
- Changing participation trends affecting memberships and club sustainability.

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)

The City currently provides a wide range of sporting and recreational facilities and services. However the majority of opportunities are provided in a structured organised setting and additional attention is needed to provide more unstructured activities to allow the community to participate at times and venues which suit their lifestyles and leisure hours. The need to cater for the increasing physical activity demands of the public's passive use of facilities is evident in all recent trend analysis and will result in additional capital expenditure to provide these facilities. It will also lead to better use of the Councils existing resources and assets.

This shift in participation in sport and recreation has resulted in a new broader physical activity approach.

DETAIL

The process undertaken to arrive at the recommendations within this report has been a lengthy one and has included the development of a internal discussion paper, cross service area input and support, community sport and recreation club survey, an assessment of the historical ground allocation data, and audit of reserves and facilities. An external consultant was employed who conducted State, National comparisons, trend and participation analysis (including physical activity), consultation with a number of community sport and recreation groups and developed a background and issues report.

The following timeframes are proposed for the implementation of the new policies.

Task	Timeframe
Consultation with sport clubs on new policy and a further agenda presented to council for adoption of the policies.	End May 2007
Complete Community Sport and Recreation Strategic Plan.	June 2007
Facilitation sessions with user groups for the development of a ten year forward plan for each reserve.	December 2007

The key changes from the current policy to the new policies are listed below.

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)

Current - Policy CD9 Rentals/Leases/Management Licenses	Proposed Policy Support for Sports Clubs
<p>Rental Fees</p> <ul style="list-style-type: none"> • Calculation of rental fees is complex and expensive for community sporting groups • Public use rebate applies to rental fees and clubs can get up to 100% rental rebate for additional public use of the facilities they lease. • Public Use Rebate is not available to all and demands a great deal of resource to administrate. • The annual Administration fee is not subject to a Public use rebate. • Community sport and recreation groups believe they are paying too much for lease and management services within the City of Melville. (In particular the sport of Tennis) <p>Leases and Management Licenses</p> <ul style="list-style-type: none"> • Two types of documented agreements • Both are legalistic, complicated and confusing, particularly in the area of building maintenance which the City expects the groups to carry out. 	<p>Rental Fees</p> <ul style="list-style-type: none"> • Simplified approach by charging an annual administration fee in lieu of charging an annual lease fee • The public use rebate will be removed. <p>Leases and Management Licenses</p> <ul style="list-style-type: none"> • A simplified approach to agreements between the City and its community groups. • A Building maintenance approach clearly identifying what the city is responsible for and what clubs are responsible for. • Includes a building maintenance matrix for inclusion in each lease/management license agreement.

In addition to these changes the following issues have been addressed in the new Support for Sports Clubs policy

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)

Current Status	Proposed Policy Support for Sports Clubs
<ul style="list-style-type: none"> • Existing booking systems and procedures relating to community sport and recreation cross a number of service areas. • Bookings, Maintenance Issues, lease payments, ground allocations, club development, planning, grants and general support is given through different service areas. • Confusion on who to contact at the City. 	<ul style="list-style-type: none"> • Includes the provision of a one stop contact point to administer the customer relations for sporting groups • Includes a role for better management, support and monitoring of sports clubs.

A specialised sporting venue has been included in the support for Sports Clubs policy that clearly identifies the City's expectations on the management of specialised sports venues.

Current Status	Proposed Policy Support for Sports Clubs
<ul style="list-style-type: none"> • Bowling and Tennis Clubs, Melville Water Polo Club, Melville City Hockey Club and Melville Cricket Club (Turf) are the facilities that are considered as specialised sporting venues. • Clubs are charged for the areas they lease and are responsible for the costs associated with the ongoing maintenance of these areas. • Generally they are single club status (Exclusive use) 	<ul style="list-style-type: none"> • Includes a specialised sports venue approach.

It is proposed that the following fees and charges be paid by the City of Melville as part of the proposed Support for Sports Clubs policy

Current Status	Proposed Policy Support for Sports Clubs
<ul style="list-style-type: none"> • City of Melville passes on costs to sports groups. I.e. Building Insurance, Fire and Emergency Services Authority levies. 	<ul style="list-style-type: none"> • The City of Melville will pay fees and charges associated with the ownership of community buildings.

It is proposed that the City develops a hierarchy of reserves and facilities for the long term development of its infrastructure.

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)

Current Status	Proposed Policy Support for Sports Clubs
<ul style="list-style-type: none"> • No current long term plan for the development of Reserves and Facilities on City of Melville active reserves • Groups partly fund the establishment of new developments though the use of self supporting loans • No policy highlighting priorities meaning decisions are being made on an Ad Hoc basis 	<ul style="list-style-type: none"> • Includes an overarching approach and acceptance of the Hierarchy of reserves and facilities. • A minimum standard of facilities within the hierarchy of reserves. • The development of concept plan for each active reserve and clubrooms with a ten year forward budget forecast • Clearly identifies expectations required from Sports groups in the development of these facilities

Key points from the following current policies have been included within the Support for Sports Clubs policy.

Current Status	Proposed Policy Support for Sports Clubs
<ul style="list-style-type: none"> • Policy CD5 - Community Groups prizes and trophies • Policy TD8 - Recreational Equipment Sporting Bodies 	<ul style="list-style-type: none"> • The provision of perpetual or special event trophies to the value of \$150.00 • Responsibility for movable and fixed sports equipment • Process for ground markings.

Policy CD4 Assistance to clubs and organisations to establish facilities has been removed as it is considered operational.

Current Status	Proposed Policy Support Sports Clubs
<ul style="list-style-type: none"> • Policy CD4 Assistance to clubs and organisations to establish facilities is considered operational procedure and will become part of the officers administration process 	Removed

Attachment [8009A December 2006.pdf](#) Policy support for Sports Clubs

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)**New Policy - Physical Activity**

This policy aims to maximise participation and promote the benefits of being Physically Active. The City of Melville will provide Physical Activity opportunities through exercise, structured and non structured sport and recreation for the benefit of the community. This policy will provide for accessible, safe and affordable facilities and services that meet the needs of the community.

This policy has being developed and aligned with the principles used in the Western Australian Department of Sport and Recreation, Strategic Directions 2006-2010 (SD4). Relevant principles from SD (4) include;

- innovation,
- inclusivity,
- minimal risk environments,
- accessibility and affordability,
- excellence,
- cooperative partnerships and
- relationships and sustainability.

This policy has also been aligned with the Travel smart program as it aims to increase physical activity within the community through active forms of transport i.e. walking, cycling and use of public transport. Travel smart is closely aligned with the Western Australian Heart Foundation, the Western Australian Department of Planning and the Premiers Physical Activity Taskforce.

This policy is working towards achieving the following outcomes:

- increased physical activity levels of inactive City of Melville residents
- increased opportunities for sport and physical activity; leading to
- improved health and well-being of individuals and communities
- supporting sport club sustainability
- improving the links between facility development and Travel Smart
- creating a stronger community identity and sense of place.

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)

Current Status	Proposed Policy Physical Activity
<ul style="list-style-type: none"> • The City of Melville has no current policy, plan or recognition of the impact and importance of the trend away from structured sport and recreation to the provision of unstructured Physical Activity. • The City's participation rates in structured organised sports is 33% of which 24% is in Recreation Centre activities. • It is not known what the participation rates are for the section of the community that independently use City of Melville facilities and services. i.e. dog walkers, joggers cyclists etc. 	<ul style="list-style-type: none"> • Includes a specific Physical Activity Policy recognising the importance on providing non structured sport and recreation facility's and services.

Attachment [8009B December 2006.pdf](#) Physical Activity Policy

POLICY IMPLICATIONS

Following “in principle” support and community consultations and should the recommendation be supported the two new policies will replace the following policies:

- Policy CD9 - Rentals/Leases/Management Licenses
- Policy CD5 - Community Groups prizes and trophies
- Policy TD8 - Recreational Equipment Sporting Bodies

Policy CD4 (Assistance to clubs and organisations to establish facilities) is considered operational procedure and will become part of the officers administration process

These policies can be found in attachment [8009C November 2006.pdf](#)

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)**PUBLIC CONSULTATION/COMMUNICATION**

A number of consultations and communications have taken place to arrive at the recommendations within this report. Federal and State government strategic documents were reviewed along with recently completed facilities plans for a number of sports.

The City of Melville conducted a detailed sports club survey and assessed the facilities available for public use of education department facilities.

The City of Melville received a ten thousand dollar (\$10,000) local activity grant from the Western Australian Local Government Association to further investigate the development of a community sport and recreation strategic plan that incorporates Physical Activity.

Consequently a consultant was engaged to consult with the community sport and recreation clubs and groups on (fit for use) issues, reserves and facilities expectations and future improvements and to analyse participation in organised sport and physical activity.

STATUTORY AND LEGAL IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The financial impact of implementing the proposed changes to the approach contained within the new policies will have an effect on both operational and capital budgets.

It has been identified that Building Maintenance budgets within will need to be increased by two hundred and forty thousand dollars (\$240,000) to accommodate the proposed policy changes. In an effort to reduce the impact on the budget it is proposed to introduce these changes over a four (4) year period with the initial 2007/2008 budget being increased by sixty thousand dollars (\$60,000). In years two (2), three (3) and four (4) this figure has been increased by an annual CPI figure of two point five percent (2.5%) and eleven percent (11%) per annum for estimated building cost escalation.

A new budget allocation of eighty-five thousand dollars (\$85,000) per annum is also proposed for the implementation of the tasks associated with the new maintenance approach.

The impact of this over four (4) years will be

Changes to Building Maintenance	\$ 294,000 (Inc CPI and escalation)
Additional Staff Member	<u>\$ 366,400</u> (inc escalation)
	\$ 660,400

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)

Current practice is for the City to pass on to sports clubs fees and charges associated with the ownership of community buildings. It is proposed that the City now pay these fees and charges.

The impact of this over four (4) years will be

Additional Costs FESA	\$ 48,900 (Inc annual CPI increase)
Building Insurance	<u>\$ 120,500</u> (Inc annual CPI increase)
	\$ 169,400

The introduction of the annual administration fee in lieu of lease and licence fee's based on valuations will reduce income from Corporate Services by an estimated twenty-six thousand dollars (\$26,000) per annum. Should this new philosophy be adopted this loss of income will be applied to the 2007/2008 budget.

The impact over four (4) years will be -(\$ 104,000)

It is proposed to introduce two (2) new budget areas in Health and Lifestyles services to assist in the development of community facilities and to provide some basic support for community events.

The City is often approached by community groups for assistance with the provision of rubbish bins for community events. Additionally traffic management plans are required for partial road closures and by providing an account for supporting community events the City will be in a position to assist with these additional costs. Currently costs associated for the provision of rubbish bins are met by the CEO community fund and there are no budgets for the assistance with the development of traffic management plans.

Community sporting and recreation groups that contribute to developing City of Melville assets are charged for planning and building approvals. By providing a budget within Health and Lifestyle services will allow the City of Melville to assist with these additional costs.

The impact of this over four (4) years will be

Support for community events	\$ 40,000
Assistance with CSRFF projects (Planning & Building approvals)	<u>\$ 20,000</u>
	\$ 60,000

It is proposed that monies be set aside for the development of a ten year reserves and facilities forward budget by hosting facilitated workshops with structured and non structured stakeholders for each active reserve. These facilitated sessions will be hosted by an external consultant and assist in the development of the ten year concept plans. It is proposed that fifty thousand dollars (\$50,000) be allocated to the operational budget to accommodate these sessions.

The impact of this over four (4) years will be

Development of the ten year concept plans	\$ 50,000
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C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)

A new budget allocation of eighty-five thousand dollars (\$85,000) per annum is also proposed to establish the one point of contact and administer the customer relations and consultations for sporting groups.

The impact of this over four (4) years will be

Establish the one point of contact \$ 366,400 (inc escalation)

The preparation of the next stage of the new strategic plan for Community sport and recreation will impact on the capital budget and has three stages.

The first will be a budget allocation for the placement of outdoor gymnasium equipment at strategic sites within the City at high profile and high use areas. Whilst these sites are yet to be determined it is proposed that an annual budget allocation of one hundred and fifty thousand dollars (\$150,000) over four (4) years (totalling six hundred thousand dollars [\$600,000]) be identified for the purchase and placement of this equipment and to provide for initiatives that encourage Physical Activity.

The second will be an allocation for the development of infrastructure at reserves and clubrooms in accordance with the hierarchy of reserves and facilities. Concept and development plans for reserves and clubrooms will be developed after consulting with all stakeholders. Ten (10) year forward financial plans will then be developed based on the feedback from the community and the outcomes of the previously completed consultants report. These plans will identify the level of development and expectations on sports clubs regarding contributions to future developments. Any requests for developments outside of these plans would need to be fully funded by the requesting club/group. The use of self supporting loans will not be encouraged for such development.

It is likely that as part of the third stage, Infrastructure services will need some resource support for the drafting of the concept and development plans. This would be identified once the workloads are known and subject to a separate report to Council. The total financial impact of this report over four years is as follows

Capital Investment (Physical Activity initiatives)	\$ 600,000
Operational impact	<u>\$1,410,200</u>
	\$2,010,200

Following further consideration by Council of these policies in April 2007 it is anticipated that these costings will be included in the new ten year (10) financial plan.

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)**STRATEGIC AND RISK MANAGEMENT IMPLICATIONS**

The development of these policies contains a major shift for the council in terms of responsibilities for maintenance funding and asset management. This is the first stage of the development of a strategic approach to managing community sport and recreation for both structured and more importantly the unstructured component and physical activity generally. The development of reserve concept plans as part of the hierarchy proposals will see new developments and improvements to facilities occur in a more strategic and managed manner as opposed to the ad hoc approach that has occurred previously.

The risk component of this new philosophy centres mainly around its financial impact. Should significant funds be unavailable for asset maintenance and should delays occur in reserve development then this may have a negative impact on full implementation and community expectations.

The potential demise of a sporting group will have a severe negative impact within a locality and will no doubt bring with it criticism of local governments who fail to acknowledge and act upon what could be a looming crisis.

COMMENT

The adoption of the new policies will alleviate some financial burdens on the city's sports clubs which are imposed under the current arrangements. The proposed changes will also allow for better asset management and improvement and the development of physical activity initiatives across the city. This will also assist club sustainability and viability and provide club/groups an agreed development plan for future facility improvement or development. It should be noted that the communities expectations is at quality facilities are available for public use and that sports clubs/groups are managing these community buildings on behalf of the City.

