



— *City of* —
Melville

**MINUTES
OF THE
ORDINARY MEETING OF THE COUNCIL
HELD ON
TUESDAY
19 SEPTEMBER 2006**

DISTRIBUTED: 22 SEPTEMBER 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 7.00PM ON TUESDAY, 19 SEPTEMBER 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 P M Phelan; Cr C M Halton
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

C Young

P Gale (Departed at 7.27pm)
B Taylor

K Weymes (Departed at 7.21pm)
M Ridgwell
R Dougall

POSITION TITLE

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

At the commencement of the Meeting, there were seven (7) people present in the Public Gallery and one (1) person present in the Media Gallery.

3. APOLOGIES AND APPROVED LEAVE OF ABSENCE

Cr R Aubrey
Cr M J Barton

City
Bicton / Attadale

4. PUBLIC QUESTION TIME

Nil.

5. AWARDS AND PRESENTATIONS

5.1 Australian Human Resource Institute Award for Excellence in People Management

The City of Melville was recently announced as the joint State finalist for the Australian Human Resource Institute Award for Excellence in People Management. Main Roads was the other recipient in the medium size enterprise category. The City of Melville now goes through to the National Award process in early October, but it is an excellent achievement to receive this recognition at State level.

This Award reinforces the strong commitment by the City of Melville to a positive work environment that ensures the involvement, commitment, effectiveness, development, health, safety and well being of individuals within the organisation.

The Mayor presented the AHRI Award for - **Excellence in People Management** - to the Chief Executive Officer.

5.2 A record of functions attend by the Mayor, and Elected Members representing the Mayor for the Council, for the period 15 August 2006 to 18 September, forms an attachment to the Minutes of the Meeting.

[Mayoral Representation September 2006.pdf](#)

Cr H R Everett moved, seconded Cr J Phillips—

THAT THE RECORD OF FUNCTIONS ATTENDED BY THE MAYOR, AND ELECTED MEMBERS REPRESENTING THE MAYOR ON BEHALF OF THE COUNCIL, FOR THE PERIOD 15 AUGUST 2006 TO 18 SEPTEMBER 2006, BE NOTED.

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (11/0)**

6. CONFIRMATION OF MINUTES

6.1 ORDINARY MEETING OF THE COUNCIL – 15 AUGUST 2006

Cr D J Macphail moved, seconded Cr C W Robartson –

THAT THE MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD ON TUESDAY, 15 AUGUST 2006 BE CONFIRMED.

The Mayor submitted the motion,
which was declared **CARRIED WITHOUT DISSENT (11/0)**

7. DISCLOSURES OF INTEREST

- Cr C W Robartson P06/3017

8. APPLICATIONS FOR NEW LEAVES OF ABSENCE

- Her Worship the Mayor, K J Jackson
- Cr M J Barton Bicton / Attadale
- Cr J R Bennett University
- Cr P M Phelan Palmyra / Melville / Willagee

Cr J Phillips moved, seconded Cr D J Macphail -

THAT THE REQUESTS FOR LEAVE OF ABSENCE FOR THE FOLLOWING COUNCILLORS BE APPROVED

**HER WORSHIP THE MAYOR, K J JACKSON
CR M J BARTON
CR J R BENNETT
CR P M PHELAN**

The Mayor submitted the motion, which was declared

CARRIED WITHOUT DISSENT (11/0)

9. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

10. PETITIONS

On 1 September 2006 a Petition bearing eighteen (18) signatures was received by the Council in relation to chemical weed spraying. The Petition reads: -

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

Council reconsider the policy of using chemical sprays to eliminate weeds on the verges and paths in the City of Melville. We ask that Council re-investigate the effectiveness of using steam treatment and mechanical controls, as used in other local Councils, and that Council includes this option in the upcoming tender for the verge weed control contract.

Cr J Phillips moved, seconded Cr J R Bennett -

THAT THE PETITION BEARING EIGHTEEN (18) SIGNATURES BE REFERRED TO THE NEXT ORDINARY MEETING OF COUNCIL FOR CONSIDERATION.

The Mayor submitted the motion, which was declared

CARRIED WITHOUT DISSENT (11/0)

11. REPORTS OF THE CHIEF EXECUTIVE OFFICER

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**P06/3016 – CARPORT ADDITION ON LOT 3 (3/13) HODGSON PLACE, KARDINYA (REC)
(ATTACHMENT)**

Ward	:	University
Category	:	Planning / Building Development
Application Number	:	DA-2006-1011
Property	:	3/13 Hodgson Place, Kardinya WA 6163
Proposal	:	Carport
Applicant	:	Mr C C Daviot
Owner	:	Mr C C Daviot and Mrs S F Daviot
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	:	DA-2002-189 Planning Approval for dwelling

SUMMARY

The application is for a flat roofed carport on Lot 3 (3/13) Hodgson Place, Kardinya.

BACKGROUND

No relevant previous background.

Scheme Provisions

MRS Zoning	:	Urban
CPS 5 Zoning	:	Living Area – K2
R-Code	:	R20/25
Use Type	:	Residential
Use Class	:	P

Site Details

Lot Area	:	390 sqm total inc share of CP
Retention of Existing Vegetation	:	Yes
Street Tree(s)	:	Yes, no conflict
Street Furniture (drainage pits etc)	:	Yes, no conflict
Site Details	:	P06_3016_Property_Map.pdf

[P06_3016_September_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 September 2006.

**P06/3016 – CARPORT ADDITION ON LOT 3 (3/13) HODGSON PLACE, KARDINYA (REC)
(ATTACHMENT)**

DETAIL

Development Requirements

Development Requirement	Required/ Allowed	Proposed	Comments	Delegation to approve variation	Plan Notation
Open Space	50% (195sqm)	48% (203sqm)	Does Not Comply	DTDS	
Building Height	10.5 metres maximum	2.9 metres maximum	Complies		

(Note: Non-compliance is emphasised in bold)

Setbacks

Wall	Required	Proposed	Comments	Delegation to approve Variation	Plan Notation
Side (NW)	1.5 metres	1 metre	Does Not Comply	DTDS	

(Note: Non-compliance is emphasised in bold)

POLICY IMPLICATIONS

No relevant Council Policy.

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required:	Yes
Neighbour's Comment Supplied:	Yes
Reason:	Variation to the Acceptable Development standards of Element 3 of the 2002 Residential Design Codes
Support/Object:	One (1) objection, One (1) support

**P06/3016 – CARPORT ADDITION ON LOT 3 (3/13) HODGSON PLACE, KARDINYA (REC)
(ATTACHMENT)**

Affected Property	Summary of Submission	Support/Objection	Officer's Comment	Action (Condition/Support/Dismiss)
11 Hodgson Place Kardinya	<p>1. There is a 1.75 metre space on the other site of the current enclosure that could be utilised for the proposed structure.</p> <p>2. The proposed structure would negatively impact the amenity and enjoyment of the existing studio and garden area on the adjoining lot to the north-west.</p> <p>3. The proposed length of the carport is 8.7 metres which is approximately one and a half times longer than the caravan on the site. That length means that the carport will extend from the rear of the dwelling on the adjoining site to the north, along the garden area to the studio, which is likely to have an adverse amenity impact.</p>	Objection	<p>1. The proposed structure cannot be moved 1.75 metres south eastwards as it will then be constructed within the common property access way.</p> <p>2. The proposed structure is to be constructed from steel, with open sides and a flat roof, the proposed structure exhibits little, if any, actual building bulk.</p> <p>3. In assessing the impact of amenity, Performance Criteria 3.3.1 of the 2002 R Codes looks at access to sunlight, building bulk and privacy. In relation to access to sunlight, the shadow cast from the proposed structure will be onto the common access way and so it should not restrict access to sunlight for the dwelling, garden and studio on the adjoining site to the north west. In relation to building bulk as per point 2 the proposed structure exhibits little, if any, building bulk. In relation to privacy, the finished level of the proposed carport is not proposed to change from the existing finished level.</p>	<p>1. Dismiss</p> <p>2. Dismiss</p> <p>3. Dismiss</p>
Strata Owners of 13 Hodgson Place, Kardinya	Support application as proposed	Support	Information noted	Support

Note: The submitter has raised other issues that are not pertinent to the amenity or planning related matters. Those issues have not been discussed in this report.

**P06/3016 – CARPORT ADDITION ON LOT 3 (3/13) HODGSON PLACE, KARDINYA (REC)
(ATTACHMENT)**

REFERRALS TO GOVERNMENT AGENCIES

Not required.

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 application has been assessed in accordance with the provisions of the Community Planning Scheme No. 5 and the 2002 Residential Design Codes and the application generally complies with the provisions with the exception of:

1. North western boundary setback of one metre (1m) in lieu of one point five metres (1.5m).

In relation to the proposed reduced setback:

- The shadow cast from the proposed structure will be back onto the common property access way and as such is not likely to restrict access to sunlight for adjoining dwellings and sites.
- There is no change proposed to the existing finished levels and therefore the existing privacy is likely to be maintained.
- The proposed structure is to have open sides and a flat roof and from the elevation drawing provided appears to have little, if any, building bulk.
- Comment objecting to the proposed reduced setback has been provided. The writer of the comment felt that the proposed structure and reduced setback would be likely to have an adverse impact on the enjoyment of a garden area and studio adjacent to the location for the proposed structure, however, due to the points above it is unlikely that the proposed structure will have any adverse impact.

**P06/3016 – CARPORT ADDITION ON LOT 3 (3/13) HODGSON PLACE, KARDINYA (REC)
(ATTACHMENT)**

It is recommended that the proposed reduced setback be supported.

2. Open space of forty eight percent (48%) of the site area in lieu of fifty percent (50%).

In relation to the proposed reduced open space:

- The existing dwelling has an area of usable open space located on the south western side of the existing dwelling, and this area has reasonable access to sunlight.
- There appear to be areas located around the existing dwelling, particularly on the eastern and north western sides of the existing dwelling which are capable of use for clothes drying.
- The location of the proposed carport is unlikely to make the area under the proposed carport less usable for clothes drying, passive recreation or other activity associated with the general enjoyment of a property (with the exception of active recreation which is provided in the area on the south western side of the existing dwelling).
- The location of the proposed carport enabled part of the area under the proposed carport to be used more frequently due to the protection from weather provided by the proposed permanent roof cover.
- The dwelling is set well back from the street and the proposed reduction in open space does not require a discretion to be exercised in relation to the primary street setback.

It is recommended that the proposed reduced open space be supported.

Council officers have spoken to the owner in relation to the prospect of constructing a pitched tile roof structure instead of the proposed flat roof colorbond structure.

The owner has indicated that he has no objections to either options. However, he has indicated that in his opinion the proposed flat roof structure is more aesthetically pleasing than a pitched tiled roof structure would be. The owner is mindful of the added cost associated with a proposed pitched tile roof structure and would like to proceed with the application as currently designed.