C06/8009 - POLICY CHANGES – PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS (REC) (ATTACHMENT)

** At 8.20pm Cr P M Phelan departed the Chamber.

COUNCIL RESOLUTION (8009)

Cr D J Macphail moved, seconded Cr J Phillips -

1. **THAT COUNCIL RESOLVE TO GIVE IN PRINCIPLE SUPPORT TO THE NEW RECREATION POLICIES - PHYSICAL ACTIVITY AND SUPPORT FOR SPORTS CLUBS.**
2. **THAT COMMENT ON THE PROPOSED NEW POLICIES BE SOUGHT FROM THE COMMUNITY.**
3. **THAT FOLLOWING CONSULTATION THE POLICIES BE RESUBMITTED TO COUNCIL IN APRIL 2007 FOR FURTHER CONSIDERATION.**

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (12/0)**

C06/5029 – AGENDA FORUM MEETING DATES (AMREC)

Ward	:	All
Category	:	Operational
Subject Index	:	Agenda Forum
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	:	Special Meeting of the Council 25 July 2006 – C06/6022
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Mark Ridgwell Property & Corporate Support Manager

SUMMARY

This report seeks Councils guidance in the appointed dates in which Agenda Forums will be held prior to the Ordinary Meetings of Council.

BACKGROUND

At the Agenda Forum meeting of 5 December 2006 Cr R A Aubrey requested consideration on the amendment of the set dates of Agenda Forums from the first Tuesday of each month to the second Tuesday.

DETAIL

Feedback from Elected Members is varied with some supporting the current practice of allowing a two (2) week gap between the Agenda Forum and the Ordinary Meeting of Council. One (1) primary benefit is that it allows Elected Members adequate time to further investigate any matters being presented to Council. An additional benefit is that it allows applicants time to provide further information following the Agenda Forum process. Some Elected Members have however stated to the Chief Executive Officer that it is confusing for them to have the Agenda Forum, followed by an Elected Member Workshop in which the items discussed are not related to the items of the Council agenda and then the Council Meeting which relates to the Agenda Forum held two (2) weeks previously.

A one (1) week gap between the Agenda Forum and the Ordinary Meeting of Council allows Officers a greater period of time to prepare items for the Forum following the end of the previous month, however as outlined above if supplementary information is required following the Forum in certain circumstances reports will need to be reconsidered at a subsequent meeting of Council resulting in a one month deferral. These might otherwise have been addressed if there had been a two (2) week gap between the Forum and the Council meeting.

C06/5029 – AGENDA FORUM MEETING DATES (AMREC)

PUBLIC CONSULTATION/COMMUNICATION

Council inform the public of its decision through the media, press releases and notices at the Civic Centre, Libraries and website.

POLICY IMPLICATIONS

Nil

STATUTORY AND LEGAL IMPLICATIONS

The proposal complies with the provisions of the Local Government Act (1995) and associated Regulations and DLGRD Guidelines relating to Agenda Forums. Council, however, has to formally resolve (absolute majority) to amend its meeting schedule, any decision relating to Committees and advertise the times and date for Agenda Forums.

FINANCIAL IMPLICATIONS

There are no direct financial implications related to the amendment of the set dates of Agenda Forum.

STRATEGIC IMPLICATIONS

Nil.

COMMENT

Operationally Officers have no objection to the Agenda Forum being conducted on either the first or second Tuesday of each month. The current two week gap between the Forum and the Council meeting does however provide sufficient time for additional information to be sought and reports revised should issues be raised at the Forum. As distribution for the Council meeting occurs on the Wednesday night prior to the Council meeting, there is effectively no time to seek additional information and make amendments to reports following the Agenda Forum which occurs on the Tuesday night. This could be ameliorated if the distribution reverted to the Friday night however this gives Elected Members less time to read and conduct enquiries on items included in the Agenda. The recommendations contained below are two (2) alternative motions which have been tabled for Elected Members consideration on this matter.

C06/5029 – AGENDA FORUM MEETING DATES (AMREC)

** At 8.22pm Cr P M Phelan re-entered the Chamber.

Officer Recommendation

Cr A Ceniviva moved, seconded Cr C Halton -

Option 2

1. That by an Absolute Majority Decision of the council the resolution of 25 July 2006 which reads;

“That Council conduct on the first Tuesday of the month, excluding January commencing on 1st August 2006 until the special meeting of Council, following the Municipal Elections in October 2007, an Agenda Forum commencing at 6.30pm at the City Civic Centre;”

Be Rescinded

2. That by an Absolute Majority decision of the Council Agenda Forums be conducted on the second Tuesday of the month, until a review is undertaken in October 2007 and the distribution day for Council Meeting Agenda’s revert to Friday night.

The Mayor submitted the motion,
which was declared

LOST (4/9)

OFFICER RECOMMENDATION (5029)

Cr D J Macphail moved, seconded Cr C Halton -

OPTION 1

THAT COUNCIL CONTINUE TO CONDUCT THE AGENDA FORUM ON THE FIRST TUESDAY OF THE MONTH, UNTIL A REVIEW IS UNDERTAKEN IN OCTOBER 2007.

The Mayor submitted the motion,
which was declared

CARRIED (9/4)

COUNCIL RESOLUTION (5029)

The Mayor submitted the substantive motion, being –

THAT COUNCIL CONTINUE TO CONDUCT THE AGENDA FORUM ON THE FIRST TUESDAY OF THE MONTH, UNTIL A REVIEW IS UNDERTAKEN IN OCTOBER 2007.

The Mayor submitted the motion,
which was declared

CARRIED WITHOUT DISSENT (13/0)

** At 8.40pm Cr C Halton departed the Chamber.

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Ward	:	All
Category	:	Policy
Subject Index	:	
Customer Index	:	
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Nil.
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Eric Lumsden Chief Executive Officer

SUMMARY

Due to the small membership of most Occasional Committees, difficulty is sometimes experienced in obtaining a quorum. It is therefore suggested that two (2) deputies be appointed for each occasional committee.

BACKGROUND

Under Section S5.10(4) of the Local Government Act 1995, where a Council representative is required on any Standing or Advisory Committee of the Council, Her Worship the Mayor has the right to be appointed as one of the representatives. This does not apply to representation on non-Council committees.

Under the Council Policy which was adopted in April 1997, the number of Elected Members on Advisory Committees should be restricted to no more than one-third of the total number of members of the committee. This does not prevent other Elected Members from attending as Observers.

Elected Member Policy 9, in relation to Delegates Policy applies, and reads -

DIRECTION

Members appointed as delegates from the Council shall be directed to support the decision of the Council and nominations at all times."

Footnote 1 –

In cases where one-third of the total number of members is not a whole number, the lesser number shall apply - eg fifteen (15) members, equals five (5) Elected Members; fourteen (14) members, equals four (4) Elected Members.

Footnote 2 –

In cases where a Ballot is foreshadowed, Nominees may consider being a Deputy thus eliminating the need for a Ballot to be held.

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

DETAIL

OCCASIONAL COMMITTEES 2006/2007

Audit Committee

The duties of this Committee have been subsumed by the Audit Risk & Compliance Committee.

Budget and Organisational Review Committee

The duties of the Budget Committee have been subsumed by the Audit Risk & Compliance Committee.

The duties of the Organisational Review Committee have been subsumed by the Governance Committee.

Canning Bridge Precinct Working Group

The responsibilities of this Group have been subsumed under the Community & Planning Portfolio.

Executive Committee

The duties of the Executive Committee have been subsumed by the Governance Committee.

Heathcote Occasional Committee (As Necessary)

Function - to consider the Future Uses of the Heathcote Site

The 2005/2006 representatives on the Heathcote Occasional Committee were -
Presiding Member, Development & Neighbourhood Amenity Committee,
Cr J R Bennett;
Mayor K J Jackson;
Two (2) Applecross/Mount Pleasant Ward Councillors;
▪ Cr H R Everett
▪ Cr J Phillips
with the Chief Executive Officer as deputy

Officer in Attendance
Chief Executive Officer

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Committee Representation

Mayor, Presiding Member Development & Neighbourhood Amenity Portfolio and two (2) Applecross/ Mount Pleasant Ward Members.

REPRESENTATIVES 2006/2007	DEPUTIES
Mayor K J Jackson	Chief Executive Officer
Chairman Planning & Development Portfolio ▪ Cr J R Bennett	
Cr H R Everett – Applecross/Mt Pleasant Ward Councillor	
Cr J Phillips– Applecross/Mt Pleasant Ward Councillor	

House Committee (As Required)

The duties of the House Committee have been subsumed by the Governance Committee.

Special Property Committee

This Committee is not required as the Heathcote Agreement has been finalised.

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

ADVISORY COMMITTEES 2006/2007

City of Melville Advisory Committee on Seniors' Interests
(Meets bi-monthly at 6.00pm)

Function - to provide a coordinated advice on the needs of Seniors within the City of Melville.

The 2005/2006 representatives on the City of Melville Advisory Committee on Seniors' Interests were Mayor K J Jackson and Crs H R Everett and C W Robartson.

The Committee consists of -

- Three (3) Elected Members
- A Representative from each Senior Citizens Centre (3);
- Community Representatives (4); and
- A Representative from the Seniors Recreation Council (1)

Officer in Attendance -

- Community Development Officer (Seniors Interests)

Maximum Elected Membership (4)

REPRESENTATIVES 2006/2007	DEPUTIES
Her Worship the Mayor	
Cr H R Everett	
Cr C W Robartson	

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

City of Melville Emergency Management Committee

Function - to oversee the City of Melville Emergency Management Plan; to clarify the roles of each of the various organisations to ensure coordination of the resources during emergency situations; and to plan and conduct an emergency management exercise each year to test the City of Melville Emergency Management Plan.

The 2005/2006 representatives on the City of Melville Emergency Management Committee were Mayor K J Jackson and Crs L J Wyatt, J Phillips and M J Barton, with the Manager Neighbourhood Amenity as deputy.

The Committee consists of -

Four (4) Elected Members

Representative from -

- St John Ambulance
- Department of Community Services
- Red Cross Society
- Dr Joel Silbert, Prime Occupational Health (City of Melville Medical Officer)
- Police Officer in Charge - Brentwood, Palmyra & Hilton
- SES Melville Coordinator
- District Officer WA Fire Brigade

Officers in Attendance -

- Manager Neighbourhood Amenity
- Ranger Services Coordinator
- Ranger
- Community Development Coordinator
- Engineering Operations Coordinator

Maximum Elected Membership (4)

REPRESENTATIVES 2006/2007	DEPUTIES
Cr L J Wyatt	Manager Neighbourhood Amenity
Cr M J Barton	
Cr J Phillips	

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Multicultural Committee

(Meets bi-monthly - first Wednesday of the Month @ 6.00pm)

Function - to advise the Council of the needs of cultural groups within the City; act as a liaison between the Council and the cultural communities; advise the Council on the relevance of existing community services in meeting the needs of the Multicultural communities.

The 2005/2006 representatives on the Multicultural Advisory Committee were Mayor K J Jackson and Cr P M Phelan, with the Community Development Officer (Multicultural) as deputy.

The Committee consists of -

Four (4) Elected Members

Representatives from -

- Various Migrant Communities in the City (7); and
- Fremantle Migrant Resource Centre
- Department of Immigration & Ethnic Affairs

Officer in Attendance

- Community Development Officer (Multicultural)

Maximum Elected Membership (4)

REPRESENTATIVES 2006/2007	DEPUTIES
Her Worship the Mayor	Community Development Officer (Multicultural)
Cr M J Barton	
Cr C Halton	

** Cr C Halton re-entered the Chamber at 8.42pm

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Museums & Local History Services Advisory Committee

(Meets bi-annually – *time and date to be advised*)

Function –

- a) *To increase the usage of the museums and local history service by the local community and visitors to Melville through the contribution of ideas and strategies to actively promote the service*
- b) *To assist with the recruitment of volunteers to support the work of the museums and local history service*
- c) *To provide suggestions and comment on education and community programme development and the “use” of museum sites in order to relate the history of Melville*
- d) *To advise on the acquisition of new items and de-accessioning of existing items in line with the museum and local history service Collections Policy*
- e) *To advise on other museum and local history matters referred to the Committee from time to time*

The 2005/2006 representative on the Local History & Museum Services Advisory Committee was Cr C M Halton with L J Wyatt as deputy.

The Committee consists of -

Two (2) Elected Members

Two (2) Community and/or Business Representatives

Four (4) Representatives from the following groups -

- Melville History Society (1)
- Melville District Education Department (1)
- Youth (1)
- Aboriginal (1)

Officers in Attendance

- Manager Community & Cultural Development
- Curator/Cultural Development Officer
- Local History Officer

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Cr C W Robartson moved, seconded Cr R Aubrey –

THAT TWO (2) ELECTED MEMBERS BE INVITED TO REPRESENT THE COUNCIL ON THE MUSEUMS & LOCAL HISTORY SERVICES ADVISORY COMMITTEE

The Mayor submitted the motion,
which was declared

CARRIED (13/0)**Maximum Elected Membership (1)**

REPRESENTATIVES 2006/2007	DEPUTIES
Cr H R Everett	
Cr C Halton	

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Leeming Recreation Centre Advisory Committee

Meetings held quarterly at the Leeming Recreation Centre at 4.00pm.

Function – to advise the Council on the operations of the Leeming Recreation Centre.

The Leeming Recreation Centre Advisory Committee was re-established last year to meet on a quarterly basis.

The 2005/2006 representatives on the Leeming Recreation Centre Advisory Committee were Cr R Aubrey and the Manager Health & Lifestyle Services, and the General Manager Leeming Recreation Centre, with Cr C W Robartson as deputy.

The Committee to consist of -

Two (2) Council Representatives

Representatives from -

- Ministry of Education (2)
- Community (2)
- Leeming Senior High School P & C (Mr Peter Jones)

It is suggested that the Council Representatives be -

- Manager Health & Lifestyle Services
- General Manager Leeming Recreation Centre

Maximum Elected Membership (2)

REPRESENTATIVES 2006/2007	DEPUTIES
Cr R Aubrey	Cr C W Robartson
Manager Health & Lifestyle Services	
General Manager Leeming Recreation Centre	

Local Impacts Committee

The function of this Committee has been completed.

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

City of Melville Roadwise & Travelsmart Committee

Meetings held every two months on the third Wednesday of the month at 7.00pm.

At its meeting held on 15 May 2006, the Council resolved –

- “1) *That the Minutes of the City of Melville Roadwise Taskforce held on 12 April be endorsed;*
- 2) *That the Roadwise Taskforce and TravelSmart Reference Group be amalgamated into one Committee to be named “Roadwise and TravelSmart Taskforce” for a trial period of twelve months after which time the operation of the combined Taskforce would be reviewed.”*

Function

- To act as an advisory committee to the City of Melville on TravelSmart matters relating to cyclists, pedestrians and public transport and Roadwise matters pertaining to road safety strategy issues.
- To develop and implement road safety strategies and action plans with an emphasis on community input, with the aim of achieving a safer environment for all road users by reducing the number and severity of road crashes within the City of Melville.
- To facilitate and promote TravelSmart programs and events for the benefit of the community.

Aim

- To reduce the number and severity of road crashes in the City of Melville.
- To encourage the use of sustainable modes of transport and to reduce car dependency within the City of Melville.

Objective

- To formulate, review and promote TravelSmart initiatives, including the City of Melville Bike Plan and TravelSmart Action Plan, to determine ways of improving conditions within the City of Melville for cyclists, pedestrians and public transport users through safer and more convenient facilities.
- To increase Community education and awareness about all aspects of road safety to positively influence road user attitudes and behaviours in the longer term;
- To foster Community participation in initiatives that promote safe use of the transport system.
- To support the implementation of the Western Australian State Road Safety Strategy and the City of Melville Transport Strategy.
- To engage in and support liaison between members of the South West Group on issues and initiatives related to safe use of the transport system.

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

City of Melville Roadwise & Travelsmart Committee (continued)

Committee Representation

- Elected Members (3);
- Roadwise
- WA Police
- Community Groups and Schools (22) Melville BUG
- Murdoch University BUG
- Public Transport Authority
- Physical Activity Task Force
- Services Clubs and other business interests

Officers in Attendance

- Civic Design Manager
- Transport Planner
- TravelSmart Officer

The 2005/2006 representatives on the City of Melville Roadwise & TravelSmart Committee were Crs J Phillips, D J Macphail and C M Halton with Cr L M Reynolds as deputy.

Maximum Elected Membership (3)

REPRESENTATIVES 2006/2007	DEPUTIES
Cr J Phillips	Cr D J Macphail
Cr C Halton	Cr L M Reynolds

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Road Safety Advisory Committee

(Meets quarterly - @ 6.00pm)

Function - To look at "Black Spots" and special areas of concern such as children and the older pedestrian crossings.

The 2005/2006 representative on the Road Safety Advisory Committee was Cr D J Macphail, with the Director Technical & Development Services as deputy.

The Committee consists of -

The Chairman of the Technical Services Portfolio; and

One (1) Elected Member

Representatives from -

- Police Department of WA
- Main Roads Western Australia;

State Politicians from the Local Area -

- Hon Kate Doust MLA (representing the Government)
- Trevor Sprigg MLA (representing the Opposition); and
- Dr Janet Woollard MLA (Independent).

Officers in Attendance

- The Director Technical & Development Services
- Civic Design Manager

Maximum Elected Membership (2)

REPRESENTATIVES 2006/2007	DEPUTIES
Cr J Phillips	Director Technical & Development Services
	Cr D J Macphail
	Cr R Aubrey

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Safer Melville Advisory Committee

Meetings held every two months on the third Wednesday of the month at 7.00pm.

Function –

- *To facilitate formation of Local Community Safety and Crime Prevention Partnerships within the District of the City of Melville;*
- *To coordinate development of a Local Community Safety & Crime Prevention Plan in partnership with relevant stakeholders for adoption by the City of Melville;*
- *To develop Local Community Safety and Crime Prevention strategies and to negotiate Local Service Agreements to ensure delivery of those strategies in accordance with the predetermined standards and timing;*
- *To periodically review the Local Community Safety and Crime Prevention Plan and make recommendation to the City of Melville for adoption.*

The 2005/2006 representative on the Safer Melville Advisory Committee was the Director Strategic Community Development or her nominee.

Committee Representation

- Murdoch Police Station (1);
- Palmyra Police Station (1);
- Community Policing and Diversity Officer Fremantle Police District (1);
- Neighbourhood Watch (1);
- Department of Housing & Works (1);
- Department of Community Development (1);
- Department of Indigenous Affairs (1);
- Department of Health (1);
- Youth Advisory Council (1);
- Four Members of the Community to be selected to ensure representation from other ethnic groups, families, people with disabilities and older people.
- City of Melville (2 Elected Members)

Officer in Attendance

Director Strategic Community Development (or her nominee).

Maximum Elected Membership (2)

REPRESENTATIVES 2006/2007	DEPUTIES
Cr C Halton	Cr M J Barton

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)Youth Sport Scholarship Scheme Assessment Panel
(Meets annually for Assessment purposes)

Function - to administer a Scheme which allows young people who are under 18 and residents of the City of Melville, the opportunity to use Council-managed recreational and leisure facilities free of charge.

The 2005/2006 representative on the Youth Sport Scholarship Scheme Assessment Panel were Crs L M Reynolds, H R Everett, and D J Macphail with the Community Recreation Coordinator as deputy.

The Committee consists of

Three (3) Elected Member
Representatives from -

- Community Representatives (2);
- Ministry of Sport & Recreation (1);

Officer in Attendance

- Community Recreation Coordinator

Maximum Elected Membership (3)

REPRESENTATIVES 2006/2007	DEPUTIES
Cr J Phillips	Community Recreation Coordinator
Cr H R Everett	Cr D J Macphail
Cr L M Reynolds	

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)**APPOINTMENT OF DELEGATES 2006/2007**Beeliar Regional Park Community Advisory Committee

(Meets on a Thursday every second month (next meeting 1st February 2007) at 5.30pm at Cockburn Wetlands Education Centre 184 Hope Road Bibra Lake.)

Function –

- 1) *to manage the Beeliar Regional Park, in collaboration with the Department of Environment & Conservation, the City of Cockburn, Town of Kwinana and Murdoch University; and*
- 2) *to provide advice and feedback on the management of each regional park (Blue Gum Lake, Booragoon Lake and Piney Lakes Reserve).*

On 30 November 2006, the Council received a request from the Department of Environment & Conservation, for an Elected Member representative on the Beeliar Regional Park Community Advisory Committee. The City of Melville manages Blue Gum Lake, Booragoon Lake and Piney Lakes Reserve which all form part of the Beeliar Regional Park.

The Department of Environment & Conservation has requested that one Elected Member be nominated.

The Committee consists of -

One (1) Elected Member
from -

- City of Melville;
- City of Cockburn;
- Town of Kwinana;
- Department of Environment & Conservation;
- Murdoch University.

Officers in Attendance

- Environmental Programmes Manager

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
	Environmental Programmes Manager

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)South Metropolitan East-West Public Transport Study

This Committee is no longer required as the study has been finalised.

Southern Metropolitan Regional Council
(Meets monthly)

Function - Acts as the Board of Directors for development and operations of the Southern Metropolitan Regional Council's Regional Resource Recovery Centre, and other activities applicable under the Southern Metropolitan Regional Council's Terms of Reference

The 2005/2006 representative on the Southern Metropolitan Regional Council was Cr C W Robartson, with Cr J R Bennett as deputy and the Director Technical & Development Services as advising Officer.

The Committee consists of -

One (1) Elected Member
from -

- City of Melville
- City of Canning
- Town of East Fremantle
- City of Fremantle
- City of Cockburn
- Town of Kwinana
- City of Rockingham

Officers in Attendance

- Director Technical & Development Services

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr C W Robartson	Cr D J Macphail

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

South West Group District Planning Committee
(Meets bi-monthly commencing 23 June 2005 @ 5.30pm)

Function - set up under the old Metropolitan Region Town Planning Scheme Act and is the organ of the Councils (six) of the South West Group on planning matters, one of which is appointed to represent the Group on the Executive of the Metropolitan Region Planning Association.

The 2005/2006 representative on the South West Group District Planning Committee was Cr D J Macphail, with Cr J R Bennett and Director Strategic Urban Planning as deputies.

The Committee consists of -

One (1) Elected Member

Representatives from -

- Town of East Fremantle
- Town of Kwinana
- City of Cockburn
- City of Fremantle
- City of Rockingham

Officer in Attendance

- Director Strategic Urban Planning (or his representative)

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr D J Macphail	Director Strategic Urban Planning
	Cr J R Bennett

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

South West Metropolitan Local Authorities Management Group -Transport Committee
(Meets first Tuesday of each month @ 2.30pm)

Function - to address the Transport issues currently faced by the South West Metropolitan Region.

The 2005/2006 representative on the South West Metropolitan Group - Transport Committee was Cr C Halton and the Director Technical & Development Services as deputies.

The Committee consists of -

One (1) Elected Member

Representatives from -

- Local Member of Parliament
- Minister for Transport
- City of Cockburn
- City of Fremantle
- City of Rockingham
- Town of East Fremantle
- Town of Kwinana

Officers in Attendance

- Director Technical & Development Services
- Civic Design Manager

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr C Halton	Director Technical & Development Services

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)Swan River Trust

(Meets first Monday of each month @ 9.00am)

Function - to manage and protect the Swan River.

The 2005/2006 delegate to the Swan River Trust was Cr L J Wyatt, with Cr C W Robartson and Director Technical & Development Services (or his nominee) as deputies.

The Trust representatives will consist of -

Representatives from -

- The City of Melville
- Swan River Trust
- Planning & Development Environmental Quality Committee

Officer in Attendance

Manager Infrastructure Services

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr L J Wyatt	Cr C W Robartson

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Western Australian Local Government (WALGA) - South Metropolitan Zone
(Meets bi-monthly on the last Monday of the month @ 5.30pm)

Function - to examine issues relative to the industry within the South Metropolitan Zone and provide feedback to Zone Representatives voting at the Local Government Association and Western Australian Municipal Association.

The 2005/2006 delegates to the Local Government Association of Western Australia (Inc) - South Metropolitan Zone, were Crs P M Phelan, L M Reynolds, Cr M J Barton and D J Macphail, with the Chief Executive Officer, Mayor K J Jackson and Crs C W Robartson as deputies.

The Zone Membership will consist of -

Three (3) Elected Members

Representatives from -

- City of Fremantle
- Town of East Fremantle
- City of Cockburn
- City of Rockingham
- Town of Kwinana
- Local Government Association

Officer in Attendance

- Chief Executive Officer

At its meeting held on 19 September 2006 the Council resolved –

“That Council advises the WA Local Government Association that the City’s delegates and Deputy Delegates to the South Metropolitan Zone are as follows:

- ***Delegate 1 - Cr Duncan Macphail***
- ***Delegate 2 - Cr Trish Phelan***
- ***Delegate 3 - Cr Mark Reynolds***
- ***Deputy Delegate 1 - Cr June Barton OAM JP***
- ***Deputy Delegate 2 - Mayor Katherine J Jackson JP”***

Committee Representation

Three (3) Elected Members

REPRESENTATIVES 2006/2007	DEPUTIES
Cr P M Phelan	Chief Executive Officer
Cr L M Reynolds	Mayor K J Jackson
Cr D J Macphail	Cr M J Barton

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)**APPOINTMENT OF REPRESENTATIVES 2006/2007**Aviation Museum Committee

(Meets first Tuesday of each month at 9.30am)

Function - to examine and make decisions on the development of the RAAF Aviation Heritage Museum.

The 2005/2006 representative on the Aviation Museum Committee was the Coordinator Heritage & Museum Services.

The Committee consists of -

Representatives from -

- The City of Melville
- Education Representative from Kent Street High School
- Aviation Library
- RAAF members (7)

Officer in Attendance

- Coordinator Heritage & Museum Services

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr C W Robartson	

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Birra-Li Child Care Centre Inc

Any issues relation to this Group to go through the Community & Planning Portfolio.

Blue Gum Child Care Association Inc (Monthly)

Any issues relation to this Group to go through the Community & Planning Portfolio.

Booragoon Occasional Child Care Centre (Inc) (Monthly)

Any issues relation to this Group to go through the Community & Planning Portfolio.

City of Melville Aged Persons Trust (Inc)

(First Monday of second month from July @ 5.00pm)

Function - to promote and undertake benevolent assistance for elderly people (Housing) including management of Retirement Villages.

The 2005/2006 representatives on the City of Melville Aged Persons Trust (Inc) were Crs A Ceniviva, P M Phelan and C W Robartson, with Crs R Aubrey and M J Barton as deputies.

The Committee consists of -

Representatives from -

- City of Melville
- Rotary Club of Applecross
- Melville Lions Club
- Booragoon Lions Club
- Bull Creek Lions Club
- South Perth Zonta Club
- Kardinya Lions Club
- Inner Wheel Club of Melville

Officer in Attendance

- Director Strategic Community Development

Committee Representation

Chairman Community Planning Portfolio and two other Members

REPRESENTATIVES 2006/2007	DEPUTIES
Cr C W Robartson	Cr M J Barton
Cr P M Phelan	Cr R Aubrey
Cr L M Reynolds	

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

City of Melville Citizens Relief Fund (Inc)
(Meets bi-monthly - Wednesday evening)

Function - to oversee the management of the Relief Fund and approval of applicants.

The 2005/2006 representative on the City of Melville Citizens Relief Fund (Inc) was Cr L J Wyatt with Cr C M Halton as deputy.

Officer in Attendance -

- Financial Counsellor/Emergency Relief Officer

Note – *Cr Robartson is on this Committee in his own right as member of the Community.*

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr L J Wyatt	

Coastal Business Enterprise Centre Incorporated

(Meets first Thursday of each month at 7.00am at Fremantle Jail)

Function - to maximise development and growth opportunities for Small Business within the Region.

The 2005/2006 representatives on the Coastal Business Enterprise Centre (Inc) were Crs A Ceniviva and C W Robartson, with Mayor K J Jackson and the Director Strategic Urban Planning as deputies.

Officer in Attendance

Director Strategic Urban Planning

Committee Representation

Two (2) Members

REPRESENTATIVES 2006/2007	DEPUTIES
Cr A Ceniviva	Director Strategic Urban Planning
Cr C W Robartson	

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Jandakot Airport Consultative Committee
(Meets two to three times per year as advised)

Function - to provide a forum for discussion of all aspects of Airport planning and operations.

The Council representative on the 2005/2006 Jandakot Airport Advisory Committee was Cr J R Bennett, with Cr R Aubrey as deputy.

The Committee consists of -

Representatives from -

- City of Melville
- Civil Aviation Authority
- Trades & Labour Council
- Ministry for Planning
- City of Cockburn
- City of Canning
- Aviation Industry

Officers in Attendance

- Manager Health & Lifestyle Services
- Director Strategic Urban Planning

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr J R Bennett	Cr R Aubrey
	Cr M J Barton

Melville Arts Foundation

This Group is currently in the process of being wound up and representatives are no longer required.

Melville Arts Trust Fund – Fund Review Committee

This Group is currently in the process of being wound up and representatives are no longer required.

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)Melville Cares Inc

(Meets last Tuesday of each month @ 1.30pm)

Function - to provide home care services for residents in need with the aim of maintaining persons in their own homes for as long as possible.

The 2005/2006 representative on the Melville Cares Inc Committee was Cr L J Wyatt, with Cr C M Halton and the Community Development Coordinator as deputies.

The Committee consists of -

Representatives from -

- City of Melville
- Melville Cares Presiding Member (D Feeney)
- Melville Cares Deputy Presiding Member
- Melville Cares Secretary
- Melville Cares Treasurer
- Community representatives (6)

Officer in Attendance

- Community Development Coordinator

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr L J Wyatt	Community Development Coordinator
	Cr C Halton

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Melville/Cockburn Chamber of Commerce Inc
(Meets monthly as advised)

Function - assisting local businesses in the City of Melville, with the role of the representative being to enhance the communication lines between the Chamber and the Council.

The 2005/2006 representative on the Melville/Cockburn Chamber of Commerce was Crs J R Bennett, with the Director Strategic Urban Planning as deputy.