**P06/3016 – CARPORT ADDITION ON LOT 3 (3/13) HODGSON PLACE, KARDINYA (REC)
(ATTACHMENT)**

Officer Recommendation

Cr D J Macphail moved, seconded Cr L M Reynolds -

That the application for a Carport Addition on Lot 3 (3/13) Hodgson Place, Kardinya be Approved and Subject to the following:

**Standard Conditions:
Rescd 04 and Resgd 07.**

Special Conditions:

That the colour of the materials to be used to construct the approved carport complimenting the existing dwelling to the satisfaction of the Manager Planning and Development Services.

Amendment 1

Cr J R Bennett moved, seconded Cr L J Wyatt -

That the application be approved subject to the special condition being amended to read as follows:

That the carport be constructed with a tiled gable roof with a pitch, materials and colours to be generally matching the existing development to the satisfaction of the Manager Planning and Development.

The Mayor submitted the motion, which was declared

CARRIED WITHOUT DISSENT (11/0)

COUNCIL RESOLUTION (3016)

APPROVAL

The Mayor submitted the substantive motion, being -

THAT THE APPLICATION FOR A CARPORT ADDITION ON LOT 3 (3/13) HODGSON PLACE, KARDINYA BE APPROVED AND SUBJECT TO THE FOLLOWING:

**STANDARD CONDITIONS:
RESSD 04 AND RESGD 07.**

SPECIAL CONDITIONS:

THAT THE CARPORT BE CONSTRUCTED WITH A TILED GABLE ROOF WITH A PITCH, MATERIALS AND COLOURS TO BE GENERALLY MATCHING THE EXISTING DEVELOPMENT TO THE SATISFACTION OF THE MANAGER PLANNING AND DEVELOPMENT.

which was declared

CARRIED WITHOUT DISSENT (11/0)

P06/3017 - ROYAL AUSTRALIAN AIR FORCE ASSOCIATION (RAAFA) - MINOR VARIATION TO MASTERPLAN TO INCLUDE RETENTION OF MUSEUM – BULL CREEK (REC) (ATTACHMENT)

Ward	: Bull Creek / Leeming Ward
Category	: Development and Neighbourhood Amenity
Application Number	: N/A
Property	: RAAFA site
Proposal	: Minor variation to RAAFA Masterplan to include the retention of museum.
Applicant	: The Planning Group
Owner	: Australian Flying Corps and RAAF Assoc WA Division
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 and Development Services
Previous Items	: 8 February 2005 – DNAC P05/1000

SUMMARY

During the advertising of the original Master Plan in August 2004 and the scheme amendment (No.37) to the Community Planning Scheme No.5 in April 2005 it was evident there was support by the community to retain the aviation museum on site. The original Master Plan, which was adopted by Council on 14 September 2004, and the subsequent refined Master Plan of December 2004 were both included within the scheme amendment documentation adopted by the Council. Both of these plans did not include the aviation museum on site.

Since that time the Bull Creek Estate Residents Committee of RAAFA has further considered this matter and resolved to retain an aviation museum on site. At a meeting on 14 July 2006 the Estate Residents Committee viewed and discussed the proposed refined Master Plan which now proposes a new aviation museum within the north-east corner of the site. The revised Master Plan, which is the subject of this consideration, has been endorsed by the Estates Committee (refer to Appendix A – Letter from Chairman, RAAFA Residents Estate).

BACKGROUND

The retention of the museum is now consistent with the desire and request of the Minister for Planning and Infrastructure who refused to give final approval to the Amendment until the museum is retained and incorporated into the amendment document. It is recommended that the revised masterplan which now includes the retention of the museum be approved.

It is noted that this matter was recently reported by Director, Strategic Urban Planning to the Elected Members in early August for comment and no objections were raised.

P06/3017 - ROYAL AUSTRALIAN AIR FORCE ASSOCIATION (RAAFA) - MINOR VARIATION TO MASTERPLAN TO INCLUDE RETENTION OF MUSEUM – BULL CREEK (REC) (ATTACHMENT)**Site Details**

Lot Area : 107,627sqm (10.7ha)
Retention of Existing Vegetation : Yes
Street Tree(s) : Yes
Street Furniture (drainage pits etc) : Drainage
Site Details : [P06_3017_Property_Map.pdf](#)

[P06_3017_September_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 September 2006.

DETAIL**Development Requirements**

Not applicable.

Setbacks

Not applicable.

POLICY IMPLICATIONS

Not applicable.

PUBLIC CONSULTATION/COMMUNICATION

Advertising Required: No
Neighbour's Comment Supplied: No
Reason: Been extensively advertised for public comment
Support/Object: Overwhelming support for retention of museum.

REFERRALS TO GOVERNMENT AGENCIES

Required: As per previous submissions received for Amendment No. 37
Reason: N/A
Support/Object: N/A

STATUTORY AND LEGAL IMPLICATIONS

Should Council refuse the application for planning approval, the applicant will have the right to have the decision reviewed in accordance with Part V of the Town Planning and Development Act 1928.

P06/3017 - ROYAL AUSTRALIAN AIR FORCE ASSOCIATION (RAAFA) - MINOR VARIATION TO MASTERPLAN TO INCLUDE RETENTION OF MUSEUM – BULL CREEK (REC) (ATTACHMENT)**FINANCIAL IMPLICATIONS**

There are no financial implications.

STRATEGIC IMPLICATIONS

There are no strategic implications.

RISK IMPLICATIONS

There are no risk implications.

COMMENT**Summary of Minor Modifications**

The details regarding the revisions are identified and detailed below:

Scheme Amendment No.37

The proposed scheme amendment No.37 to Community Planning Scheme No.5 is currently awaiting final approval from the Minister for Planning and Infrastructure. The Minister has not been prepared to sign off on the amendment documentation until the issue of the aviation museum was resolved. The applicant has met with the Minister's advisor Mr Ian Patterson on 31 July 2006 and it is understood that the scheme amendment can now be signed off subject to written confirmation being provided by the City of Melville of its support for the revised Master Plan.

Revised Master Plan to include Retention of Museum

The key modification to the Master Plan is to provide a new aviation museum on the corner of Leach Highway and Bull Creek Drive. The remaining modifications proposed under the refined Master Plan are considered to be minor in nature in the context of the overall development and do not vary from the original intent of the design. The refinements do offer significant benefits to both current and future residents and the adjacent neighbours.

P06/3017 - ROYAL AUSTRALIAN AIR FORCE ASSOCIATION (RAAFA) - MINOR VARIATION TO MASTERPLAN TO INCLUDE RETENTION OF MUSEUM – BULL CREEK (REC) (ATTACHMENT)

Please refer to the attached proposed refined Master Plan (Appendix B). The details regarding these refinements are identified in the table below.

Design Element	Change From Previous Master Plan		
Height	<p>No change in height. All proposed structures would remain with the same height configurations as previously endorsed by the Council.</p>		
Building Footprints	<p>The proposed building footprints have been refined to enable the incorporation of the new aviation museum within the north-east corner of the site.</p> <p>The refined building footprints provide an improvement in site layout resulting in improved view corridors through the site.</p> <p>The siting of the new aviation museum within the north-east corner of the estate will provide good exposure for RAAFA to the public and will ensure pedestrian and vehicle activity in relation to the museum remains at the front of the site rather than affecting residents internally.</p>		
Setbacks	<p>Further improvements have been made in relation to building footprint setbacks to Bull Creek Drive and the southern boundary. These are identified below:</p>		
	Master Plan Dec 2004	Master Plan July 2006	CPS No.5 Requirements
	<p>Bull Creek Drive Setbacks:</p> <p>Approximately 7 metres to ground floor of Residential Care Facility.</p> <p>Approximately 17 metres to residential units above Care Facility.</p>	<p>Bull Creek Drive Setbacks:</p> <p>Approximately 10 metre to ground floor of Residential Care Facility.</p> <p>At least 17 metres with residential units above Care Facility being approximately 28 metres.</p>	<p>Bull Creek Drive Setbacks:</p> <p>Minimum Front Setback of 6 metres.</p> <p>Minimum Front Setback of 6 metres.</p>

P06/3017 - ROYAL AUSTRALIAN AIR FORCE ASSOCIATION (RAAFA) - MINOR VARIATION TO MASTERPLAN TO INCLUDE RETENTION OF MUSEUM – BULL CREEK (REC) (ATTACHMENT)

	Southern Boundary (Clifford Way Residential) To Six Storey Apartments: Approximately 40 metres.	Southern Boundary (Clifford Way Residential) To Six Storey Apartments: Approximately 48 metres.	Southern Boundary (Clifford Way Residential) To Six Storey Apartments: 16 metres, as per the Residential Design Codes 2002.
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Density	The modified Master Plan does not propose any change to the density, as the refinements are merely the relocation of buildings. At the proposed R60 coding, the permissible yield is six hundred and forty eight (648) dwellings. The original Master Plan and the refined Master Plan proposes a yield of six hundred and fourteen (614) apartments, equating to an R57 coding.
Access	Vehicle and pedestrian access points remain as previously endorsed by the Council.

Minimising the Displacement of Residents

The applicant has indicated that no resident within the RAAFA Bull Creek site will need to be relocated off site. The strategic staging of the redevelopment will result in reduced disruption to existing residents during the construction operations. The initial construction for Stage 1 will take place within the south-eastern portion of the site around the bowling green area between the lake system and Bull Creek Drive.

CONCLUSION

In summary, the modified Master Plan dated July 2006 is a refinement of the original plan which responds to the community's desire to retain the aviation museum on site. It improves building footprint locations to retain view corridors and increases boundary setbacks. On the basis of the above, it is recommended that the refined Master Plan be approved and incorporated into the amendment No. 37 document. This is consistent with the wishes of the Minister for Planning and Infrastructure to enable Scheme Amendment No.37 to be signed off and gazetted.

P06/3017 - ROYAL AUSTRALIAN AIR FORCE ASSOCIATION (RAAFA) - MINOR VARIATION TO MASTERPLAN TO INCLUDE RETENTION OF MUSEUM – BULL CREEK (REC) (ATTACHMENT)Disclosures of Interest

Item No	:	P06/3017 - Royal Australian Air Force Association (RAAFA) - Minor Variation to Masterplan to include retention of Museum – Bull Creek
Member	:	C W Robartson
Type of Interest	:	Financial Interest in accordance with the Act
Nature of Interest	:	Resides on the Estate
Extent of Interest	:	
Request	:	Leave
Decision of Committee	:	Decision not required
Decision of Council	:	Decision not required

**** At 7.15pm Cr C W Robartson departed the Chamber.**

Officer Recommendation

Cr D J Macphail moved, seconded Cr J Phillips -

That the revised masterplan of the Royal Australian Air Force Association (RAAFA) which includes the retention of the Museum as indicated on the revised masterplan (July 2006) dated 31 July 2006 be modified as a Planning and Building Policy effective from 19 September 2006, and as part of Amendment No. 37 subject to the following Special Conditions.