Council Officer Contact

- Director Strategic Urban Planning

Committee Representation

One (1) Elected Member

In November 2006, the Council resolved “That Cr A Ceniviva represent the City of Melville on the Melville/Cockburn Chamber of Commerce for the period 27 October 2006 to 31 October 2007”.

REPRESENTATIVES 2006/2007	DEPUTIES
Cr A Ceniviva	Director Strategic Urban Planning

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)Melville Local Drug Action Group (MLDAG)

(Afternoon meetings on a monthly basis at approximately 3.30pm – Venue Melville Senior High School)

Function – To provide information and support services regarding drug issues to the general community and to organise drug-free recreation and development opportunities for young people in the Melville Area.

The 2005/2006 representative on the Melville Local Drug Action Group was Cr C M Halton, with Cr P M Phelan and the Youth Development Officer as deputy.

The Committee consists of -

Representatives from -

- City of Melville
- Community Police
- South Metro Community Drug Service Team
- Department for Community Development
- Family & Children's Services
- Community Members
- Youth Advisory Council representative; and
- Parents and Staff from the Melville Senior High School

Officer in Attendance

- Youth Development Officer

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr C Halton	Youth Development Officer

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)Melville Mews Inc

(Meets bi-monthly - at 6.00pm)

Function - to manage the five units (Melville Mews) occupied by four adults with disabilities (Cerebral Palsy)

The 2005/2006 representative on the Melville Mews Inc Advisory Committee was Cr M J Barton, with Cr C M Halton and the Community Development Officer (Disability Services) as deputies.

The Committee consists of -

Representatives from -

- City of Melville
- David Highet (Melville Mews Inc Tenants)
- David Brown (Cerebral Palsy Association)
- Colin Iverson (Treasurer)
- Janine Brown (Melville CARES)
- Dorothy Baker (Presiding Member)
- Roma Lewi (Secretary)

Officer in Attendance

- Community Development Officer (Disability Services)

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr C Halton	Community Development Officer (Disability Services)

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)Murdoch Community Hospice Inc

(The Board meets third Friday of each month @ 1.00pm)

(The Executive meets first Friday of each month @ 1.00pm)

Function – *To conduct, manage and maintain the Murdoch Community Hospice.*

The 2005/2006 representative on the Murdoch Community Hospice was Cr M J Barton, with Cr C W Robartson as deputy.

The Board consists of -

Representatives from -

- City of Melville
- CEO, St John of God Health Care, Murdoch
- Manager, Murdoch Hospice
- Member for Murdoch – Mr Trevor Sprigg MLA
- Director of Mission, St John of God Health Care, Murdoch
- Medical Director Murdoch Community Hospice
- Royal Perth Hospital
- Lawyer, St John of God Health Care
- Project Manager, St John of God Health Care, Murdoch
- 5 representatives with Medical and Business background.

The Executive consists of a-

Representatives from -

- City of Melville
- CEO, St John of God Health Care, Murdoch
- Medical Director, Murdoch Community Hospice
- Manager, Murdoch Community Hospice
- Project Manager, St John of God Health Care, Murdoch
- 2 representative with Medical and Business background

Officer in Attendance

Director Strategic Community Development

Committee Representation

1 Elected Member and 1 Deputy

Suggested that one Elected Member and one Deputy be submitted to the Hospice Board.

REPRESENTATIVES 2006/2007	DEPUTIES
Cr M J Barton	Cr C W Robartson

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Murdoch Precinct Strategic Group
(Meets quarterly - at 7.00am)

Function - to share information on the proposed development of the Lakes Site.

The 2005/2006 representatives on the Lakes Site User Group were Crs L M Reynolds (University Ward Member) and D J Macphail, with the Director Technical & Development Services as deputy.

The Committee consists of -

Representatives from -

- City of Melville
- St John of God Healthcare Murdoch
- Murdoch Challenger TAFE
- Spotless Linen
- Rangeview Remand Centre
- Murdoch University
- Murdoch Police Service
- Department of Planning & Infrastructure
- Health Department of WA
- Fire & Emergency Services
- Public Transport Authority

Local Politicians -

- Trevor Sprigg MLA
- Sue Ellery MLC

Officer in Attendance

- Director Technical & Development Services
- Director Strategic Urban Planning
- Manager Operations Services

Committee Representation

One (1) University / City / Bull Creek Leeming Ward Member and one (1) other Elected Member

Cr D J Macphail moved, seconded Cr M J Barton –

THAT ALL ELECTED MEMBERS BE INFORMED OF THIS MEETING.

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (13/0)**

REPRESENTATIVES 2006/2007	DEPUTIES
Cr L M Reynolds	Director Technical & Development Services
Cr C W Robartson	Cr J R Bennett
Cr D J Macphail	Her Worship the Mayor, K J Jackson
	Cr A Ceniva

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

Neighbourhood Watch - City Of Melville Suburbs Managers Committee
(Meets bi-monthly - at 7.30pm)

Function - to advise the Council on matters associated with Neighbourhood Watch coordination with the City of Melville area.

The 2005/2006 representative on the Neighbourhood Watch - Melville Area Coordinators Committee was Cr J Phillips, with the Manager Neighbourhood Amenity as deputy.

The Committee consists of -

Representatives from -

- City of Melville
- Neighbourhood Watch Area Coordinators Group
- Police Department WA
- Community Policing Department

Officer in Attendance

- Coordinator Safety & Security

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr H R Everett	Manager Neighbourhood Amenity

Perth Airport Municipalities Group

The Council is no longer a member of this Committee and representation is not necessary.

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)

South West Corridor Development & Employment Foundation Inc
(Meets fourth Monday of each month at 4.00pm))

Function - to facilitate appropriate economic growth and the development of vocational skills in the interests of the Region's existing and future residents, employers and workforce.

The 2005/2006 representative on the South West Corridor Development & Employment Foundation was Cr D J Macphail, with the Director Strategic Urban Planning as deputy.

The Committee consists of -
Representatives from -

- City of Melville
- Electrical Trade Union
- Murdoch University
- Department of Employment & Training
- Department of Community Services & Housing
- Small Business Development Corporation
- Commonwealth Employment Services
- Melville/Cockburn Chamber of Commerce
- Fremantle Chamber of Commerce
- TAFE Training Advisory Service
- ALCOA
- City of Cockburn
- City of Rockingham
- City of Fremantle
- Town of Kwinana
- Town of East Fremantle

Foundation representatives -

- Director
- Aboriginal Employment & Liaison Officer
- Job Club Leader

Officer in Attendance

- Director Strategic Urban Planning

Committee Representation

One (1) Elected Member

REPRESENTATIVES 2006/2007	DEPUTIES
Cr D J Macphail	Director Strategic Urban Planning

C06/5030 - ELECTION OF REPRESENTATIVES TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES (REC)**COUNCIL RESOLUTION (5030)**

Cr J Phillips moved, seconded Cr R Aubrey –

THAT BY ABSOLUTE MAJORITY DECISION, THE APPOINTMENTS TO OCCASIONAL, ADVISORY, LOCAL GOVERNMENT AND COMMUNITY COMMITTEES, FOR THE PERIOD 28 OCTOBER 2006 TO 31 OCTOBER 2007, TOGETHER WITH ALL OTHER RECOMMENDATIONS CONTAINED THEREIN, BE ADOPTED.

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (13/0)**

ADOPTION OF ITEMS NOT WITHDRAWN

Cr J Phillips moved, seconded Cr R Aubrey -

THAT THE FOLLOWING REPORTS OF THE CHIEF EXECUTIVE OFFICER EXCLUDING ITEMS P06/3017, T06/2008, T06/3001, C06/8009, C06/5029. C06/5030, P06/3024 AND C06/7002 BE RECEIVED AND THE RECOMMENDATIONS CONTAINED THEREIN BE ADOPTED.

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (13/0)**

- P06/3022 ENCLOSURE OF A PORTION OF BALCONY ON LOT 1 (502/1-3) THE ESPLANADE, MOUNT PLEASANT (REC) (ATTACHMENT)
- T06/3002 PETITION REQUESTING RELOCATION OF BUS SHELTER AT 319 CANNING HIGHWAY, PALMYRA (REC) (ATTACHMENT)
- C06/5027 HEATHCOTE FUNDING REQUEST FOR UPGRADED PRECINCT LIGHTING (AMREC) (ATTACHMENT)
- C06/5028 POSSIBLE CHANGES TO LOCAL GOVERNMENT BOUNDARY BETWEEN CITY OF CANNING AND CITY OF MELVILLE (REC)
- C06/6024 AMENDMENT TO ACCOUNTING POLICY – NO.13-PL-007 (AMREC) (ATTACHMENT)
- C06/5000 COMMON SEAL REGISTER (REC)
- C06/6000 INVESTMENT STATEMENTS (REC) (ATTACHMENT)
- C06/6001 SCHEDULE OF ACCOUNTS (REC) (ATTACHMENT)
- C06/6002 FINANCIAL STATEMENTS (AMREC) (ATTACHMENT)

P06/3022 - ENCLOSURE OF A PORTION OF BALCONY ON LOT 1 (502/1-3) THE ESPLANADE, MOUNT PLEASANT (REC) (ATTACHMENT)

Ward	:	Applecross / Mount Pleasant
Category	:	Planning / Building Development
Application Number	:	DA-2006-1095
Property	:	502/1-3 The Esplanade, Mount Pleasant WA 6153
Proposal	:	Enclosure of a Portion of Balcony
Applicant	:	Mr D Oldland
Owner	:	Mr D Oldland and Ms M J Bond
Disclosure of any Interest	:	No officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer	:	Keith Weymes, Manager Planning & Development Services
Previous Items	:	Not applicable

SUMMARY

The application proposes to enclose a portion of the balcony on Lot 1 (502/1-3) The Esplanade, Mount Pleasant. The proposal will increase the plot ratio of the development beyond the special consent granted by the City of Melville under a previous application.

It is recommended that the application be approved subject to a number of conditions.

BACKGROUND

The property at 1-3 The Esplanade, Mount Pleasant, involves two (2) stages of development. The first stage involved one point five (1.5) levels of carparking, nineteen (19) multiple apartments on five (5) levels, one thousand and ninety five square metres (1095sqm) of net lettable area, and additional features such as a gymnasium and pool. The second stage, which is yet to commence, involves the demolition of the existing service station, construction of additional basement parking, an additional three hundred and thirty two metres (332m) of net lettable area on two (2) floors, landscaped decks areas, and other landscaping.

The first stage was recommitted by the Council at its Ordinary Meeting on 21 December 1999 subject to the proposed plot ratio of one point three seven (1.37), and advertising to the public.

On 18 April 2000, the Council at its Ordinary Meeting approved amended plans for the development, which imposed a condition that the applicant submitted amended development plans prior to the issue of a Building Licence that demonstrate that the development complies with a maximum plot ratio of one point two (1.2) for the second stage.

Amended development plans were approved by the City through the Development Advisory Unit held on 1 November 2000, subject to the same conditions stipulated in the Amended Planning Approval dated 18 April 2000.

P06/3022 – ENCLOSURE OF A PORTION OF BALCONY ON LOT 1 (502/1-3) THE ESPLANADE, MOUNT PLEASANT (REC) (ATTACHMENT)

Amended plans to increase the plot ratio for the development to one point two one eight (1.218) were refused by the City of Melville on 29 March 2001 on the grounds that the proposal did not constitute orderly and proper planning.

It appears that the current plot ratio is one point three one (1.31). However, the second stage does not appear to have commenced at this point in time and hence it is expected that a plot ratio of one point two (1.2) will be achieved upon completion of this second stage.

Scheme Provisions

MRS Zoning : Urban
 CPS 5 Zoning : District Centre 1 – Canning Bridge Centre
 R-Code : R60 / (R80 under Amendment No.35)
 Use Type : Residential
 Use Class : D

Site Details

Lot Area : 3170sqm
 Retention of Existing Vegetation : No
 Street Tree(s) : Yes – in median strip
 Street Furniture (drainage pits etc) : Yes
 Site Details : [P06 3022 Property Map.pdf](#)

[P06 3022 December 2006.pdf](#) A copy of the plans forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Wednesday, 13 December 2006.

DETAIL

Development Requirements

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Plot Ratio	1.2 (1.2 under Amendment No.35)	1.318	Does Not Comply	DTDS	

(Note: Non-compliance is emphasised in bold)

POLICY IMPLICATIONS

Community Planning Scheme No. 5 stipulates a maximum plot ratio for development in the Canning Bridge Centre of one point two (1.2).

P06/3022 – ENCLOSURE OF A PORTION OF BALCONY ON LOT 1 (502/1-3) THE ESPLANADE, MOUNT PLEASANT (REC) (ATTACHMENT)

PUBLIC CONSULTATION/COMMUNICATION

Not required.

REFERRALS TO GOVERNMENT AGENCIES

Not required.

STATUTORY AND LEGAL IMPLICATIONS

Should the City of Melville refuse the application for Planning Approval, the applicant will have the right to have the decision reviewed in accordance with Part XIV of the Planning and Development Act 2005.

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Nil.

COMMENT

The subject application proposes to enclose on a third side a small portion of a balcony of Unit 502 within the subject apartment building. The implication of this is that this portion of the balcony becomes enclosed on three (3) sides, which affects the calculation of plot ratio.

A special majority of the Council approved the development of the subject building on the basis that the plot ratio will be one point two (1.2) upon completion of the second stage of the development, which is yet to commence. Information provided by the applicant indicates that the current plot ratio is one point three one (1.31).

The proposal to enclose a portion of the balcony will effectively increase the plot ratio of the development by twenty-five square metres (25sqm), which will constitute a plot ratio of one point three one eight (1.318).

The enclosure of the portion of the balcony is requested by the applicant to provide additional noise protection for the adjoining master bedroom. The remainder of the balcony that abuts the living area will remain open, and therefore still provide natural air ventilation to the unit and the balcony area. A similar enclosure has been constructed on the unit directly above.

P06/3022 – ENCLOSURE OF A PORTION OF BALCONY ON LOT 1 (502/1-3) THE ESPLANADE, MOUNT PLEASANT (REC) (ATTACHMENT)

Although the proposal can be considered to further increase the plot ratio of the development, it is considered a relatively minor development that is not likely to have a significant impact upon the development and the local area. Should the application be approved, then it is recommended that the proposed materials and finishes shall match the materials and finishes of the balcony enclosure on Unit 602/1-3 The Esplanade, Mount Pleasant.

It is recommended that the application be approved subject to conditions.

COUNCIL RESOLUTION (3022)**APPROVAL**

THAT THE APPLICATION FOR AN ENCLOSURE OF A PORTION OF BALCONY ON LOT 1 (502/1-3) THE ESPLANADE, MOUNT PLEASANT, BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

SPECIAL CONDITIONS:

THE GLASS MATERIALS AND WINDOW STYLE OF THE BALCONY ENCLOSURE SHALL MATCH THE GLASS MATERIALS AND WINDOW STYLE OF THE BALCONY ENCLOSURE OF UNIT 602/1-3 THE ESPLANADE, MOUNT PLEASANT, TO THE SATISFACTION OF THE MANAGER PLANNING SERVICES, TO BE DEMONSTRATED ON THE DEVELOPMENT PLANS PRIOR TO THE ISSUE OF A BUILDING LICENCE.

STANDARD CONDITIONS:**RESSD02****CARRIED EN BLOC**

T06/3002 - PETITION REQUESTING RELOCATION OF BUS SHELTER AT 319 CANNING HIGHWAY, PALMYRA (REC) (ATTACHMENT)

Ward	:	Palmyra/Melville/Willagee
Category	:	Operational
Subject Index	:	Bus shelters, Petitions, Traffic hazards
Customer Index	:	Insert Customer Index from Dataworks
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Nil.
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Philip Gale Manager Infrastructure Services

SUMMARY

A petition was received on the 10 November requesting the relocation of a bus shelter and bus stop sign from the southern side of Canning Highway, just west of Palin Street, Palmyra.

The sightlines available past the bus shelter for road users exiting Palin Street onto Canning Highway have been reviewed and are considered to be safe and suitable for that location. As a result, the removal of the bus shelter is not supported but the side cladding of the shelter will be removed to improve sightlines even further and the Public Transport Authority will be requested to relocate the bus stop sign to the opposite side of the shelter.

BACKGROUND

The petition was received on 10 November and tabled at the Ordinary Meeting of Council held on 21 November. That petition states:

“We, the undersigned, all being Electors of the City of Melville, do humbly pray that –

Consideration is given to the relocation of the bus shelter and stand (No. 10269), located on Canning Highway, Palmyra. Traffic from Palin Street, turning right into Canning Highway, does not have a clear view of both eastbound lanes. Both the shelter and stand create a hazard.”

Twenty-three residents from Palin Street and three residents from Canning Highway have signed the petition.

T06/3002 - PETITION REQUESTING RELOCATION OF BUS SHELTER AT 319 CANNING HIGHWAY, PALMYRA (REC) (ATTACHMENT)

DETAIL

A resident of Palin Street, Palmyra, approached the Public Transport Authority (PTA) in August with a request to relocate the bus shelter and bus stop sign on the southern side of Canning Highway, just west of Palin Street, Palmyra because of his safety concerns about glare created by the sun reflecting off that shelter in the early morning and the sightlines available past the shelter and the sign, along Canning Highway to the west. The PTA advised the resident that they are satisfied that the layout of the bus stop meets their guidelines and then forwarded the matter to the City of Melville for our consideration as the shelter is owned and maintained by the City.

The bus shelter in question is located at Bus Stop No. 10269, on the southern side of Canning Highway, just west of Palin Street, Palmyra. Canning Highway is a four-lane Primary Distributor road with a weekday traffic volume of approximately 22,000 vehicles. Palin Street is a two-lane cul-de-sac with an estimated weekday traffic volume of less than 200 vehicles. No traffic volume data is available for Palin Street so industry trip generation rates were used to calculate the estimated traffic volume. It is also assumed that 50% of those vehicles turn right out of Palin Street.

A locality plan of that location and photographs of the bus shelter are included as [3002 December 2006.pdf](#) to this report.

The type of sight distance assessed in this instance is called Safe Intersection Sight Distance (SISD), which is considered the most appropriate type of sight distance for this scenario. As the Austroads Urban Road Design manual states “*SISD is the minimum standard which should be provided on the major road at any intersection. It provides sufficient distance for a driver of a vehicle on the major road to observe a vehicle from a side road approach moving into a collision situation (eg in the worst case, stalling across the traffic lanes), and to decelerate to a stop before reaching the collision point.*” The Austroads manuals are national road industry guidelines, and have a similar status to Australian Standards publications.

The recommended Safe Intersection Sight Distance for a design speed of 60 km/h is 105 metres, and for a design speed of 70 km/h is 130 metres. Canning Highway has a posted speed limit of 60km/h, however, due the grade of Canning Highway and observations of traffic on that road it is suggested an operating speed of 70km/h is assumed, as that will provide a greater margin of safety.

The sight distance at that intersection was assessed in accordance with Austroads guidelines and found to be:

Approximate sight distance to west along Canning Highway, from Palin Street (in metres)		
	Past bus stop sign	Past bus shelter
3 metres back from Canning Hwy traffic lane (Austroads recommended minimum)	144	190
5 metres back from Canning Hwy traffic lane (Austroads desirable location)	96	110

T06/3002 - PETITION REQUESTING RELOCATION OF BUS SHELTER AT 319 CANNING HIGHWAY, PALMYRA (REC) (ATTACHMENT)

The resident who raised the issue was advised in August that the intersection sightlines met the required standard.

POLICY IMPLICATIONS

There is no Council Policy that relates to this matter.

PUBLIC CONSULTATION/COMMUNICATION

No community consultation has been carried out as this issue is an operational matter.

STATUTORY AND LEGAL IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

The cost of removing the side panels of the bus shelter to improve sightlines would be no more than two hundred dollars and would be funded from an operational account. As the Public Transport Authority is responsible for the bus stop sign they would need to relocate it at their expense.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk*	Risk Mitigation Strategy
Risk of motor vehicle crash due to sight distance available at Canning Hwy / Pail St intersection, Palmyra.	Moderate consequences, resulting in a Medium level of risk	Sightlines have been checked and comply with Austroads guidelines. Monitor reported crash history of site.

* As derived from using the Risk Assessment Matrix

The risk of road users exiting Palin Street not being able to see traffic approaching from the west along Canning Highway because of limited sight lines is that there could be a crash. Depending on the type of vehicles involved the severity of a right-angle crash could result in serious injury. However, likelihood of this occurring is low because of the low level of exposure as a result of the low volume of traffic assumed to be turning right out of Palin Street.

In addition, the reported crash history for the Canning Highway / Palin Street intersection was reviewed and in the 5-year period from 1 January 2001 to 31 December 2005 there were 3 crashes reported to have occurred at that intersection. All three crashes were rear-end crashes on Canning Highway and did not involve any vehicles turning out of Palin Street.

T06/3002 - PETITION REQUESTING RELOCATION OF BUS SHELTER AT 319 CANNING HIGHWAY, PALMYRA (REC) (ATTACHMENT)**COMMENT**

The sightline distances tabled above do show that the PTA's bus stop sign does impact on sight distances and, as their bus stop layout policy actually requires the bus stop signs to be on the departure side of bus shelters, it is recommended that they be requested to relocate it to the opposite side of the bus shelter.

The 110 metres of sight distance available past the bus shelter from the desirable viewing location (5 metres back from the edge of the highway) exceeds the recommended distance of 105 metres for a 60km/h design speed. If a 70km/h operating speed is assumed, though, that distance should be 130 metres.

At the minimum viewing location (3 metres back from the edge of the highway), however, there is 190 metres of sight distance available which is clearly greater than the recommended sight distance of 130 metres. Also, from observations of vehicles turning out of Palin Street the position of drivers is seldom further back from Canning Highway than 4 metres. Because of this, a 5 metre set back to measure sight distance from is considered excessive.

Considering the above details, the sight lines available at the intersection are considered to be adequate for the intersection to operate safely and it is not recommended the bus shelter be removed. The cladding to the side panels could be removed, though, to increase the sight lines even further when the bus shelter is not being used and the City's Operations Centre has been advised to do that. This will reduce the amount of the wind, rain and sun protection available to people sitting at the shelter and an alternative to removing the cladding could be to trial clear perspex in its place, which might be able to achieve a compromise of maintaining the level of weather protection provided by the shelter and improving sightlines further.

A letter has also been sent to the PTA asking them to relocate the bus stop sign.

COUNCIL RESOLUTION (3002)

- 1. THAT THE SIGHTLINES AVAILABLE FROM PALIN STREET, LOOKING WEST ALONG CANNING HIGHWAY, BE IMPROVED BY REMOVING THE SIDE PANELS OF THE BUS SHELTER THAT IS JUST WEST OF THE INTERSECTION.**
- 2. THE PUBLIC TRANSPORT AUTHORITY BE REQUESTED TO RELOCATE THE BUS STOP SIGN AT THAT BUS STOP TO THE OPPOSITE SIDE OF THE BUS SHELTER.**

CARRIED EN BLOC

**C06/5027- HEATHCOTE FUNDING REQUEST FOR UPGRADED PRECINCT LIGHTING
(AMREC) (ATTACHMENT)**

Ward	:	Applecross/Mt Pleasant
Category	:	Operational
Subject Index	:	Heathcote
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	:	Nil
Works Programme	:	Not Applicable
Funding	:	Transfer of two hundred and fifty thousand dollars (\$250,000) from the Community Facilities Reserve Fund.
Responsible Officer	:	Mark Ridgwell Property & Corporate Support Manager

SUMMARY

This report seeks Councils endorsement in the transfer of two hundred and fifty thousand dollars (\$250,000) from the Community Facilities Reserve Fund to fund the upgrading of precinct lighting for the Heathcote heritage precinct.

BACKGROUND

Officers from Corporate Support, Infrastructure and Community Safety and Security have been working over the past twelve months to design appropriate lighting to combat antisocial behaviour within the precinct.

Information obtained from the City of Melville Security & Graffiti Databases and reports from the Palmyra Police Station indicated that the reserve attracts a high proportion of antisocial behaviour. Statistics that have been generated are believed to be underrepresented because of victim apathy. In the instance of vehicle break-ins the number could be three times as high as that recorded, but because of vehicle excesses many reports are typically only undertaken when the value of stolen or damaged property exceeds one thousand dollars (\$1,000).

The largest proportion of reported activity include antisocial behaviour, vehicle break-ins and precinct damage and vehicle burnouts. The above activities occur typically at night and during school holidays.

**C06/5027- HEATHCOTE FUNDING REQUEST FOR UPGRADED PRECINCT LIGHTING
(AMREC) (ATTACHMENT)****DETAIL**

The Heathcote heritage precinct is utilised both day and night by residents and visitors of the reserves facilities and playgrounds, Bluewater Restaurant and the various other community groups situated on the site.

The precinct has limited lighting that was designed to be sympathetic to the heritage buildings. As the precinct has unrestricted access this has led to concerns particularly at night. The current level and number of lights is not at a level to afford the benefits of providing safety & security and the reduction in antisocial behaviour, particularly in the carpark area.

The designed lighting plan addresses the areas in the precinct in which lighting is deficient and has also been prepared to ensure light spill from the precinct minimises the impact on adjoining residences. [5027 November 2006.pdf](#) A copy of the proposed lighting upgrade forms part of the Attachments to the Agenda, which was distributed to Members of the Council on Wednesday, 13 December 2006.

It is anticipated that the costs for the project will be two hundred and fifty thousand dollars (\$250,000). This figure includes contingency and escalation costs as well as fees associated with Building and Swan River Trust applications, which may include public consultation with surrounding residents.

If approved by Council a tender will be called and managed by the Contract Liaison / Contracts Manager, with an anticipated installation date over winter 2007 in order to minimize the impact of the works.

This scope of works will not include the installation of closed circuit television (CCTV) as this will form part of an overall strategy being developed by the Manager Neighbourhood Amenities. However capacity will be incorporated into the lighting specifications so that CCTV can be installed if approved at a later stage, which will reduce future installation costs considerably.

POLICY IMPLICATIONS

There is no policy related to this report.

PUBLIC CONSULTATION/COMMUNICATION

Precinct stakeholders have been informed of the proposal and are supportive of the upgrade.

**C06/5027- HEATHCOTE FUNDING REQUEST FOR UPGRADED PRECINCT LIGHTING
(AMREC) (ATTACHMENT)**

STATUTORY AND LEGAL IMPLICATIONS

Local Government (Functions and General) Regulations 1996

“11. Tenders to be invited for certain contracts

- (1) *Tenders are to be publicly invited according to the requirements of this Part before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$50 000 unless subregulation (2) states otherwise.”*

FINANCIAL IMPLICATIONS

It is recommended that the figure of two hundred and fifty thousand dollars (\$250,000) be funded from the Community Facilities Reserve Fund.

This fund was set up with the purpose of funding the provision, refurbishment or improvement of community facilities located in the City of Melville. In the budget for 2006/2007 this reserve fund had a balance of three million, one hundred and fourteen thousand, six hundred and twenty dollars (\$3,114,620) as at 30 June 2006. Any use of the reserve to fund this project would reduce that balance accordingly.

For the 2006/2007 financial period one millions, one hundred and sixty-three thousand, eight hundred and thirty-one dollars (\$1,163,831) and five hundred and five thousand dollars (\$505,000) has been allocated for transfer to fund the partial acquisition of Melville Primary School site and works on the Mt Henry Jetty. One hundred and sixty-four thousand, one hundred and thirty-nine dollars (\$164,139) is also being transferred into the Reserve Fund which will leave a balance after the lighting request of an amount of one million, three hundred and fifty-nine thousand, nine hundred and twenty-eight dollars (\$1,359,928).

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk*	Risk Mitigation Strategy
If lighting is not upgraded the continuation of antisocial behaviour and criminal activity will continue to occur within the precinct.	Major consequences which are possible, resulting in a High level of risk	Whilst upgraded lighting will not eliminate all risks it will hopefully reduce the number of occurrences of antisocial behaviour and possibly reduce the severity of certain incidents that have previously occurred.

* As derived from using the Risk Assessment Matrix

**C06/5027- HEATHCOTE FUNDING REQUEST FOR UPGRADED PRECINCT LIGHTING
(AMREC) (ATTACHMENT)****COMMENT**

The Heathcote precinct is one of the City of Melville's greatest assets that is proudly embraced by residents and visitors to the site. The installation of lighting is intended to ensure that antisocial behaviour is reduced and the safety of visitors and staff to the site is improved.

COUNCIL RESOLUTION (5027)**ABSOLUTE MAJORITY**

- 1. THAT THE REPORT ON FUNDING OF THE UPGRADE OF LIGHTING TO THE HEATHCOTE PRECINCT BE NOTED.**
- 2. THAT BY ABSOLUTE MAJORITY DECISION OF THE COUNCIL THE AMOUNT OF TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000) BE APPROVED FOR THE UPGRADE OF LIGHTING TO THE HEATHCOTE PRECINCT WITH FUNDING BEING TRANSFERRED FROM THE COMMUNITY FACILITIES RESERVE FUND ACCOUNT NUMBER 71.8107.722.312.**

CARRIED EN BLOC

C06/5028 -- POSSIBLE CHANGES TO LOCAL GOVERNMENT BOUNDARY BETWEEN CITY OF CANNING AND CITY OF MELVILLE (REC)

Ward	:	Bull Creek/ Leeming Ward
Category	:	Administration
Strategic / Policy / Operational	:	Operational
Subject Index	:	Local government boundaries
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Item P98/6009 Ordinary Meeting of Council - Possible Changes to Local Government Boundary Between City of Canning and City of Melville Item 12.3 December 2005 Ordinary Meeting of Council – Possible Changes to Local Government Boundary between City of Canning and City of Melville.
Works Programme	:	Not applicable
Funding	:	Not applicable
Responsible Officer	:	Bruce Taylor, Manager Information and Corporate Support

SUMMARY

This item seeks support of the Council to establish a position on the preferred alignment of the district boundary between the Cities of Melville and Canning for the affected area within the locality of Willetton, east of Karel Avenue (in the City of Melville) and the area in the locality of Rossmoyne, bounded by Leach Highway, Karel Avenue and Keith Road (in the City of Canning).