Special Conditions:

- 1. That the revised masterplan be incorporated into the Scheme Amendment No. 37 documents by way of reference as a planning policy for future development of the site.**
- 2. That the Minister for Planning and Infrastructure be notified of the Council's support for the retention of the Museum on the Bull Creek RAAFA site.**

Amendment 1

Her Worship the Mayor, K J Jackson moved, seconded Cr L M Reynolds -

That a footnote be added which reads as follows:

That the applicant be requested to give consideration to noise attenuation measures as part of the building construction to minimise any noise impact from traffic.

The Mayor submitted the motion, which was declared

CARRIED WITHOUT DISSENT (10/0)

P06/3017 - ROYAL AUSTRALIAN AIR FORCE ASSOCIATION (RAAFA) - MINOR VARIATION TO MASTERPLAN TO INCLUDE RETENTION OF MUSEUM – BULL CREEK (REC) (ATTACHMENT)Amendment 2

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

That a footnote be added which reads as follows:

That RAAFA be applauded for its decision to retain the RAAFA museum at its Bull Creek site.

The Mayor submitted the motion, which was declared

CARRIED WITHOUT DISSENT (10/0)

COUNCIL RESOLUTION (3017)**APPROVAL**

The Mayor submitted the substantive motion, being -

THAT THE REVISED MASTERPLAN OF THE ROYAL AUSTRALIAN AIR FORCE ASSOCIATION (RAAFA) WHICH INCLUDES THE RETENTION OF THE MUSEUM AS INDICATED ON THE REVISED MASTERPLAN (JULY 2006) DATED 31 JULY 2006 BE MODIFIED AS A PLANNING AND BUILDING POLICY EFFECTIVE FROM 19 SEPTEMBER 2006, AND AS PART OF AMENDMENT NO. 37 SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS.

SPECIAL CONDITIONS:

- 1. THAT THE REVISED MASTERPLAN BE INCORPORATED INTO THE SCHEME AMENDMENT NO. 37 DOCUMENTS BY WAY OF REFERENCE AS A PLANNING POLICY FOR FUTURE DEVELOPMENT OF THE SITE.**
- 2. THAT THE MINISTER FOR PLANNING AND INFRASTRUCTURE BE NOTIFIED OF THE COUNCIL'S SUPPORT FOR THE RETENTION OF THE MUSEUM ON THE BULL CREEK RAAFA SITE.**

FOOTNOTE:

- 1. THAT THE APPLICANT BE REQUESTED TO GIVE CONSIDERATION TO NOISE ATTENUATION MEASURES AS PART OF THE BUILDING CONSTRUCTION TO MINIMISE ANY NOISE FROM TRAFFIC.**
- 2. THAT RAAFA BE APPLAUDED FOR ITS DECISION TO RETAIN THE RAAFA MUSEUM AT ITS BULL CREEK SITE.**

which was declared **CARRIED WITHOUT DISSENT (10/0)**

**** Cr C W Robartson re-entered the Chamber at 7.19pm.**

T06/ 2009 – PETITION – CHANCERY CRESCENT NATURE STRIP (REC)

Ward	:	Bull Creek/Leeming
Category	:	Operational
Subject Index	:	Verges; Chancery Crescent
Customer Index	:	Michael Plummer
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Not Applicable
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Philip Gale Manager Infrastructure Services

SUMMARY

This item reports on a petition received from residents of Chancery Crescent regarding the nature strip separating Chancery Crescent from Karel Avenue in Willetton.

BACKGROUND

Chancery Crescent is located on the eastern side of Karel Avenue north of South Street. In this location there is a small pocket of residential housing that whilst appearing to be in the City of Canning are in fact Melville residents. A petition with thirteen (13) signatures was received in late June which reads:

“To Whom it May Concern

We are writing as concerned rate-payers of the Melville shire residing on Chancery Crescent and off streets. Our concern being the “eye sore” the medium strip has become.

Firstly the gum trees, many have white ants and are becoming a public safety issue. We are asking for them to be removed. The “Men of the Tree’s” so not have to live with the mess they create. We are constantly cleaning up leaves, bark, gumnuts and pollen from our front gardens, back gardens and house gutters. The leaves also block the street drains often leaving our roads in heavy rain under a foot of water. Gum Tree’s do not belong on a suburban street and can be replaced with something more suitable, we know Melville Shire do cut tree’s down. We rarely get a road sweeper and when we phone we are told to ring Canning Shire.

We as concerned rate-paters would like to offer some suggestions for your consideration. A wall could placed on the medium strip, Karel Avenue side to act as a noise barrier with the increasing traffic flow we are now experiencing; this would give us privacy also reducing litter thrown from passing cars onto the medium strip. We would also like to offer the suggestion of removing the current trees and replacing them with shrubbery, this will alleviate the mess we are constantly cleaning up while beautifying the street scape.

T06/ 2009 – PETITION – CHANCERY CRESCENT NATURE STRIP (REC)

The Leeming and Rossmoyne side has been greatly improved with the implementation of some of the suggestions we are offering for your consideration. As rate-payers we are asking for urgent attention into this matter.”

The area concerned is a strip of land approximately five hundred and fifty (550) metres long and ten (10) metres wide, planted with native trees.

DETAIL

The petition specifically mentions the area being an eyesore with many of the trees having white ants with the trees becoming a public safety issue. The area is a dry land native landscape which is appropriate for large road verge plantings. There is no more safety risk in this planting than in many others we maintain around the city.

There would be an amount of leaves and bark being produced from this area but to say that Gum trees do not belong on a suburban street is not a proposition we would agree with.

The petitioners have made a number of suggestions such as a wall being placed in the median to provide a noise barrier from the “increasing” traffic they are experiencing.

Karel Avenue is district distributor road and South Street is a regional road and will therefore always carry high traffic volumes.

POLICY IMPLICATIONS

There are no policy implications.

PUBLIC CONSULTATION/COMMUNICATION

There has been no consultation as the issue was raised by a petition from residents.

STATUTORY AND LEGAL IMPLICATIONS

There are no statutory or legal implications.

FINANCIAL IMPLICATIONS

There are minor maintenance implications for an increased level of service to ensure sweeping and landscape maintenance is appropriate for the area.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Improved maintenance to the area will ensure that any unforeseen risks are minimised.

T06/ 2009 – PETITION – CHANCERY CRESCENT NATURE STRIP (REC)**COMMENT**

The area referred to in the petition is within the City of Melville and the City of Canning. At the present time this area is subject to public consultation as to whether it should be part of the City of Melville or the City of Canning. Irrespective of the outcome of these discussions, the City of Melville is responsible for maintenance of the area at present.

Streetscapes are preferred to noise walls as they are more aesthetic while still acting as a screen buffer to traffic noise.

Sweeping operations need to be increased to ensure tree debris is not overwhelming the streetscape and the area under the trees needs to be maintained on a program to ensure branches and dead material does not accumulate. There is also the possibility of undertaking further planting of low shrubs under the trees to enhance the amenity of the area. This will be further investigated. Discussions have been held with Operations Services to ensure that a improved level of maintenance is achieved which includes sweeping and streetscape.

**** The Manager Planning & Development Services departed the Chamber at 7.21pm.**

Officer Recommendation

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

- 1. That the Petition for tree removal and wall construction from the residents of Chancery Crescent be received; and**
- 2. That the Petitioners be advised that the City of Melville will not remove the trees on the verge of Karel Avenue and Chancery Crescent; and**
- 3. That an improved sweeping programme and landscape maintenance programme be established for Chancery Crescent and the Karel Avenue Verge.**

Amendment 1

Cr C W Robartson moved, seconded Cr J Phillips –

That an additional condition four (4) be included which reads:

- 4. That appropriate low level planting be provided in exposed ground areas along Chancery Crescent / Karel Avenue nature strip.***

The Mayor submitted the motion, which was declared

CARRIED WITHOUT DISSENT (11/0)

T06/ 2009 – PETITION – CHANCERY CRESCENT NATURE STRIP (REC)

COUNCIL RESOLUTION (2009)

The Mayor submitted the substantive motion, being -

- 1. THAT THE PETITION FOR TREE REMOVAL AND WALL CONSTRUCTION FROM THE RESIDENTS OF CHANCERY CRESCENT BE RECEIVED; AND**
- 2. THAT THE PETITIONERS BE ADVISED THAT THE CITY OF MELVILLE WILL NOT REMOVE THE TREES ON THE VERGE OF KAREL AVENUE AND CHANCERY CRESCENT; AND**
- 3. THAT AN IMPROVED SWEEPING PROGRAMME AND LANDSCAPE MAINTENANCE PROGRAMME BE ESTABLISHED FOR CHANCERY CRESCENT AND THE KAREL AVENUE VERGE.**
- 4. THAT APPROPRIATE LOW LEVEL PLANTING BE PROVIDED IN EXPOSED GROUND AREAS ALONG CHANCERY CRESCENT / KAREL AVENUE NATURE STRIP.**

Which was declared **CARRIED WITHOUT DISSENT (11/0)**

C06/5023 – EQUAL REPRESENTATION OF DELEGATES – SOUTH METROPOLITAN ZONE (REC)

Ward	:	All
Category	:	Operational
Subject Index	:	Equal Representation of Delegates – South Metropolitan Zone
Customer Index	:	WALGA
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	N/A
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Eric Lumsden Chief Executive Officer

SUMMARY

The WA Local Government Association (WALGA) recently corresponded with the City, requesting that it be advised and where applicable, confirm any changes to the delegates from the City of Melville that will be members of the South Metropolitan Zone.

BACKGROUND

Correspondence from the Association sets out the situation as follows:

At the July 2006 meeting of the South Metropolitan Zone, delegates considered the outcomes stemming from the 'Review of the Representational and Structural Effectiveness of WALGA Zones' in relation to the principle of equality in representation of Member Councils to Zones.

The following resolution was carried:

That the South Metropolitan Zone endorses the principle of equality in Council representation on the Zone and that there be three (3) voting delegates from each Member Council.

Accordingly, it is now necessary to equalize the number of voting delegates from each Member Council to the South Metropolitan Zone. Presently, voting entitlements are as such:

Council	Number of Delegates	Names of Voting Delegates
City of Cockburn	3	Mayor Stephen Lee, Cr Richard Graham, Cr Sue Limbert
Town of East Fremantle	2	Cr David Martin, Cr Richard Olson
City of Fremantle	2	Cr Doug Thompson, Cr Jon Strachan
Town of Kwinana	2	Mayor Carol Adams, Cr Sherilyn Wood
City of Melville	4	Cr June Barton, Cr Duncan Macphail, Cr Trish Phelan, Cr Mark Reynolds
City of Rockingham	3	Cr Lorraine Dunkling, Cr Richard Smith, Cr Ann Prince

C06/5023 – EQUAL REPRESENTATION OF DELEGATES – SOUTH METROPOLITAN ZONE (REC)

It would be appreciated if you would give consideration to this outcome and, where applicable, confirm any changes to the delegates from your Council that will be members of the South Metropolitan Zone.