BACKGROUND

At the May 1998 Council meeting Item P98/6009 it was resolved “That all of the landowners and electors east of Karel Avenue (in the City of Melville) be surveyed to ascertain the level of support for a boundary change between the Cities of Canning and Melville as proposed”.

This survey was never undertaken for several reasons being,

- That it was not seen as a priority issue,
- When approached City of Canning Officers were not receptive to considering boundary changes, and
- The proposed sale of the Karel Avenue escarpment.

C06/5028 -- POSSIBLE CHANGES TO LOCAL GOVERNMENT BOUNDARY BETWEEN CITY OF CANNING AND CITY OF MELVILLE (REC)

More recently at the December 2005 Council Meeting, it was resolved:

- “1. *That the City of Melville request the City of Canning to support the following changes to the district boundary between the Cities of Melville and Canning:*
 - a) *The locality of Rossmoyne, bounded by Leach Highway, Karel Avenue and Keith Road (in the City of Canning) being transferred to the City of Melville, and*
 - b) *The locality of Willetton, east of Karel Avenue (in the City of Melville) being transferred to the City of Canning.*
 - c) *That the proposed boundary be along the centre line of Karel Avenue.*
2. *That if the proposed boundary changes are supported by the City of Canning a joint proposal to amend the boundaries be submitted to the Local Government Advisory Board.*
3. *That the affected residents be advised in due course of the outcome of the submission to the Local Government Advisory Board.”*

The City of Canning has undertaken consultation with their residents in respect to the Rossmoyne boundary change and a Public Information Session was held on Monday, 3 April 2006. A total of eighty seven (87) submission/survey forms were sent out by the City of Canning to affected residents and the response rate was 67.82%. Of the fifty nine (59) responses that were received back, ninety eight percent (98%) of the respondents did not support the proposal to realign the boundary and wished to remain within the City of Canning.

As such, at the June 2006 meeting, the City of Canning resolved –

“That the City of Canning does not support the change of the district boundary between the Cities of Melville and Canning for the locality of Rossmoyne, bounded by Leach Highway, Karel Avenue and Keith Road (in the City of Canning), being transferred to the City of Melville” and that,

“Should the City of Melville wish to pursue a change in the district boundary between the Cities of Melville and Canning for the affected area within the locality of Willetton, east of Karel Avenue (in the City of Melville), the City of Canning would be prepared to discuss such a proposal.”

While Point two (2) of the City of Melville, December 2005 resolution only proposed further action if the proposed changes were supported by the City of Canning, the anomaly with the Karel Avenue boundary still remains. A notice advising Elected Members of the City of Canning resolution was placed in the Elected Members Bulletin on 23 June 2006 and Elected Members were informed that the affected residents would still be surveyed to assist the Council to establish a position on the proposal to realign the district boundary.

C06/5028 -- POSSIBLE CHANGES TO LOCAL GOVERNMENT BOUNDARY BETWEEN CITY OF CANNING AND CITY OF MELVILLE (REC)

All City of Melville residents within the affected area of Willetton, east of Karel Avenue, were invited to make a submission in relation to the proposal. Submission forms along with an Information Paper were mailed to the eighty five (85) property owners on Friday, 3 November 2006 or hand delivered on Saturday, 4 November 2006, with the closing date set for 4.00pm on Friday, 24 November 2006.

An Information Session was held at 6.30pm on Monday, 13 November 2006 at the Civic Centre, for the affected owners within the City of Melville. Only ten (10) residents attended the Information Session.

A summary of submissions received, is as follows:

Number of submission form sent to owners	85
Number of responses received	44
Percentage responded to proposal	51.76%

Analysis of Submissions

An analysis of the forty four (44) submissions received, reveals that twenty seven (27) or 61.36% of the respondents support the proposed boundary change. Seventeen (17) or 38.64% of respondents did not support the proposal.

Twenty five (25) or 56.82% of the respondents made no comment. A summary of the specific factors detailed in the completed submissions reveals the following:

(a) Community of Interest

The Proposal for boundary change does not affect the district boundary. In the affected area the proposed district boundary is the centre line of Karel Avenue so all properties would remain in the suburb of Willetton. The affected area can take advantage of the many recreational and sporting facilities located nearby within the City of Melville and the City of Canning, by virtue of its location of being on the border of both municipalities.

In relation to schooling, the Willetton Senior High School, Burrendah Primary School, Rossmoyne Senior High School and Castlereagh School are all located in the City of Canning. Major shopping areas are located close to the affected area, both in the City of Canning and the City of Melville.

Three respondents indicated that they used facilities in both local governments and identified with both communities.

Five respondents indicated that they used City of Canning services and facilities and identified with the Canning community.

C06/5028 -- POSSIBLE CHANGES TO LOCAL GOVERNMENT BOUNDARY BETWEEN CITY OF CANNING AND CITY OF MELVILLE (REC)

(b) Physical and Topographic Features

Karel Avenue separates the affected area from the balance of the City of Melville and provides a defined boundary. The existing boundary is an arbitrary alignment and access to the residential area is via the City of Canning Road network.

Five respondents indicated that Karel Avenue was a defined boundary.

One respondent indicated that they did not consider Karel Avenue to be a significant boundary.

(c) Demographic Trends

Statistics on demographic trends and information relating to the area east of Karel Avenue is not available and is assumed to be the same as that of the greater Willetton district that was provided in the Information Paper.

No comments were received in relation to demographic trends.

(d) Economic Factors

The excision of the affected area would not predicate any economic change other than a decrease in income by way of rates and charges to the City of Melville of \$82,385.

No comments were received in relation to economic factors.

(e) History of the Area

A brief history of the development of local government in the area and the general history of the area was presented in the Information Paper.

No comments were received in relation to the history of the area.

(f) Transport and Communication

The affected area is primarily serviced by the road network that is accessible from the City of Canning. The points of access from the City of Melville to the affected area of Willetton are Parry Avenue, Bernera Drive and South Street. Communication standards within the affected area are comparable to the surrounding localities.

One respondent made reference to the fact that they had to traverse the City of Canning road network to access the affected area.

C06/5028 -- POSSIBLE CHANGES TO LOCAL GOVERNMENT BOUNDARY BETWEEN CITY OF CANNING AND CITY OF MELVILLE (REC)

(g) Matter Affecting the Viability of Local Governments

The deletion of the affected area from the City of Melville will result in a loss of revenue through rates levied of \$82,385.60 (2006/2007) and it is considered that the impact on the City's financial viability is minimal.

No comments were received in relation to matters that affect the financial viability of Local Governments.

(h) Effective Delivery of Local Government Services

Due to the limited accessibility to the area and the shared use of infrastructure, this area poses several servicing challenges for both the City of Melville and the City of Canning. Street name signage is confusing at present. Some services such as refuse collection and recycling services are carried out by the City of Canning. Mobile garbage bins are provided and maintained by the respective Local Governments but reciprocal arrangements exist for the collection of bins where Canning collects Melville bins and visa versa. These reciprocal arrangements do not exist for recycling bins and these are collected by the responsible Local Government. Verge collections are carried out in this area by the City of Melville and do not coincide with the City of Canning collections.

The City of Canning and City of Melville provide Ranger, Security Services and Meals on Wheels services to the areas within their respective boundaries. For simplicity, cost effectiveness and consistency of service it would be logical that these services be provided by one Local Government.

All civic and horticultural maintenance and capital works programs with the City of Melville boundary are undertaken by the City of Melville which could be undertaken more efficiently and effectively by the City of Canning as part of their maintenance & capital works programs.

Various comments were received from respondents including –

Five respondents believed that changing to the City of Canning would have a negative affect on their property values.

Three respondents indicated that they would like to remain in the City of Melville, but would like the locality address for the properties in the City of Melville east of Karel Avenue to be Bull Creek. Several residents incorrectly use Bull Creek as their locality address.

One respondent indicated that they only receive the Canning Community Newspaper. Generally residents in this area receive both the Melville and Canning Community Newspapers.

Ten respondents indicated that they believed that there would be less confusion about services and that they would receive better service relating to underground power, street sweeping, and refuse, recycling and bulk rubbish collection, if they were in the City of Canning.

One respondent made comment on the lack of action by City of Melville on complaints.

C06/5028 -- POSSIBLE CHANGES TO LOCAL GOVERNMENT BOUNDARY BETWEEN CITY OF CANNING AND CITY OF MELVILLE (REC)

Respondents in Kelly Court expressed concern that there was also a Kelly Place in the City of Canning, which caused confusion and that this would be further exacerbated if Kelly Court was entirely in the City of Canning. A respondent requested that this matter be addressed irrespective of the boundary issue.

Some residents are actually on the Bull Creek telephone exchange giving them the Bull Creek telephone prefix number.

DETAIL

If a formal inquiry is required by the Local Government Advisory Board the Advisory Board will consider submissions with regard to —

- (a) community of interests;
- (b) physical and topographic features;
- (c) demographic trends;
- (d) economic factors;
- (e) the history of the area;
- (f) transport and communication;
- (g) matters affecting the viability of local governments; and
- (h) the effective delivery of local government services,

PUBLIC CONSULTATION

All electors affected by the proposal were presented with an Information Paper and were invited to make a submission. An Information Workshop was held at the Civic Centre on Monday, 13 November 2006. Residents that had not made a submission were posted a reminder requesting that they make a submission.

If the proposal is submitted to the Local Government Advisory Board and the Board decides to formally inquire into the proposal they are required to give formal notice to affected local governments, affected electors and the other electors of districts directly affected by the proposal.

COMMENT

While a response rate of 51.76%) is disappointing, 61.36% of the respondents supported the proposed boundary change. The current boundary alignment is illogical and more effective and efficient delivery of services to residents would be achieved by having the one local government provide services to all residents of the area east of Karel Avenue.

This boundary anomaly has been recognised by both local governments for many years and the current boundary causes problems for both residents and the respective councils from a servicing point of view and are simply illogical. In the pursuit of providing “good government of persons in its district” as required by Section 3.1 of the Local Government Act 1995, it is recommended that the Council support the boundary change.

C06/5028 -- POSSIBLE CHANGES TO LOCAL GOVERNMENT BOUNDARY BETWEEN CITY OF CANNING AND CITY OF MELVILLE (REC)

Should the City of Canning support the above boundary change then a joint proposal to amend the boundary would be presented to the Local Government Advisory Board in accordance with Schedule 2.1 of the Local Government Act 1995

In relation to addressing the issue of there being a Kelly Court and Kelly Place, the Geographic Names Committee has advised that the naming of streets is left to the relevant local government to make a recommendation to the Committee. The normal process is that affected residents are consulted and are given a choice of two preferred names to select from. The local government then presents a recommendation for a change of name to the Geographic Names Committee for consideration and adoption.

STATUTORY & LEGAL IMPLICATIONS

The process for amending district boundaries is covered by the Local Government Act 1995, Schedule 2.1. The Local Government Advisory Board is required to consider the proposal and may determine that the changes are of a minor nature and not require public submissions or may formally inquire into the proposal.

POLICY IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Transferring the area east of Karel Avenue to the City of Canning will result in the loss of revenue through rates levied of \$82,385.60 (2006/2007). There will be a saving to the City of Melville in relation to the cost of providing services to this area. The amount of savings has not been quantified.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

The proposed changes to the boundary, particularly the area east of Karel Avenue is an anomaly, which has been acknowledged by both Cities. Correcting the boundary will provide for more effective and efficient local government for both the affected residents and the two (2) Cities administrations.

No Risk Assessment has been carried out on this issue.

C06/5028 -- POSSIBLE CHANGES TO LOCAL GOVERNMENT BOUNDARY BETWEEN CITY OF CANNING AND CITY OF MELVILLE (REC)

COUNCIL RESOLUTION (5028)

1. THAT THE CITY OF CANNING BE REQUESTED TO CONSIDER AND SUPPORT A CHANGE TO THE DISTRICT BOUNDARY BETWEEN THE CITIES OF MELVILLE AND CANNING WITH THE LOCALITY OF WILLETTON, EAST OF KAREL AVENUE (IN THE CITY OF MELVILLE) BEING TRANSFERRED TO THE CITY OF CANNING.
2. THAT IF THE PROPOSED BOUNDARY CHANGE IS SUPPORTED BY THE CITY OF CANNING A JOINT PROPOSAL, TO AMEND THE BOUNDARY FROM KEITH ROAD TO SOUTH STREET ALONG THE CENTRE LINE OF KAREL AVENUE MEDIAN STRIP, BE SUBMITTED TO THE LOCAL GOVERNMENT ADVISORY BOARD.
3. THAT THE AFFECTED RESIDENTS BE ADVISED OF THE DECISION TO SUBMIT THE KAREL AVENUE BOUNDARY CHANGE PROPOSAL TO THE LOCAL GOVERNMENT ADVISORY BOARD.
4. THAT NO FURTHER ACTION BE TAKEN ON THE PROPOSAL TO AMEND THE DISTRICT BOUNDARY BETWEEN THE CITIES OF MELVILLE AND CANNING FOR THE LOCALITY OF ROSSMOYNE, BOUNDED BY LEACH HIGHWAY, KAREL AVENUE AND KEITH ROAD (IN THE CITY OF CANNING), BEING TRANSFERRED TO THE CITY OF MELVILLE.
5. THAT SHOULD THE CITY OF CANNING SUPPORT THE PROPOSED BOUNDARY CHANGE THEN THEY BE REQUESTED TO CONSIDER CHANGING THE NAME OF EITHER KELLY COURT OR KELLY DRIVE.

CARRIED EN BLOC

**C06/6024– AMENDMENT TO ACCOUNTING POLICY – NO.13-PL-007 (AMREC)
(ATTACHMENT)**

Ward	: All
Category	: Policy
Subject Index	: Policy
Customer Index	: Finance
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: C05/5010 – Policy Review – Corporate Services
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Bob Searle Manager Financial Services

SUMMARY

This report seeks Council endorsement to vary Accounting Policy no. 13-007 to allow for the provision of Delegated Authority to the Chief Executive Officer to update the listing of authorised signatories for Bank Accounts.

BACKGROUND

The current section on approved signatories in Accounting Policy 13-007 reads as follows:

“12. SIGNATORIES TO MUNICIPAL, TRUST AND RESERVE BANKACCOUNTS**Category A Signatories Category B Signatories**

Chief Executive Officer
Director Corporate Services
Manager Financial Services

Mayor
Director Development Services
Director Community Services
Manager Information & Corporate Support
Statutory Accountant
Senior Management Accountant

Approval of payments, regardless of whether Cheques or EFT payments, requires two signatures as follows:

- One signatory from Category A, and one signatory from Category B, or any two Category A signatories.