DETAIL

At the last meeting of the Zone held on 31 July 2006, the City of Melville delegates supported the resolution as set out above, that is, each Council be entitled to three delegates. Since that meeting, Cr J Barton has advised that she is prepared to relinquish her position as a delegate, resulting in Crs Macphail, Phelan and Reynolds, being the City's three (3) delegates. It is suggested that Cr Barton be appointed as a Deputy Delegate to the Zone.

POLICY IMPLICATIONS

Nil

PUBLIC CONSULTATION/COMMUNICATION

Nil

STATUTORY AND LEGAL IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Nil

C06/5023 – EQUAL REPRESENTATION OF DELEGATES – SOUTH METROPOLITAN ZONE (REC)

Officer Recommendation

Cr P M Phelan moved, seconded Cr C W Robartson -

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

Amendment 1

Her Worship the Mayor, K J Jackson moved, seconded Cr J Phillips -

That Her Worship the Mayor, K J Jackson be included as a second Deputy Delegate.

The Mayor submitted the motion, which was declared

CARRIED WITHOUT DISSENT (11/0)

COUNCIL RESOLUTION (5023)

The Mayor submitted the substantive motion, being -

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

Which was declared **CARRIED WITHOUT DISSENT (11/0)**

ADOPTION OF ITEMS NOT WITHDRAWN

Cr J Phillips moved, seconded Cr J R Bennett –

THAT THE FOLLOWING REPORTS OF THE CHIEF EXECUTIVE OFFICER EXCLUDING ITEM C06/5024 BE RECEIVED AND THE RECOMMENDATIONS EXCLUDING ITEM C06/5024 CONTAINED THEREIN BE ADOPTED.

The Mayor submitted the motion,
which was declared

CARRIED WITHOUT DISSENT (11/0)

Recommendations adopted as part of the above resolution include the following

- P06/5006 FINAL APPROVAL FOR AMENDMENT NO. 45 TO COMMUNITY PLANNING SCHEME NO. 5 BY AMENDING SCHEDULE 3 ADDITIONAL USES AND SPECIAL CONDITIONS TO INCLUDE THE USE OF OFFICE ON LOT 146 (844) CANNING HIGHWAY, APPLECROSS
- T06/1013 2006/07 NATIONAL AND STATE BLACK SPOT PROGRAMS
- T06/2010 UNALLOCATED LAND – MOUNT PLEASANT FORESHORE
- C06/5022 WISHAW PARK, JANDAKOT AGRICULTURAL AREA LOT 573, CORNER BEASLEY ROAD & MERRIFIELD CIRCLE, LEEMING
- C06/6023 REPORT ON THE INTERIM AUDIT VISIT FOR THE YEAR ENDED 30 JUNE 2006
- C06/7000 BICTON AND ATTADALE SUBURB BOUNDARY REVIEW
- CO49/05 ANNUAL SUPPLY TENDER FOR THE PROVISION OF ARCHITECTURAL SERVICES FOR A FIVE (5) YEAR PERIOD
- CO01/06 SUPPLY OF PLANT HIRE FOR THE PERIOD FROM 1 DECEMBER 2006 – 30 JUNE 2008
- C06/5000 COMMON SEAL REGISTER
- C06/6000 INVESTMENT STATEMENTS
- C06/6001 SCHEDULE OF ACCOUNTS
- C06/6002 FINANCIAL STATEMENTS

P06/5006 – FINAL APPROVAL FOR AMENDMENT NO. 45 TO COMMUNITY PLANNING SCHEME NO. 5 BY AMENDING SCHEDULE 3 ADDITIONAL USES AND SPECIAL CONDITIONS TO INCLUDE THE USE OF OFFICE ON LOT 146 (844) CANNING HIGHWAY, APPECROSS (REC) (ATTACHMENT)

Ward	:	Applecross / Mount Pleasant
Category	:	Planning / Building Development
Application Number	:	CPS5-45
Property	:	844 Canning Highway, Applecross WA 6153
Proposal	:	To consider granting final approval to Amendment No. 45 following public consultation where no submissions were received.
Applicant	:	Mr F J Sanchez
Owner	:	Mr F J Sanchez
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	:	13 September 2005

SCHEME PROVISIONS

MRS Zoning	:	Urban
CPS 5 Zoning	:	Living Area Precinct - Canning Highway
R-Code	:	R25/40
Use Type	:	As per Use Class Table The amendment will modify Schedule 3 by adding "Office" as an additional use to the subject site
Use Class	:	Not applicable

SITE DETAILS

Lot Area	:	1107sqm
Retention of Existing Vegetation	:	N/A
Street Tree(s)	:	Yes
Street Furniture (drainage pits etc)	:	No
Site Details	:	P06_5006_Property_Map.pdf

BACKGROUND

On 13 September 2005, the Council initiated Amendment No. 45 to its Community Planning Scheme No. 5 by the inclusion within Schedule 3 - Additional Uses and Special Conditions Table of lot 145 (844) Canning Highway, Applecross with the permitted additional use of "office".

DEVELOPMENT REQUIREMENTS

Nil

P06/5006 – FINAL APPROVAL FOR AMENDMENT NO. 45 TO COMMUNITY PLANNING SCHEME NO. 5 BY AMENDING SCHEDULE 3 ADDITIONAL USES AND SPECIAL CONDITIONS TO INCLUDE THE USE OF OFFICE ON LOT 146 (844) CANNING HIGHWAY, APPLECROSS (REC) (ATTACHMENT)

SETBACKS

Nil

RELEVANT POLICIES

Nil

PUBLIC CONSULTATION

The amendment was advertised between 9 June 2006 and 20 July 2006 in the West Australian and the Melville Times including a sign being erected on the front boundary of the property seeking public comment.

At the end of the advertising period, no submissions were received.

STATUTORY AND LEGAL IMPLICATIONS

Nil

COMMENT

Lot 146 (844) Canning Highway, Applecross has an area of one thousand one hundred and seven square metres (1107sqm). The subject property contains a single storey building that is currently vacant and was previously used as an Office (Home Occupation). The site is located on the northern corner of Canning Highway and Reynolds Road. Lot 146 abuts a real estate office that is located on the corner of Canning Highway and Reynolds Road (Additional Use). The property is owned by the owner of the subject property.

The proposal involves amending the Community Planning Scheme by amending the Additional Use Schedule No. 3 to allow in addition to any other use allowed by the Scheme in the precinct the permitted use of "Office" on Lot 146 (844) Canning Highway, Applecross.

P06/5006 – FINAL APPROVAL FOR AMENDMENT NO. 45 TO COMMUNITY PLANNING SCHEME NO. 5 BY AMENDING SCHEDULE 3 ADDITIONAL USES AND SPECIAL CONDITIONS TO INCLUDE THE USE OF OFFICE ON LOT 146 (844) CANNING HIGHWAY, APPECROSS (REC) (ATTACHMENT)

The subject site is within the area subject to the City's Planning and Building Policy No. PB72 Reynolds Road Local Area Policy. Under PB72, appropriate land uses include office, consulting room, residential, mixed-use development and other uses as determined in the use class table of Community Planning Scheme No. 5 for the Canning Highway (CH) precinct.

The site is strategically located at an important node within the area. Given its Canning Highway and Reynolds Road context, being a high level regional and local road respectively, the use of the land for non-residential purposes is appropriate.

All vehicular parking will be provided off-street, behind and sleeved by the existing buildings as identified in PB72. The applicant is to make arrangements for reciprocal parking and access between the subject site and Lot 145. There is to be no parking fronting Canning Highway and all access is proposed to be via Reynolds Road.

The proposal is supported in principle on the basis that:

- Lot 146 (844) Canning Highway, Applecross is within the area subject to Planning and Building Policy No. PB72 Reynolds Road Local Area Policy.
- The proposed amendment compliments the existing land uses in the immediate vicinity.

It is recommended that the Council grants final approval to Amendment No. 45

COUNCIL RESOLUTION (5006)

APPROVAL

THAT THE COUNCIL RESOLVES WITH RESPECT TO AMENDMENT NO. 45 TO COMMUNITY PLANNING SCHEME NO. 5:

- 1. THAT IT BE NOTED NO SUBMISSIONS WERE RECEIVED DURING THE STATUTORY ADVERTISING PERIOD.**
- 2. THAT IT BE NOTED THE ENVIRONMENTAL PROTECTION AUTHORITY HAS NO OBJECTION TO THE AMENDMENT PROCEEDING.**
- 3. THAT FINAL APPROVAL FOR THE AMENDMENT BE GRANTED WITHOUT MODIFICATION AND THE AMENDMENT DOCUMENTS BE SIGNED AND SEALED AND FORWARDED TO THE HONOURABLE MINISTER FOR PLANNING AND INFRASTRUCTURE REQUESTING FINAL APPROVAL.**

CARRIED EN BLOC

T06/1013 – 2006/07 NATIONAL AND STATE BLACK SPOT PROGRAMMES (REC)
(ATTACHMENT)

Ward	:	All
Category	:	Operational
Subject Index	:	Black Spot funding
Customer Index	:	Main Roads Western Australia
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	1013 P1 September 2006.pdf T05/1021 – Intersection of Riseley Street/Kearns Crescent (August 2006) 1013 P2 September 2006.pdf T05/1029 – Committee request – Investigation of traffic at the Canning Highway and Norma Road intersection, Alfred Cove (March 2006)
Works Programme	:	2007/2008
Funding	:	\$626,665 State Black Spot Program / \$288,335 City of Melville
Responsible Officer	:	Philip Gale Manager Infrastructure Services

SUMMARY

Submissions have been called for the 2007/2008 National and State Black Spot programs and six road safety countermeasure projects were submitted prior to the 28 July deadline.

BACKGROUND

Submissions have been called for the 2007/2008 Black Spot programs and after reviewing the sites that meet the program criteria, and taking into account sites that have already been treated in recent years, the following six project proposals were developed and submitted to Main Roads Western Australia.

1. Canning Hwy / Norma Rd
 - Install traffic signals.
2. Canning Hwy / North Lake Rd
 - Install overhead signal mast arms.
 - Install LED signal lamps.
 - Skid resistant treatment to through movements on Canning Hwy.
3. North Lake Rd / Kitchener Rd
 - Install separate left-turn lane in North Lake Rd.
4. North Lake Rd / Winterfold Rd
 - Install pre-deflection nibs on north-south approaches to roundabout.
 - Install kerbside acceleration lane to address rear-end crashes.
 - Install left-turn slip lane.
5. Riseley St / Kearns Cr
 - Install traffic signals.
 - Extend right-turn lanes on Riseley Street.
6. Reynolds Rd / Queen Rd
 - Install pre-deflection nibs on north-south approaches to roundabout.

**T06/1013 – 2006/07 NATIONAL AND STATE BLACK SPOT PROGRAMMES (REC)
(ATTACHMENT)**

[1013 September 2006.pdf](#) The detail for the submissions is summarised in the table and this forms part of the Attachments to the Agenda, which were distributed to Members of the Council on Wednesday, 13 September 2006.