In the absence of the Chief Executive Officer or the Director Corporate Services for an extended period, the Chief Executive Officer may authorise, in writing, a designated senior officer to act as a signatory to the City’s bank accounts.”

**C06/6024– AMENDMENT TO ACCOUNTING POLICY – NO.13-PL-007 (AMREC)
(ATTACHMENT)**

DETAIL

This report seeks to reflect organisational and other changes that have impacted on the approved signatory list and also to address some operational issues that have been identified.

The principle time when the availability of signatories becomes an issue is when making investments and transfers electronically. These items, the investment ones in particular, are time critical and have to be implemented before a cut off point of 5pm Eastern time if they are to be actioned on the same day.

POLICY IMPLICATIONS

Minor Administrative Variations to Accounting Policy Number 13-PL-007. (ATTACHMENT)

PUBLIC CONSULTATION/COMMUNICATION

No external consultation has been carried out.

STATUTORY AND LEGAL IMPLICATIONS

5.42. Delegation of some powers and duties to CEO

(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

FINANCIAL IMPLICATIONS

Not applicable.

**C06/6024– AMENDMENT TO ACCOUNTING POLICY – NO.13-PL-007 (AMREC)
(ATTACHMENT)**

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk*	Risk Mitigation Strategy
As a result of not having two signatories available, there is a risk of failure to implement payments or investments, resulting in potential failure to meet contractual obligations and possible loss of investment income.	Minor consequences, with a likelihood of likely, translating to a medium risk rating	The increase of one position to the “A” list of signatories and the inclusion of the Manager Organisational Development to the Category B Signatory list, is designed to decrease the overall risk rating to “Low”

COMMENT

Whilst it is not intended to vary the list of approved signatories frequently the proposed delegation will reduce the administrative burden of having to submit a Council report to vary the policy in circumstances where an existing Officers position title may have varied.

Communication of any variation to the approved list of signatories will be placed in the Elected Members Bulletin prior to variations being undertaken.

**C06/6024– AMENDMENT TO ACCOUNTING POLICY – NO.13-PL-007 (AMREC)
(ATTACHMENT)**

COUNCIL RESOLUTION (6024)

ABSOLUTE MAJORITY

- 1. THAT BY AN ABSOLUTE MAJORITY DECISION THE CHIEF EXECUTIVE OFFICER BE GRANTED DELEGATED AUTHORITY TO APPROVE THE LISTING OF AUTHORISED SIGNATORIES TO MUNICIPAL, TRUST AND RESERVE BANK ACCOUNTS.**
- 2. THAT ACCOUNTING POLICY NO 13-PL-007 BE MODIFIED TO READ AS FOLLOWS;**

“12. SIGNATORIES TO MUNICIPAL, TRUST AND RESERVE BANK ACCOUNTS

THE CHIEF EXECUTIVE OFFICER SHALL MAINTAIN A LIST OF AUTHORISED SIGNATORIES. THESE SIGNATORIES SHALL BE SEPARATED INTO TWO SEPARATE LISTINGS (CATEGORIES A & B).

APPROVAL OF PAYMENTS, REGARDLESS OF WHETHER CHEQUES OR EFT PAYMENTS, REQUIRES TWO SIGNATURES, ONE FROM CATEGORY A AND ADDITIONAL SIGNATORY FROM CATEGORY A OR B.

THE CHIEF EXECUTIVE OFFICER SHALL REVIEW THE LISTINGS OF AUTHORISED SIGNATORIES TO THE MUNICIPAL, TRUST AND RESERVE BANK ACCOUNTS ANNUALLY, WITH ANY VARIATIONS BEING PRESENTED TO ELECTED MEMBERS FOR THEIR INFORMATION.

RELATED DOCUMENTATION:

LOCAL GOVERNMENT ACT 1995

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGS 1996

AUSTRALIAN ACCOUNTING STANDARDS

DELEGATED AUTHORITY MANUAL

SELF SUPPORTING LOAN FUNDS POLICY 13-PL-003

C06/5000 - COMMON SEAL REGISTER (REC)

Ward	:	All
Category	:	Administration
Strategy/Policy/Operational	:	Operational
Subject Index	:	Common Seal Register
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 Information & Corporate Support

SUMMARY

This report details the documents to which the City of Melville common seal has been applied and recommends that the information be noted.

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 by the Chief Executive Officer, and the Mayor and the Chief Executive Officer attest the affixing of the seal.

DETAIL

Document Type	Party	Description	File Ref
Deed of Lease	Applecross Junior Football Club Inc	Portion of Gairloch Reserve	1557981
Deed of Lease	Booragoon Occasional Child Care	Portion of Reserve No. 41250	1466988
Scheme Amendment	City of Melville	Lot 146 (844) Canning Highway, Applecross	1280203

C06/5000 - COMMON SEAL REGISTER (REC)

PUBLIC CONSULTATION

Not applicable.

COMMENT

Nil.

STATUTORY ENVIRONMENT

Section 2.5 of the Local Government Act 1995.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC IMPLICATIONS

Not applicable.

COUNCIL RESOLUTION (5000)

THAT THE ACTION OF HER WORSHIP THE MAYOR AND THE CHIEF EXECUTIVE OFFICER IN EXECUTING THE DOCUMENTS LISTED UNDER THE COMMON SEAL OF THE CITY OF MELVILLE, BE NOTED.

CARRIED EN BLOC

C06/6000 – INVESTMENT STATEMENTS (REC) (ATTACHMENT)

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	:	Bob Searle Manager Financial Services

SUMMARY

This report presents the investment statements for the month of November 2006 and recommends that the information detailed in the attachments be noted.

BACKGROUND

The investment of surplus cash holdings is undertaken in accordance with Council's investment policy, with the objective of maximising returns whilst maintaining acceptable levels of risk exposure.

DETAIL

[6000A December 2006.pdf](#) and [6000B December 2006.pdf](#) the Investment Statements for the month of November 2006, form part of the Attachments to the Agenda, which was distributed to the Members of the Council on Wednesday, 13 December 2006.

The Investment of Surplus Funds is undertaken in accordance with the Finance Investment Policy document for the City of Melville. [6000D December 2006.pdf](#) a graph showing the total levels of funds invested forms part of the Attachments to the Agenda, which was distributed to the Members of the Council on Wednesday, 13 December 2006.

C06/6000 – INVESTMENT STATEMENTS (REC) (ATTACHMENT)

A report prepared by Grange Securities has again been included for members' information. [6000C December 2006.pdf](#) The reports form part of the Attachments to the Agenda, which was distributed to the Members of the Council on Wednesday, 13 December 2006.

POLICY IMPLICATIONS

Corporate Policy C14.

PUBLIC CONSULTATION/COMMUNICATION

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

Local Government (Financial Management) Regulations 1996 Regulation 19 – Management of Investments.

FINANCIAL IMPLICATIONS

As at the end of November 2006, total interest, excluding Reserve Fund interest, earned was one million and seventy nine thousand eight hundred and sixty one dollars (\$1,079,861) against a budget year to date of eight hundred and sixty eight thousand seven hundred dollars (\$868,700). The full year budget is one million nine hundred and sixty eight thousand dollars (\$1,968,000).

Reserve Fund interest earned was five hundred and eighty thousand seven hundred dollars (\$580,700) against a budget year to date of three hundred and sixty one thousand, five hundred dollars (\$361,500). The full year budget is eight hundred and sixty seven thousand eight hundred dollars (\$867,800).

STRATEGIC IMPLICATIONS

Not applicable.

C06/6000 – INVESTMENT STATEMENTS (REC) (ATTACHMENT)**COMMENT**

Base interest rates rose slightly in the period. The rates for thirty (30) day bank bills showed an increase of zero point zero five seven percent (0.057%). Longer term returns showed a lower increase; with the ninety (90) rate increasing by zero point zero zero eight percent (0.008%). The performance of the City of Melville portfolio managed by Grange Securities exceeded the agreed benchmark of the UBS Bank Bill Index plus zero point three five percent (UBS plus 0.35%) by one point zero eight per cent (1.08%) annualised and exceeded the benchmark by zero point seven five per cent (0.75%) over the last twelve (12) months.

COUNCIL RESOLUTION (6000)

THAT THE INVESTMENT STATEMENTS FOR THE MONTH OF NOVEMBER 2006, AS DETAILED IN THE FOLLOWING ATTACHMENTS BE NOTED:

[6000A December 2006.pdf](#)

[6000B December 2006.pdf](#)

[6000C December 2006.pdf](#)

[6000D December 2006.pdf](#)

CARRIED EN BLOC

C06/6001 – SCHEDULE OF ACCOUNTS (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	: 2005/2006 Budget
Responsible Officer	: Bob Searle Manager Financial Services

SUMMARY

This report presents details of the payments made to suppliers for the provision of goods and services for the month of November 2006 and recommends that the Schedule of Accounts be noted.

BACKGROUND

Delegated Authority CE23 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 Customer and Corporate Services. In accordance with Regulation thirteen (13), two (2) and three (3) of the Local Government (Financial Administration) Regulations 1996 where this power has been delegated, a list of payments for each month is to be compiled and presented to the Council. The list is to show each payment, payee name, amount and date of payment and sufficient information to identify the transaction.

DETAIL

The Schedules of Accounts for the period ending 30 November 2006 [6001 December 2006.pdf](#) including Payment Registers numbers nine and ten were distributed to the Members of Council on Wednesday, 13 December 2006.

C06/6001 – SCHEDULE OF ACCOUNTS (REC) (ATTACHMENT)**POLICY IMPLICATIONS**

Management Procedure 1.8 - Certification of Accounts.

PUBLIC CONSULTATION/COMMUNICATION

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 2006/2007 Budget.

STRATEGIC IMPLICATIONS

Not applicable.

COMMENT

This is a regular monthly report for Elected Members information.

COUNCIL RESOLUTION (6001)

THAT THE SCHEDULE OF ACCOUNTS FOR THE PERIOD ENDING 30 NOVEMBER [6001 December 2006.pdf](#), AS APPROVED BY THE DIRECTOR CUSTOMER AND CORPORATE SERVICES IN ACCORDANCE WITH DELEGATED AUTHORITY CE23, AND DETAILED IN ATTACHMENT BE NOTED.

CARRIED EN BLOC

C06/6002 – FINANCIAL STATEMENTS (AMREC) (ATTACHMENT)

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	: Bob Searle Manager Financial Services

SUMMARY

This report presents the financial statements to the end of October 2006 and recommends that they be noted by Council.

BACKGROUND

The Financial Statements for the end of the month of October 2006 have been prepared and tabled in accordance with Regulation thirty-four (34) of the Local Government (Financial Management) Regulations 1996 as amended in March 2005, which requires that:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, 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.

C06/6002- FINANCIAL STATEMENTS (AMREC) (ATTACHMENT)

- (3) The information in a statement of financial activity may be shown-
 - (a) according to nature and type classification;
 - (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 to the council-
 - (i) at the next ordinary meeting of the council following the end of the month to which the statement relates; or
 - (ii) if the statement is not prepared in time to present it to the meeting referred to in subparagraph (i), to the next ordinary meeting of the council after that meeting; 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 AAS 5, to be used in statements of financial activity for reporting material variances.

DETAIL

A computer hardware failure relating to the old General Ledger system meant the year end processes for 2005/2006 were very delayed and that the relevant opening balances had not been loaded into the new system before the preparation of these reports. This same problem also means that the development of the normal reports for Council from the new system has been delayed. The hardware and software problems on the old system have now been remedied and work on the year end is completed.

The opening balances from the old system were successfully loaded into the new system early in December, and the attached reports include the opening balances and have been prepared in compliance with the requirements of the legislation.

The following attachments form part of the Attachments to the Agenda, which was distributed to the Members of the Council on Wednesday, 13 December 2006.

C06/6002- FINANCIAL STATEMENTS (AMREC) (ATTACHMENT)

DESCRIPTION	LINK
Statement of Financial Activity	6002A December 2006.pdf
Operating Statements by Program for the period ended 31 October 2006	6002B December 2006.pdf
Representation of Working Capital as at October 2006	6002E December 2006.pdf
Reconciliation of Net Working Capital as at 31 October 2006.	6002F December 2006.pdf
Notes on Operating Statements for October 2006 reporting on variances of 10% or greater	6002H December 2006.pdf
Details of Budget Amendments requested during the month of October 2006	6002J December 2006.pdf

POLICY IMPLICATIONS

Not applicable.

PUBLIC CONSULTATION/COMMUNICATION

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 Regulations) 1996 Part 4 – Financial Reports

FINANCIAL IMPLICATIONS

Amendments to the 2006/2007 Budget have been included in the budget amendment report.

STRATEGIC IMPLICATIONS

Not applicable.

C06/6002- FINANCIAL STATEMENTS (AMREC) (ATTACHMENT)

COMMENT

The attached reports are the first to reflect fully the audited year end situation including opening balances. Further work is now being undertaken to develop and improve the reports to Council.

COUNCIL RESOLUTION (6002)

ABSOLUTE MAJORITY

1. THAT THE STATEMENTS OF FINANCIAL ACTIVITY AND THE OPERATING STATEMENTS FOR THE PERIOD ENDING 31 OCTOBER 2006, AS DETAILED IN THE FOLLOWING ATTACHMENTS BE ADOPTED:

DESCRIPTION	LINK
STATEMENT OF FINANCIAL ACTIVITY	6002A December 2006.pdf
OPERATING STATEMENTS BY PROGRAM FOR THE PERIOD ENDED 31 OCTOBER 2006	6002B December 2006.pdf
REPRESENTATION OF WORKING CAPITAL AS AT OCTOBER 2006	6002E December 2006.pdf
RECONCILIATION OF NET WORKING CAPITAL AS AT 31 OCTOBER 2006	6002F December 2006.pdf
NOTES ON OPERATING STATEMENTS FOR OCTOBER 2006 REPORTING ON VARIANCES OF 10% OR GREATER	6002H December 2006.pdf

2. THAT BY ABSOLUTE MAJORITY DECISION, THE BUDGET AMENDMENTS, AS LISTED IN THE BUDGET AMENDMENT REPORT FOR OCTOBER 2006, AS DETAILED IN ATTACHMENT [6002J December 2006.pdf](#) BE ADOPTED

CARRIED EN BLOC

P06/3024 – RETROSPECTIVE APPROVAL FOR THERAPEUTIC MASSAGE PREMISES ON LOT 1 (901A) CANNING HIGHWAY, APPECROSS (REC) (ATTACHMENT)

Ward	:	Applecross / Mount Pleasant
Category	:	Planning / Building Development
Application Number	:	DA-2006-1801
Property	:	1/901A Canning Highway, Applecross WA 6153
Proposal	:	Retrospective Therapeutic Massage Premises
Applicant	:	Bikini Girls Massage & Sauna
Owner	:	C Van Do
Disclosure of any Interest	:	No officer involved in the preparation of this report has a declarable interest in this matter.
Responsible Officer	:	Keith Weymes, Manager Planning & Development Services
Previous Items	:	Nil

SUMMARY

This application seeks approval for an existing therapeutic massage premises on Lot 1 (901A) Canning Highway, Applecross. The existing massage premises has been the subject of significant public controversy.