DETAIL

1. Intersection of Canning Highway / Dunkley Avenue / Norma Road, Alfred Cove

There have been thirty-one (31) crashes reported at this intersection in the five (5) year period to 31 December 2005. Seven (7) of these were casualty crashes and the remaining twenty-four (24) were Property Damage crashes. The major crash type at this intersection is right angle crashes, which are significantly over-represented when compared to the network average for that crash type.

To address this crash history it is proposed to install traffic signals to control turning movements and allow them to be made more safely. The installation of the traffic signals was approved by Council in March 2006, when considering a report about traffic at this intersection. Main Roads Western Australia has given their agreement 'in-principle' for the installation of these traffic signals.

This project is proposed to involve:

- Installation of traffic signals, with parallel pedestrian walk phases, at the intersection of Canning Highway / Dunkley Avenue / Norma Road,

The estimated cost of this project is two hundred and fifty thousand dollars (\$250,000) and the Benefit-Cost ratio for this project is three point three-eight (3.38).

2. Intersection of Canning Highway / North Lake Road, Alfred Cove

There have been fifty-eight (58) crashes reported at this intersection in the five (5) year period to 31 December 2005. Ten (10) of these crashes were casualty crashes and the remaining forty-eight (48) were Property Damage crashes. The major crash type at this intersection is rear-end crashes, predominantly involving east-west traffic on Canning Highway. To address this crash history and help with traffic management at this intersection it is proposed to:

- Install overhead traffic signal mast arms on the Canning Highway approaches,
- Install LED signal lanterns to all 3 approaches,
- Install anti-skid treatment to the through lanes of Canning Highway, and
- Widen North Lake Road to provide a separate left-turn lane under Give-Way control and two right-turn lanes.

**T06/1013 – 2006/07 NATIONAL AND STATE BLACK SPOT PROGRAMMES (REC)
(ATTACHMENT)**

This project has the potential to improve both safety and the operating performance of the intersection. By improving the operating performance of this intersection of two (2) major roads and giving motorists more opportunity to turn on/off Canning Highway they will hopefully be less attracted to other more local roads.

The estimated cost of this project is two hundred and thirty thousand dollars (\$230,000) and has a Benefit-Cost ratio of two point two five (2.25).

3. Intersection of North Lake Road / Kitchener Road, Alfred Cove

A roundabout was installed at this intersection in July-August 2002 as part of the Federal Black Spot Program and that has been successful at reducing the number of right-angle crashes (the predominant crash type at the time) and the number of casualty crashes that were occurring at that intersection. Since the roundabout was installed, there has been only one (1) crash where a motorist was injured, compared to a total of four (4) injury crashes occurring in 1998 and 1999.

However, the installation of roundabouts can result in an increase in rear-end crashes and this has been the outcome at this intersection where rear-end crashes are now the major crash type, predominantly involving north-south traffic on North Lake Road. Fortunately, this crash type tends to result more in property damage to vehicles than in injury to occupants of vehicles, which is supported by the crash history.

In the forty (40) months after the roundabout was constructed, to 31 December 2005, there were a total of twenty-four (24) crashes at the intersection at an estimated cost to the community of three hundred and twenty-nine thousand dollars (\$329,000). By comparison, ten (10) crashes occurred at the intersection in an equivalent period prior to the roundabout being installed, at an estimated cost to the community of one hundred and eighty-five thousand dollars (\$185,000). This demonstrates that although total crash numbers have risen since the roundabout was installed, most importantly the crashes are now less severe and fewer motorists are being injured.

To further reduce this crash history the landscaping to the central roundabout island has been modified in recent months to improve visibility across the roundabout and to further address this crash history it is proposed to modify the road alignment on the north-south approaches to the roundabout with pre-deflection nibs. This will encourage motorists to negotiate the roundabout at a slower speed, which will give them greater opportunity to observe other motorists using the roundabout and give them a greater opportunity to avoid a crash.

The estimated cost of this project is forty thousand dollars (\$40,000) and it has a Benefit-Cost ratio of two point nine five (2.95).

**T06/1013 – 2006/07 NATIONAL AND STATE BLACK SPOT PROGRAMMES (REC)
(ATTACHMENT)**

4. North Lake Road / Winterfold Road, Kardinya

There have been seventy-four (74) crashes reported at this intersection in the five (5) year period to 31 December 2005. Eighteen (18) of these crashes were casualty crashes and the remaining fifty-six (56) were Property Damage crashes. The major crash types at this intersection are rear-end crashes on Winterfold Road, and right-angle crashes.

To address this crash history it is proposed to modify the road alignment of North Lake Road to move the alignment of the northbound traffic lanes eastwards, allowing a left-turn slip lane into Winterfold Road and a kerbside acceleration lane on North Lake Road to be created. The kerbside acceleration lane will allow motorists turning left out of Winterfold Road to do so without stopping, in the same way turning traffic is able to at the intersection of Riseley and Marmion Streets. The left-turn slip lane will make it clearer which vehicles are turning left and help reduce any masking of vehicles that might be occurring due to the multiple traffic lanes.

This project has an estimated cost of one hundred and fifty thousand dollars (\$150,000) and a Benefit-Cost ratio of two (2).

As this intersection is on the City of Melville's boundary the project has been discussed with City of Cockburn officers who have indicated their support for the project. A contribution of twenty-five thousand dollars (\$25,000) as part funding for this project will formally be requested of the City of Cockburn.

5. Intersection of Riseley Street / Kearns Crescent, Ardross

There have been twenty-six (26) crashes reported at this intersection in the five (5) year period to 31 December 2005. Five (5) of these crashes were casualty crashes and the remaining twenty-one (21) were Property Damage crashes. To address this crash history it has previously been proposed to close the median of Riseley Street and currently the possibility of installing traffic signals is being explored.

The latter proposal was considered by the Council in August when it was recommended:

“That subject to Main Roads WA and public consultation, traffic signals at the intersection of Kearns Crescent and Riseley Street, Ardross be considered as an option for the improvement of road safety at this intersection.”

A submission has been made to the Black Spot program for the installation of traffic signals and the extension of the right-turn lanes, which would be reduced in length by the installation of traffic signals. Traffic signals would also provide a safe crossing facility for pedestrians. This project has an estimated cost of two hundred and forty thousand dollars (\$240,000) and a Benefit-Cost ratio of two point four five (2.45).

**T06/1013 – 2006/07 NATIONAL AND STATE BLACK SPOT PROGRAMMES (REC)
(ATTACHMENT)**

However, as per the Council's recommendation above, it is intended that further investigation and consultation is done of a number of possible treatment options for this intersection before this matter is further considered by the Council and a final decision is made on a preferred treatment. The Council's endorsement of this project is, therefore, not being requested at the moment and, if necessary, the traffic signal proposal could be withdrawn if it is decided that is not the preferred treatment to improve road safety at the intersection.

Consideration has been given to turning Kearns Crescent into a one-way street, however it is felt that this would overly restrict traffic movements, divert traffic to other streets and would result in a reduction of the number of parking bays in Kearns Crescent.

6. Intersection of Reynolds Rd / Queen Rd, Mount Pleasant

There have been nine (9) crashes reported at this intersection in the five (5) year period to 31 December 2005. All of these crashes were Property Damage crashes and the approach speed of vehicles is considered to be a factor in these crashes. A roundabout was installed at this intersection in 1999 but crashes continue to occur there. The major crash type at this intersection is rear-end crashes, involving north bound traffic on Reynolds Road.

To address this crash history it is proposed to modify the road alignment on the north, south and eastern approaches to the roundabout with pre-deflection nibs. This will encourage motorists to negotiate the roundabout at a slower speed, which will give them greater opportunity to observe other motorists using the roundabout and give them a greater opportunity to avoid a crash.

The estimated cost of this project is thirty thousand dollars (\$30,000) and it has a Benefit-Cost ratio of two point one zero (2.10).

POLICY IMPLICATIONS

Only Public Communication policy C20 applies to this matter, which is addressed below.

PUBLIC CONSULTATION/COMMUNICATION

Following the Council's approval in March this year for the approval of traffic signals at the intersection of Canning Highway / Dunkley Avenue / Norma Road the community within four hundred meters (400m) of that intersection were informed of Council's decision.

It is proposed to inform or consult the community in the vicinity of the remaining five projects in accordance with Public communication Policy C20.

STATUTORY AND LEGAL IMPLICATIONS

Not applicable.

**T06/1013 – 2006/07 NATIONAL AND STATE BLACK SPOT PROGRAMS (REC)
(ATTACHMENT)****FINANCIAL IMPLICATIONS**

The details of the estimated cost of each project, the calculated Benefit-Cost Ratio, and the anticipated funding breakdown are listed in the attached table.

In summary, the funding arrangement is anticipated as:

State Black Spot Program	\$626,665
City of Melville	\$288,335
City of Cockburn	\$25,000
Total	\$940,000

Whilst some of the six (6) projects are being submitted to both the National and State Black Spot programs it is anticipated that all successful projects will be funded from the State program. This is based on the calculated Benefit-Cost ratios for the projects all being lower than the lowest BCR for projects approved for the 2006/07 National Black Spot program.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

Not applicable.

COMMENT

The reported crash histories for the nominated project sites have all been reviewed and each countermeasure proposed will provide benefits by reducing the frequency and/or severity of crashes and, in some cases, traffic management benefits as well. With the exception of the pre-deflection on the approach to roundabouts, the proposed countermeasure treatments are standard treatments that are commonly implemented at intersections in the City of Melville.

Roundabouts have become a popular and common form of traffic management/road safety countermeasure to address right-angle crash problems, help slow traffic and assist in the flow of turning traffic at intersections. Design standards for roundabouts have changed over time and there is a greater awareness, supported up by recent research, of the benefits that pre-deflection provides on the approach to roundabouts by reducing vehicle speeds. Clearly, motorists' travelling slower have a greater likelihood of being able to avoid a collision and if one should happen then the severity of that crash is also likely to be reduced. There are a number of roundabouts in the City that pre-deflection could potentially be retrofitted to if monitoring of these treatments confirms the positive effect it has achieved elsewhere in reducing the number and severity of crashes.

**T06/1013 – 2006/07 NATIONAL AND STATE BLACK SPOT PROGRAMS (REC)
(ATTACHMENT)**

COUNCIL RESOLUTION (1013)

APPROVAL

- 1. THAT THE FOLLOWING PROJECTS BE APPROVED AS SUBMISSIONS TO THE 2007/2008 NATIONAL AND STATE BLACK SPOT PROGRAMS:**
 - A. CANNING HIGHWAY / NORMA ROAD, ALFRED COVE - INSTALL TRAFFIC SIGNALS.**
 - B. CANNING HIGHWAY / NORTH LAKE ROAD – INSTALL OVERHEAD SIGNAL MAST ARMS, ANTI-SKID TREATMENT, LED SIGNAL LAMPS AND WIDEN NORTH LAKE ROAD TO PROVIDE A SEPARATE LEFT-TURN LANE.**
 - C. NORTH LAKE ROAD / KITCHENER ROAD – INSTALL PRE-DEFLECTION TO NORTH AND SOUTH APPROACHES TO ROUNDABOUT.**
 - D. NORTH LAKE ROAD / WINTERFOLD ROAD – MODIFY ALIGNMENT OF NORTH BOUND TRAFFIC LANES TO CREATE A LEFT-TURN SLIP LANE AND KERBSIDE ACCELERATION LANE.**
 - E. REYNOLDS ROAD / QUEENS ROAD - INSTALL PRE-DEFLECTION TO NORTH, SOUTH AND EASTERN APPROACHES TO ROUNDABOUT.**
- 2. THAT A REPORT ON IMPROVEMENT TO THE RISELEY STREET / KEARNS CRESCENT INTERSECTION BE SUBMITTED TO THE COUNCIL FOLLOWING FURTHER INVESTIGATION AND COMMUNITY CONSULTATION.**
- 3. THAT CONSULTATION BE UNDERTAKEN ON THE RISELEY/KEARNS CRESCENT INTERSECTION IMPROVEMENTS IN ACCORDANCE WITH POLICY C20 PUBLIC COMMUNICATION.**
- 4. THAT TWO HUNDRED AND EIGHTY-EIGHT THOUSAND THREE HUNDRED AND THIRTY-FIVE DOLLARS (\$288,335) BE INCLUDED IN THE FORWARD WORKS PROGRAMME AS THE CITY OF MELVILLE’S CONTRIBUTION TO THE 2007/2008 BLACK SPOT PROGRAM.**

CARRIED EN BLOC

T06/2010 – UNALLOCATED LAND – MOUNT PLEASANT FORESHORE (REC)
(ATTACHMENT)

Ward	:	Applecross/Mount Pleasant
Category	:	Operational
Subject Index	:	Environment and Foreshore
Customer Index	:	Swan River Trust, Rowing Western Australia
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Not applicable.
Works Programme	:	2006/2007
Funding	:	\$5,000
Responsible Officer	:	Philip Gale Manager Infrastructure Services

SUMMARY

The purpose of this document is to outline a management anomaly with unallocated land on the Mount Pleasant foreshore and to outline conditions under which the City of Melville would accept management orders for that land.

BACKGROUND

The Swan River Trust has contacted the City of Melville regarding an issue of unallocated Crown Land on the foreshore adjacent to Apex Reserve, Mount Pleasant.

The foreshore in this area was subject to large scale filling/reclamation in the 1960's to provide rowing facilities for the 1962 British Empire and Commonwealth Games.

Responsibility for management and maintenance of this section of foreshore has been a vexed issue for a number of years. The underlying problem is that a substantial portion of the foreshore largely resulting from the fill and subsequent expansion of land from the Canning Bridge beyond the Rowing WA Holding is unallocated land.

Rowing WA is particularly concerned with the erosion that occurs along the foreshore adjacent to their building and in 2001 commissioned a report to investigate ways in which to address the issue. Unfortunately works associated with foreshore stabilisation are expensive and the organisation needs to seek external funding.

More recently in 2005 they made an application to the Swan River Trust for an additional level to their building but the decision was deferred due to concerns about the stability of the building footings.

In both instances an acceptable outcome will not be forthcoming until the management of the land is resolved and the problems associated with continual erosion are addressed.

**T06/2010 – UNALLOCATED LAND – MOUNT PLEASANT FORESHORE (REC)
(ATTACHMENT)**

DETAIL

[2010A September 2006.pdf](#) A plan illustrating the situation and the various parcels of land in the locality, which forms part of the Attachments to the Agenda, which was distributed to the Members of the Council on Friday, 1 September 2006.

Reserve number 26758 (Lot 1854) is a “C” class reserve vested in Rowing Western Australia (Amateur Rowing Association of Western Australia), Reserve number 26811 (Lot 1854) is vested in the City of Melville and the footprint of the rowing clubhouse within reserve 26811 is leased to Swan Rowing Incorporated and Penhros College, lease date 18 December for twenty-one (21) years. The unallocated Crown Land stretches upriver from the Canning Bridge to just past the Rowing Western Australia holding (Lot 1855) and is approximately half a hectare (0.5 ha) in size.

The river foreshore in this vicinity is one of the most utilised in the river and is heavily used during rowing events and regattas organised by the rowing clubs.

Erosion in this part of the river is a problem and is caused mainly by river flows, storm surges, tidal and wave action, particularly during winter. The Swan River Trust has assisted the club with emergency repairs and equipment but this has been largely ad-hoc.

In 2001, Rowing Western Australia commissioned a report by URS Australia to investigate the causes of the erosion and to recommend methods of stabilisation. An application was subsequently submitted to the Swan River Trust for approval for foreshore protection works. The application included works for the construction of two (2) groynes with fill and other reclamation works to provide for the long term protection of the beach areas from erosion. Unfortunately Rowing Western Australia has been advised that until responsibility for the foreshore is resolved the Trust is unable to continue with the application.

[2010B September 2006.pdf](#) A copy of this report forms part of the Attachments to the Agenda, which was distributed to the Members of the Council on Wednesday, 13 September 2006.

In June 2006 a meeting was held at the Swan River Trust with representatives from the City of Melville, the Department of Planning and Infrastructure, Rowing Western Australia, the Department of Sport and Recreation and the Swan River Trust in an effort to resolve the long term management of this unallocated parcel of land.

It was agreed that the current situation is not desirable and that the logical land manager is the local government. However it was also pointed out that the area is in need of significant stabilisation and restoration works and the City of Melville would not be prepared to fund those works. It was the view of the Officers present that, subject to further discussion and consideration by the Council, the City of Melville would be willing to accept management orders for the land subject to foreshore stabilisation works having been completed to the satisfaction of the City of Melville. The City of Melville would not be prepared to take on the responsibility for maintaining groynes and beach nourishment.

**T06/2010 – UNALLOCATED LAND – MOUNT PLEASANT FORESHORE (REC)
(ATTACHMENT)**

POLICY IMPLICATIONS

There are no policy implications.

PUBLIC CONSULTATION/COMMUNICATION

No public consultation has been carried out. Officers have met with relevant government agencies and rowing club and will continue to discuss.

STATUTORY AND LEGAL IMPLICATIONS

No legal advice has been obtained however should we take on the management of this portion of land, we will assume the same liabilities that we currently do with the rest of the foreshore

FINANCIAL IMPLICATIONS

An additional amount of five thousand dollars (\$5,000) should be provided for in the recurring operational budget.

STRATEGIC AND RISK IMPLICATIONS

The current problem is that the building belonging to Rowing Western Australia is very close to the beach and thus is in danger of being structurally affected by erosion. They do not have the funds to address the problem and therefore need to seek external funding. Unfortunately until the management responsibilities of the unallocated land are resolved, funding from outside sources will not be readily available. Therefore by agreeing to take on management subject to erosion works being completed to our satisfaction, the rowing club building will be protected and the foreshore erosion problems will be stabilised.

Alternatively if the City of Melville doesn't take on the management of this portion of foreshore then erosion will continue and the environment in that part of the river will degrade.

If the City of Melville takes on the management of this portion of land there will be some risk associated with managing more foreshore and additional people but it would be no different from the areas we already manage.

COMMENT

The City of Melville already manages most of the foreshore in the City with the exception of the areas under the management of the Department of Conservation and Environment in Attadale. It makes sense that we take on this small section in Mount Pleasant.

**T06/2010 – UNALLOCATED LAND – MOUNT PLEASANT FORESHORE (REC)
(ATTACHMENT)**

However, this area, like much of the Canning River foreshore has problems with erosion and the Rowing Club has commissioned a report from URS Australia to address the issue that they are experiencing. The City of Melville has made comments to the Swan River Trust with regards to the report. The main criticism is that it was written to specifically address the problems affecting Rowing Western Australia and did not take into account the wider effects that the local solution may create. For instance the installation of groynes may or may not affect long shore sediment transport thus cause erosion or accretion in other parts of the foreshore such as the beach area immediately east of the Canning Bridge.

Rowing Western Australia and the Swan River Trust are aware of our concerns, but to get a more comprehensive report Rowing Western Australia will need to seek external funding that will only be successful if the land has an owner.

Therefore the conditions of our acceptance of a management order should be that we agree to the following:

- That the method of addressing the problem will not create problems in other areas that we will be required to rectify.
- That all stabilisation works are completed to our satisfaction prior to handover.
- That the Swan River Trust or other agency takes on the responsibility for maintaining any groyne structures and sand nourishment that is required to maintain the expanse of beach areas required for the Rowing Clubs.

COUNCIL RESOLUTION (2010)

- 1. THAT THE CITY OF MELVILLE ACCEPTS MANAGEMENT OF THE UNALLOCATED PORTION OF LAND THAT STRETCHES FROM CANNING BRIDGE UPRIVER TO LOT 1855 SUBJECT TO ALL REMEDIAL WORKS BEING COMPLETED TO THE SATISFACTION OF THE CITY OF MELVILLE.**
- 2. THAT THE RESPONSIBILITY FOR GROUYNE MAINTENANCE AND BEACH NOURISHMENT, SHOULD THESE STRUCTURES BE DEVELOPED IN THE FUTURE, WILL NOT BE ACCEPTED AS THE RESPONSIBILITY OF THE CITY OF MELVILLE.**
- 3. THAT AN ADDITIONAL FIVE THOUSAND DOLLARS (\$5,000) BE ALLOCATED TO FORESHORE MAINTENANCE IN THE RECURRING BUDGET.**

CARRIED EN BLOC

C06/5022 – WISHAW PARK, JANDAKOT AGRICULTURAL AREA LOT 573, CORNER BEASLEY ROAD & MERRIFIELD CIRCLE, LEEMING (AMREC) (ATTACHMENT)

Ward	: Bull Creek/Leeming
Category	: Operational
Subject Index	: District Boundaries
Customer Index	: City of Canning
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	: Bruce Taylor Manager Information and Corporate Support

SUMMARY

This item requests that the Council approve the delegation of executive functions to the City of Canning with respect to the care, control and management of unallocated Crown Land that borders both the City of Melville and the City of Canning.

BACKGROUND

Reserve 40113 is located within the City of Canning and was vested in the City of Canning on 3 April 1992 for the purpose of Public Recreation. This vesting allocates the care, control and management of the reserve to the City of Canning.

Jandakot Agricultural Area Lot 573 (Wishaw Park) is an area of unallocated Crown Land (UCL) which abuts the Reserve, as shown on the enclosed copy of [5022 September 2006.pdf](#). Part of this unallocated crown land is within the City of Melville and part within the City of Canning. The City of Canning has been maintaining the total area as park reserve for some time.