Therapeutic massage can be considered to be consistent with the definition of “Shop” under Community Planning Scheme No. 5, which is permitted within the Canning Bridge District Centre.

It is recommended that the application be approved subject to a number of conditions.

BACKGROUND

A number of complaints from local residents have been received by the City of Melville regarding this shop use and the unauthorised advertising. A site inspection on Friday 10 November 2006 did not reveal any activity was being carried out in this shop. No previous application has been received and the City of Melville has not issued any approvals for the massage use or the advertising signage that has been applied to the shop front.

The earliest records of the subject property held by the City of Melville date back to 1953, when it appears as though the tenancy was occupied by a butchery. It is not known how long the butchery had been located in the premises and whether there were any other previous uses. Alterations to the butchery were approved in 1969.

On 13 May 1982, Council refused an application for an amusement centre due to the lack of car parking available to the site. No records of other applications since this time are evident, which suggests that the use of the building is most likely “Shop” for the purposes of this application.

P06/3024 – RETROSPECTIVE APPROVAL FOR THERAPEUTIC MASSAGE PREMISES ON LOT 1 (901A) CANNING HIGHWAY, APPECROSS (REC) (ATTACHMENT)

Planning Approval for a pizza take away shop was granted to the adjoining premises on 23 August 1991, although the assessing officer recommended cash in lieu for the shortfall in carparking of eight (8) bays required by the planning scheme at the time.

The third tenancy is currently occupied by an accountant; however the City of Melville has no record of an approval for this use.

A recent building licence has been issued for a fit out to the adjoining pizza shop (BA 2005-430) in March 2005.

Scheme Provisions

MRS Zoning	:	Urban
CPS 5 Zoning	:	District Centre 1 – Canning Bridge Centre / Primary Regional Roads
R-Code	:	R60
Use Type	:	Shop
Use Class	:	P

Site Details

Lot Area	:	104 square metres
Retention of Existing Vegetation	:	Not applicable
Street Tree(s)	:	Not applicable
Street Furniture (drainage pits etc)	:	Not applicable
Site Details	:	

Attachments:

[P06_3024_December_2006.pdf](#)

[P06_3024_Property_Map.pdf](#)

DETAIL**Development Requirements**

Because the existing use is “Shop” and the proposed use is also “Shop”, it can be considered that the use and the general development requirements are already approved.

POLICY IMPLICATIONS**Community Planning Scheme No. 5**

The Use-Class Table of Community Planning Scheme No. 5 outlines the types of uses that are permitted within the “District Centre 1 – Canning Bridge Centre”. The following definition of “Shop” is given within the Scheme:

P06/3024 – RETROSPECTIVE APPROVAL FOR THERAPEUTIC MASSAGE PREMISES ON LOT 1 (901A) CANNING HIGHWAY, APPLECROSS (REC) (ATTACHMENT)

“Shop means any building wherein goods are kept, exposed or offered for sale by retail, or within which services of a personal nature are provided (including a hairdresser, beauty therapist or manicurist) but does not include a showroom, fast food outlet or any other premises specifically defined elsewhere in this part”.

“Shop” is a permitted use in the “District Centre 1 – Canning Bridge Centre”.

Development and Building Controls Policy 06-PL-035 (Aesthetics)

The City of Melville aesthetics policy has been developed to assist in the dealing with aesthetics as part of the planning assessment process.

PUBLIC CONSULTATION/COMMUNICATION

Not required.

REFERRALS TO GOVERNMENT AGENCIES

Not required.

STATUTORY AND LEGAL IMPLICATIONS

Should the City of Melville refuse the application for Planning Approval, or impose a condition in the event of approval, the applicant will have the right to have the decision reviewed in accordance with Part XIV of the Planning and Development Act 2005.

FINANCIAL IMPLICATIONS

None.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

None.

COMMENT

The existing massage premises has been the subject of significant public controversy, in which a number of complaints have been received by the City of Melville. The complaints received by the City of Melville relate to the use of the premises, and also the visual impact that the premises has on the local area.

P06/3024 – RETROSPECTIVE APPROVAL FOR THERAPEUTIC MASSAGE PREMISES ON LOT 1 (901A) CANNING HIGHWAY, APPLECROSS (REC) (ATTACHMENT)

Application Particulars

The applicant has provided the following information relating to the business:

- There are two (2) employees;
- Proposed hours of operation are 10:00am to 10:00pm, seven (7) days a week;
- There are two (2) massage cubicles with tables, and another which may have a “sit-in” sauna at a later point in time;
- A massage takes approximately forty (40) minutes;
- Qualified masseuses are engaged and “the business is a legitimate business”.

Use

In considering the use “therapeutic massage premises”, two (2) uses defined under Community Planning Scheme No. 5 may have some relevance, these being:

“Consulting Room(s)” means any land or buildings other than a hospital used by not more than two (2) health consultants and one (1) staff member for the investigation or treatment of human injuries or ailments and for general patient care”.

“Shop means any building wherein goods are kept, exposed or offered for sale by retail, or within which services of a personal nature are provided (including a hairdresser, beauty therapist or manicurist) but does not include a showroom, fast food outlet or any other premises specifically defined elsewhere in this part”.

The definition of “Consulting Room(s)” under Community Planning Scheme No. 5 can be considered to be more relevant to medical uses, such as doctors, dentists, physiotherapists, and podiatrists. Whilst there may be scope to argue that massage is a use for general patient care if undertaken by appropriately qualified masseurs, general massage, which is what appears to be scope of the subject application, is more likely to be a service of a personal nature. For this reason, the use is considered to be a “Shop”.

Concerns have however been expressed by local residents that the subject business, which is called “Bikini Girls” and has been painted bright pink, may be operating as a “Restricted Premises”, which has the following definition under Community Planning Scheme No. 5:

“Restricted premises means any premises, part or parts thereof used or designed to be used primarily for a service, the sale by retail or wholesale or the offer for hire, loan or exchange or the exhibition, display or delivery of:

- (a) publications that are classified as restricted publications pursuant to the Indecent Publications and Articles Act 1902 (as amended); or*
- (b) services, materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity.”*

Information provided by the applicant and inspection of the premises by Council officers have not revealed any evidence to suggest that the business may be operating in a manner that would classify it as a “Restricted Premises”.

P06/3024 – RETROSPECTIVE APPROVAL FOR THERAPEUTIC MASSAGE PREMISES ON LOT 1 (901A) CANNING HIGHWAY, APPECROSS (REC) (ATTACHMENT)

On this basis, it can be considered that the proposed use of the subject premises as a “Shop” for therapeutic massage can be considered to be consistent with provisions of Community Planning Scheme No. 5.

In order to ensure that the business is appropriately regulated, a number of conditions are recommended relating to the number of staff and hours of operation. It is also recommended that a condition be placed on the approval that restricts the business from any activities that would classify the business as a “Restricted Premises” under Community Planning Scheme No. 5.

Aesthetics / Signage

Concerns have also been expressed by local residents relating to the physical appearance of the subject premises, largely because the building has been painted bright pink. The subject signage, floodlighting and general modification to the external appearance of the building has not been approved by the City of Melville, and a number of requests for a retrospective application to be lodged have not resulted in an application for planning approval or sign licence to be submitted by the applicant.

The concerns regarding the aesthetics of the building will be best resolved through a formal application for signage, however until that point in time, the proposed signage is unauthorised and the City of Melville may issue notice to have the unauthorised signage removed from the building.

Conclusion

The subject therapeutic massage premises is classified as a “Shop” under the provisions of Community Planning Scheme No. 5, which is a permitted use and appears to be the existing use for the building. The application is therefore recommended for approval subject to a number of conditions.

P06/3024 – RETROSPECTIVE APPROVAL FOR THERAPEUTIC MASSAGE PREMISES ON LOT 1 (901A) CANNING HIGHWAY, APPECROSS (REC) (ATTACHMENT)

COUNCIL RESOLUTION

APPROVAL

Cr H R Everett moved, seconded Cr C W Robartson -

THAT THE APPLICATION FOR A THERAPEUTIC MASSAGE PREMISES ON LOT 1 (901A) CANNING HIGHWAY, APPECROSS BE APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

SPECIAL CONDITIONS:

- 1. THE MAXIMUM NUMBER OF EMPLOYEES FOR THE THERAPEUTIC MASSAGE PREMISES BEING TWO (2);**
- 2. THE HOURS OF OPERATION OF THE THERAPEUTIC MASSAGE PREMISES BEING LIMITED TO BETWEEN 10:00AM AND 10:00PM, SEVEN DAYS PER WEEK.**
- 3. THE THERAPEUTIC MASSAGE PREMISES IS AT NO TIME TO UNDERTAKE ANY ACTIVITIES THAT FALL WITHIN THE DEFINITION OF “RESTRICTED PREMISES” UNDER COMMUNITY PLANNING SCHEME NO. 5, THIS DEFINITION BEING:**

“RESTRICTED PREMISES MEANS ANY PREMISES, PART OR PARTS THEREOF USED OR DESIGNED TO BE USED PRIMARILY FOR A SERVICE, THE SALE BY RETAIL OR WHOLESALE OR THE OFFER FOR HIRE, LOAN OR EXCHANGE OR THE EXHIBITION, DISPLAY OR DELIVERY OF:

 - A) PUBLICATIONS THAT ARE CLASSIFIED AS RESTRICTED PUBLICATIONS PURSUANT TO THE INDECENT PUBLICATIONS AND ARTICLES ACT 1902 (AS AMENDED); OR**
 - B) SERVICES, MATERIALS, COMPOUNDS, PREPARATIONS OR ARTICLES WHICH ARE USED OR INTENDED TO BE USED PRIMARILY IN OR IN CONNECTION WITH ANY FORM OF SEXUAL BEHAVIOUR OR ACTIVITY”.**
- 4. THE EXISTING SIGNAGE, FLOODLIGHTS AND MODIFICATIONS TO THE EXTERNAL APPEARANCE OF THE BUILDING ARE NOT APPROVED AS PART OF THIS PLANNING APPLICATION.**
- 5. A SIT-IN SAUNA IS NOT APPROVED AS PART OF THIS APPLICATION. A SEPARATE APPLICATION FOR PLANNING APPROVAL AND HEALTH APPROVAL TO BE MADE PRIOR TO THE INSTALLATION OF ANY SAUNA.**

P06/3024 – RETROSPECTIVE APPROVAL FOR THERAPEUTIC MASSAGE PREMISES ON LOT 1 (901A) CANNING HIGHWAY, APPECROSS (REC) (ATTACHMENT)

FOOTNOTE: THE SUBJECT APPLICATION HAS BEEN APPROVED ON THE BASIS THAT THE PROPOSED “THERAPEUTIC MASSAGE” SERVICES ARE “SERVICES OF A PERSONAL NATURE” AND THEREFORE THE USE HAS BEEN CLASSIFIED AS FALLING WITHIN THE DEFINITION OF “SHOP” UNDER COMMUNITY PLANNING SCHEME NO. 5.

**STANDARD CONDITIONS:
COM41; 46; 49**

The Mayor submitted the motion,
which was declared **CARRIED (11/2)**

****At 9.39pm Cr J R Bennett departed the Chamber.**

13. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

On 14 December 2006, Cr D J Macphail presented the following Motion with Notice for consideration at the Council Meeting to be held on 19 December 2006.

COUNCIL RESOLUTION

Cr D J Macphail moved, seconded Cr A Ceniviva -

- 1. THAT THE CITY OF MELVILLE SUPPORTS THE POSITION OF THE AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION IN VIEW OF THE HAWKER REPORT TABLED IN THE HOUSE OF REPRESENTATIVE IN OCTOBER 2003;**
- 2. THAT LOCAL GOVERNMENT RECEIVE A FAIRER SHARE OF COMMONWEALTH TAXATION REVENUE BEING AT LEAST ONE PERCENT OF TOTAL COMMONWEALTH TAXATION REVENUE EXCLUDING ROAD FUNDING;**
- 3. THAT THE CITY OF MELVILLE COMMEND THE FEDERAL PARLIAMENT IN ASSING THE HISTORIC RESOLUTION RECOGNISING LOCAL GOVERNMENT AND NOW URGES THE FEDERAL PARLIAMENT TO WORK TOWARDS FULL CONSITUTIONAL RECONGITION OF LOCAL GOVERNMENT; AND**
- 4. THAT LOCAL FEDERAL MEMBERS AND ALL SENATORS FOR WESTERN AUSTRALIA BE ADVISED OF THE COUNCILS POSITION.**

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (12/0)**

**** At 9.42pm Cr J R Bennett re-entered the Chamber.**

CONFIDENTIAL BUSINESS- C06/7002 – DISPOSAL & ACQUISITION OF LAND – WILLCOCK STREET, ARDROSS (AMREC)

In accordance with Section 5.23 (c) of the Local Government Act 1995 the report on the disposal and acquisition of land in Willcock Street, Ardross will be considered by the Council and will be closed to the public.

Cr J R Bennett moved, seconded Cr R Aubrey -

THAT DUE TO THE CONFIDENTIAL NATURE OF THE DISPOSAL & ACQUISITION OF LAND – WILLCOCK STREET, ARDROSS THE COUNCIL MOVE BEHIND CLOSE DOORS.

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (13/0)**

COUNCIL RESOLUTION (7002)

The Mayor submitted the substantive motion, being -

- 1. THAT BY AN ABSOLUTE MAJORITY DECISION OF THE COUNCIL THE CHIEF EXECUTIVE OFFICER BE GRANTED DELEGATED AUTHORITY TO ACQUIRE 3 WILLCOCK STREET, ARDROSS; AND**
- 2. THAT HER WORSHIP THE MAYOR AND THE CHIEF EXECUTIVE OFFICER BE AUTHORISED TO SIGN THE PURCHASE OF LAND DOCUMENTS TO ACQUIRE 3 WILLCOCK STREET, ARDROSS; AND**
- 3. THAT THE COSTS OF DEMOLITION OF NUMBER 3 WILLCOCK STREET AND CONSTRUCTION OF A PARKING STATION ON THAT SITE, BE LISTED FOR BUDGET CONSIDERATION IN THE 2007/2008 FORWARD WORKS PROGRAM.**

which was declared **CARRIED WITHOUT DISSENT (13/0)**

Cr J R Bennett moved, seconded Cr C W Robartson -

THAT THE ORDINARY MEETING OF COUNCIL COME OUT OF CLOSED DOORS.

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (13/0)**

14. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

15. CLOSURE

There being no further business, the Mayor declared the Meeting closed at 10.04pm.