The Department for Planning and Infrastructure has recently written to the City of Canning to enquire as to whether they will agree to include the UCL within the Management Order for Reserve 40113. The City of Canning has resolved to accept the additional land within the Management Order subject to approval first being obtained from the City of Melville pursuant to Section 3.19(1)(a) of the Local Government Act 1995 to include the portion that is located within the City of Melville.

DETAIL

By delegating executive functions to the City of Canning in relation to this parcel there is no change to the Local Government boundary. The land remains within the City of Melville, however care, control and management of the land is transferred to the City of Canning. The land can only be used for the purpose of Public Recreation and the approval can be withdrawn at any time.

C06/5022 – WISHAW PARK, JANDAKOT AGRICULTURAL AREA LOT 573, CORNER BEASLEY ROAD & MERRIFIELD CIRCLE, LEEMING (AMREC) (ATTACHMENT)

A consistent approach to managing the land should be adopted and incorporating the land with Reserve 40113 will allow this to occur. The City of Melville can be involved in the development of any management plan for the area and the land can only be used for the prescribed purpose of Public Recreation.

The City of Melville would not object to the City of Canning developing a Management Plan for the area as we do not maintain the area and do not have a current Management Plan. Management Plans are only required for Priority one (1) Reserve under the Bushland Prioritisation System.

The area is zoned Urban under the Metropolitan Regional Scheme, Living Areas under the City of Melville Community Planning Scheme Number 5 and Local Park and Recreation under the City of Canning Town Planning Scheme Number 40. The zoning has no affect on the proposal.

The City of Melville Dog Local Law, Clause 5.2 Dog Exercise Areas, provides that this area is an off lead dog exercise area. For this classification to apply the Local Law states that the area must be under the “care, control and management” of the Council. This classification would not apply to the area if the executive functions are transferred to the City of Canning. Residents have the alternative of using Phillip Jane Park as a dog exercise area, which is located directly across the road from this area.

POLICY IMPLICATIONS

There is no Council Policy that relates to the delegation of executive functions.

PUBLIC CONSULTATION/COMMUNICATION

No Public consultation has been carried out with regard to the matter. Should the Council support the delegation of executive functions to Canning the local community would need to be advised that the area is under the control of Canning.

STATUTORY AND LEGAL IMPLICATIONS

Local Government Act - Division 3 — Executive functions of local governments
Subdivision 1 — Performing executive functions

3.18. Performing executive functions

(1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.

(2) In performing its executive functions, a local government may provide services and facilities.

C06/5022 – WISHAW PARK, JANDAKOT AGRICULTURAL AREA LOT 573, CORNER BEASLEY ROAD & MERRIFIELD CIRCLE, LEEMING (AMREC) (ATTACHMENT)

(3) A local government is to satisfy itself that services and facilities that it provides —

(a) integrate and coordinate, so far as practicable, with any provided by the Commonwealth, the State or any public body;

(b) do not duplicate, to an extent that the local government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and

(c) are managed efficiently and effectively.

3.19. Places to be regarded as within the district

(1) For the purposes of the performance by a local government of any of its executive functions, its district is to be regarded as including —

(a) any part of another district in relation to which it has been given approval by the local government of that district to perform that function; and

(b) any part of the State in relation to which it has been given approval by the Governor to perform that function.

(2) Approval cannot be given under subsection (1)(b) in relation to a part of the State that is in a district.

(3) The Governor may revoke any approval given under subsection (1)(b).

(4) If the Governor has, under section 3.6, given approval for a local government to make a local law that has effect as if the local government's district included a part of the State that is not in a district, that approval is to be taken to include approval under this section to the extent necessary for the proper administration of that local law.

3.20. Performing functions outside the district

(1) Things done by a local government in performing its executive functions may be done outside its own district but before it can do anything on land outside its own district that is not local government property of that local government it is required to have obtained the consent of —

(a) the owner of the land;

(b) if the land is occupied, the occupier of the land; and

(c) if the land is under the control or management of any other person, that other person.

(2) This section does not apply to anything that a local government does in the district of another local government if it is done on behalf of the local government of that district.

C06/5022 – WISHAW PARK, JANDAKOT AGRICULTURAL AREA LOT 573, CORNER BEASLEY ROAD & MERRIFIELD CIRCLE, LEEMING (AMREC) (ATTACHMENT)

FINANCIAL IMPLICATIONS

There are no direct financial implications for the City of Melville as we currently do not maintain the area.

STRATEGIC & RISK IMPLICATIONS

There are no strategic implications with regard to this requests and the City of Canning would assume all liability issues relating to the reserve as it would be under their care, control and management.

COMMENT

This area is unallocated crown land, which is not managed or maintained by the City of Melville. The land is currently used for Public Recreation the same as the adjoining Reserve. It is logical that the area should be consistently managed and controlled and that this is best achieved by having one local authority responsible for the management of the area.

An alternative to delegating executive functions under Section 3.19 of the Local Government Act is to amend the boundary to eliminate the anomaly.

The recommendation presented is for the Council to support the delegation of executive functions over the part of the unallocated crown land to the City of Canning subject to various conditions being satisfied.

COUNCIL RESOLUTION (5022)

ABSOLUTE MAJORITY

- 1. THAT BY ABSOLUTE MAJORITY DECISION OF THE COUNCIL THE CITY OF MELVILLE DELEGATE EXECUTIVE FUNCTIONS TO THE CITY OF CANNING IN RESPECT TO THE PORTION OF JANDAKOT AGRICULTURAL AREA LOT 573 THAT IS UNALLOCATED CROWN LAND WITHIN THE CITY OF MELVILLE.**
- 2. THAT RESIDENTS BE ADVISED THAT THE AREA WILL EFFECTIVELY BE UNDER THE CARE, CONTROL AND MANAGEMENT OF THE CITY OF CANNING.**
- 3. THAT THE CITY OF CANNING BE ADVISED AND AGREE THAT THE DELEGATION CAN BE WITHDRAWN BY THE CITY OF MELVILLE AT ANY TIME.**

CARRIED EN BLOC

C06/6023 – REPORT ON THE INTERIM AUDIT VISIT FOR THE YEAR ENDED 30 JUNE 2006 (REC) (ATTACHMENT)

Ward	:	All
Category	:	Operational
Subject Index	:	Audits - External
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	None
Works Programme	:	Not Applicable
Funding	:	Not Applicable
Responsible Officer	:	Bob Searle Manager Financial Services

SUMMARY

This item presents to the Council the findings of the Interim Audit for the year ended 30 June 2006 undertaken by Barrett & Partners – DFK.

BACKGROUND

The Auditors, Barrett & Partners – DFK have undertaken an interim Audit in preparation for the year end due on 30 June 2006. As is the normal practice, following their audit, Barrett & Partners have submitted to the Chief Executive Officer, Mayor Jackson and the Minister for Local Government, a report listing items that they believed required additional attention.

[6023 September 2006.pdf](#) The Interim Management Report for the year ended 30 June 2006 forms part of the Attachments to the Agenda, which was distributed to the Members of the Council on 1 September 2006.

DETAIL

All items listed in the report have been addressed and acted upon, with the responses being listed within the body of the report.

POLICY IMPLICATIONS

Not applicable

PUBLIC CONSULTATION/COMMUNICATION

Not applicable

C06/6023 – REPORT ON THE INTERIM AUDIT VISIT FOR THE YEAR ENDED 30 JUNE 2006 (REC) (ATTACHMENT)**STATUTORY AND LEGAL IMPLICATIONS**

Local Government (Audit) Regulations 1996 Clause 10(4).

FINANCIAL IMPLICATIONS

Action has been taken on all points raised by the Auditors in order to ensure that no undue exposure to risk results from the items identified.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

The Audit process is one part of the overall risk management structure of the City of Melville. The Auditors are an independent, appropriately qualified, firm that has a strong presence in the audit of Local Governments in Western Australia.

COMMENT

It is pleasing to see a continuing reduction in the number of issues raised in the Management Letter and particularly that once again no points were raised relating to the Rates area. All the issues raised have been addressed

Specifically

- **Sundry Debtors** - as mentioned in the management response, this area is subject to regular reviews. During the current financial year regular reports to the Council were introduced and a closer relationship was forged with the Community Recreation Coordinator, who has worked closely with the various clubs and organisations to minimise problems.
- **Purchasing and Payments** – the points raised are acknowledged and have all been addressed during the design and implementation of the new General Ledger system. In particular it is already evident that the problem of orders being raised after the supply of the goods or service has been appreciably reduced.

COUNCIL RESOLUTION (6023)

THAT THE REPORT OF THE INTERIM AUDIT VISIT FOR THE YEAR ENDED 30 JUNE 2006 BE NOTED

CARRIED EN BLOC

**C06/7000 – BICTON AND ATTADALE SUBURB BOUNDARY ALIGNMENT REVIEW (REC)
(ATTACHMENT)**

Ward	:	Bicton/Attadale
Category	:	Operational
Subject Index	:	Ward Boundary
Customer Index	:	Geographic Names Committee Department of Land Information
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	:	Mark Ridgwell Property & Corporate Support Manager

SUMMARY

The City of Melville has been approached by the Geographic Names Committee to address a boundary anomaly between the adjoining suburbs of Bicton and Attadale. Following public consultation of affected residents this report seeks Councils consideration on whether the suburb boundary should be realigned or remain unchanged.

BACKGROUND

On the 21st December 2005 the Western Australian Electoral Commission (WAEC) contacted the Geographic Names Committee seeking to verify a street address within the City of Melville. The address in question was 69 Reserve Street, Bicton which was given by the local resident on the electoral application form. The actual address should officially be 69 Reserve Street, Attadale as the locality extends down the western side of the property boundary [7000A September 2006.pdf](#)

As a result of the enquiry the Geographic Names Committee wrote to the City of Melville in January 2006 requesting that the Council formally request a change to the affected property but also requested that Council consider changing all of the properties west of Stock Road and north of Canning Highway to the suburb of Bicton.

DETAIL

In order to fully consider the Geographic Names Committee's request Officers wrote to the selected group of 122 residents who currently live along or near the current Bicton /Attadale boundary that may be affected should any amendments take place.

The residents survey asked whether the resident/s agreed or disagreed with the realignment and asked for their comments or concerns and to outline any implications they feel may impact on their properties.

**C06/7000 – BICTON AND ATTADALE SUBURB BOUNDARY REALIGNMENT REVIEW
(REC) (ATTACHMENT)**

Of the one hundred and twenty two (122) surveys distributed one hundred and seven (107) were returned representing an eighty seven percent (87%) response rate. Twenty seven (27) submissions supported the realignment whilst a further eighty (80) submissions were received that did not support the realignment.

A number of concerns were raised and are outlined below;

Decrease in Property Values

Twenty eight (28) respondents were concerned that they might be affected by a decrease in their property values as there was a discrepancy between the average suburb property value between the two suburbs, more specifically that any change from the suburb of Attadale to Bicton may see a reduction in their land values.

In order to assess these concerns Officers wrote to the Valuation Services unit of the Department of Land Information. The response received from the Senior Research Valuer Mr Graham Robb advised that;

“It is unlikely that any suburb name change would affect the value of the properties.

On a broad suburb by suburb comparison some difference may be reflected between Attadale and Bicton. However the result of this analysis would diminish once issues such as the subject properties proximity to one another and the current boundary are considered. Although these properties have an Attadale address in reality their location is best described as being on the Bicton side of Stock Road. The market value of these properties would already be influenced by their location and possible market perception that Stock Road is the physical boundary between the suburbs.”

School Boundary changes

Twelve (12) respondents were concerned on the impact of the changes to the schooling of their children.

In order to assess these concerns Officers wrote to the Bicton Primary School asking for clarification. The response received by the Principal, Mr Clive Pascoe was that;

“Our current local area Education Act gazetted boundary uses Stock Road as the dividing line between Attadale and Bicton Schools.”

Therefore the realignment would have no impact on schooling arrangements.

Postal Changes

Eight (8) respondents were concerned over the costs and inconvenience of having to change mailing address.

In order to assess these concerns Officers liaised with the City of Melville appointed Postmaster from Australia Post and was advised that changes to mailing addresses is not critical as both suburbs are located within the same postcode and therefore will not result in incorrectly addressed mail being returned.

**C06/7000 – BICTON AND ATTADALE SUBURB BOUNDARY REALIGNMENT REVIEW
(REC) (ATTACHMENT)****POLICY IMPLICATIONS**

There is no Council Policy that relates to this matter.

PUBLIC CONSULTATION/COMMUNICATION

A survey was conducted with affected residents and those having returned the survey will be notified of that the boundary review will be presented to Council for final consideration.

Liaison with Ward Councillors has been undertaken throughout the process.

STATUTORY AND LEGAL IMPLICATIONS

There are no statutory or legal implications for Council that relate to this application.

FINANCIAL IMPLICATIONS

There are no financial implications for Council in respect to this application

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

There are no strategic or risk implications for Council in respect to this application.

COMMENT

Whilst many of the concerns raised by respondents of the survey have been addressed within this report, it is believed that the concerns related to property values will still be of concern to many of the respondents.

The response rate to this survey was substantial and with seventy five percent (75%) of respondents not supporting the realignment the position of the City of Melville stakeholders appears clear.

Of significance is the fact that whilst any realignment of the boundary to the centreline preferable is not essential and therefore this report seeks Councils endorsement in leaving the existing boundary in its current form.

However changes to side roads of Stock Road such as that of 69 Reserve Street are recommended to be supported where individual requests are made by property owners.

**C06/7000 – BICTON AND ATTADALE SUBURB BOUNDARY REVIEW (REC)
(ATTACHMENT)**

**** The Manager Infrastructure services departed the Chamber at 7.27pm**

COUNCIL RESOLUTION (7000)

- 1. THAT THE CITY OF MELVILLE ADVISE THE GEOGRAPHIC NAMES COMMITTEE THAT DUE TO SEVENTY-FIVE PERCENT (75%) OF THE AFFECTED RESIDENTS SUPPORTING NO CHANGE TO THE BOUNDARIES THAT THE CITY DOES NOT SUPPORT ANY REALIGNMENT OF THE SUBURB BOUNDARY BETWEEN BICTON AND ATTADALE ALONG THE STOCK ROAD CENTRE LINE.**
- 2. THE CITY OF MELVILLE RECOMMENDS THAT NO. 69 RESERVE STREET BEING INCLUDED IN THE SUBURB OF BICTON AND THE BOUNDARY BEING REDRAWN TO REFLECT THIS CHANGE.**
- 3. THAT RESPONDENTS OF THE SURVEY BE ADVISED OF THIS DECISION.**

CARRIED EN BLOC

CO49/05 - ANNUAL SUPPLY TENDER FOR THE PROVISION OF ARCHITECTURAL SERVICES FOR A FIVE (5) YEAR PERIOD. (REC) (ATTACHMENT)

Ward	:	All
Category	:	Operational
Subject Index	:	Tenders CO49/05
Customer Index	:	City of Melville
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Not Applicable
Works Programme	:	Not Applicable
Funding	:	2005/06 Budget
Responsible Officer	:	Paul McAllister Client Liaison Contracts Manager

SUMMARY

This item is to accept the recommendation of the Contract and Tender Advisory Unit to award the tender for the provision of architectural services for a five (5) year period.

BACKGROUND

Previously tenders for the provision of architectural and sub-consultants services were called for on a project by project basis with the last tender being called in 2000 for services at the Melville Aquatic Centre and the Operations Centre. At that time James Christou + Partners (JC+PA) were appointed and the City has continued to utilise JC+PA and its sub consultants on an as needs basis without calling for tenders.

Current and future needs indicate the requirement for a small panel of Architects and sub consultants who have a diverse range of skills and experience in various types of undertakings including urban planning, community facilities and mixed used commercial ventures. Subsequently, tenders for the provision of architectural services for a five (5) year period were invited by advertisement in The West Australian on Wednesday, 26 April 2006, closing at 4.00 pm on Thursday, 25 May 2006.

DETAIL

Fifteen (15) sets of tender documents were issued and eight (8) tenders were received as follows:

Architectural Design Studio (WA) P/L
Hodge & Collard Architects
Matthews Architects
GHD Architecture
Bollig Design Group
Ian Wilkes Architects
James Christou & Partners Architects
Paterson Group Architects

CO49/05 - ANNUAL SUPPLY TENDER FOR THE PROVISION OF ARCHITECTURAL SERVICES FOR A FIVE (5) YEAR PERIOD. (REC) (ATTACHMENT)**Price Schedule**

The Price Schedule forms part of the Attachments to the Agenda, which was distributed to the Members of the Contract and Tender Advisory Unit on Monday, 24 July 2006 and to the Elected Members on 13 September 2006 under confidential cover.

Tender Evaluation Process

All tenders were evaluated using a weighted attribute method. Each tender was assigned a score from 0 to 5 on each criterion, then multiplied by the weighting and totalled to give a final score. The tenderer who achieved the highest score across all the attributes has been recommended.

The Evaluation Sheet forms part of the Attachments to the Agenda, which was distributed to the Members of the Contract and Tender Advisory Unit on Monday, 24 July 2006 and to the Elected Members on 13 September 2006 under confidential cover.

The Evaluation Committee consisted of the Purchasing Coordinator, Client Liaison Contracts Manager, Director Strategic Planning, Manager Infrastructure Services and Manager Health & Lifestyle Services.

The criteria for this tender were based on the following specific attributes:

1. Relevant Experience
2. Technical Skills
3. Resources
4. Management Systems
5. Methodology
6. References
7. Price
8. Relevance to Purchasing Policy (Business location and product content)

POLICY IMPLICATIONS

Corporate Policy C22 – Purchasing.

PUBLIC CONSULTATION/COMMUNICATION

Not applicable.

CO49/05 - ANNUAL SUPPLY TENDER FOR THE PROVISION OF ARCHITECTURAL SERVICES FOR A FIVE (5) YEAR PERIOD. (REC) (ATTACHMENT)

STATUTORY AND LEGAL IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The costs for the provisions of architectural and sub consultants services forms part of the budget for each capital project. Each project is approved on an individual basis.

STRATEGIC IMPLICATIONS

No strategic implications are applicable to this item.

COMMENT

Eight (8) tenders were received and the evaluation panel undertook a short listing process.

Tenderers were short listed based on their ability to:

- design a diverse range of community facilities; and
- demonstrate substantial experience in urban planning projects; and
- demonstrate substantial experience in mixed use commercial developments; and
- demonstrate adequate levels of skilled and experienced resources.

From the short listing process three (3) submissions were eliminated with those being:

- Architectural Design Studio (WA) P/L;
- Matthews Architects; and
- Ian Wilkes Architects

The evaluation panel believed that the above-mentioned proponents demonstrated lesser levels of expertise and resources than the remaining five (5) tender submissions.

The five (5) remaining tenderers were invited to present their submissions to the tender evaluation panel. A summary of the panels thoughts on those presentations are included below.

Paterson Group Architects

The Paterson Group presentation demonstrated limited expertise in urban design, mixed use developments and community facilities. Further, the Paterson Group have minimal experience in working with local government.

Full time resources at the Paterson Group are currently twelve (12) which is at the smaller end of the scale as compared to the other tenderers. The Paterson Group have established relationships with sub consultants.

CO49/05 - ANNUAL SUPPLY TENDER FOR THE PROVISION OF ARCHITECTURAL SERVICES FOR A FIVE (5) YEAR PERIOD. (REC) (ATTACHMENT)

The pricing schedule from the Paterson Group sits at the more expensive end of the pricing proposals.

The tender evaluation panel believed that currently the Paterson Group did not meet all the requirements of the City of Melville and are therefore not recommended for this tender.

Bollig Design Group

The Bollig Design Group continues to undertake significant numbers of projects for local government. The Bollig Group previously designed the Tompkins Park facility for the City of Melville. Previous and current works include the development of recreation and aquatic centres and libraries and community centres. Bollig have demonstrated experience in urban space planning and commercial / residential mixed use developments. Further, Bollig displayed a good understanding of Ecologically Sustainable Design principles which they have incorporated into many of their projects.

Bollig are a medium sized company with eighteen (18) architectural staff and have well established relationships with experienced and well resourced sub consultants. The Bollig Group submission meets all the technical requirements of the tender.

The pricing schedule submitted by Bollig for architectural fees is at the lower end of the pricing proposals.

The tender evaluation panel recommend that the Bollig Design Group be appointed to the panel of Architects.

James Christou + Partners

James Christou + Partners (JC+PA) are the current supplier of architectural services to the City of Melville. JC+PA have demonstrated over a number of years a comprehensive understanding of the technical, community and environmental requirements of the City of Melville.

JC+PA are one of the largest providers of architectural services to local government with an in-house staff of twenty-seven (27) and in addition have well established relationships with experienced and well resourced sub consultants.

The pricing schedule submitted by JC+PA for architectural fees is at the lower end of the pricing proposals.

The tender evaluation panel recommend that James Christou + Partners be appointed to the panel of Architects.

Hodge & Collard Architects

The presentation from Hodge & Collard demonstrated limited expertise in urban design, mixed use developments and community facilities. Further, Hodge & Collard have minimal experience in working with local government.

Full time resources at Hodge & Collard are currently thirteen (13) which is at the smaller end of the scale as compared to other tenderers. Hodge & Collard have established relationships with sub consultants.

CO49/05 - ANNUAL SUPPLY TENDER FOR THE PROVISION OF ARCHITECTURAL SERVICES FOR A FIVE (5) YEAR PERIOD (REC) (ATTACHMENT)

The pricing schedule submitted by Hodge & Collard is at the lower end of the pricing proposals.

The tender evaluation panel believed that currently Hodge & Collard did not meet all the requirements of the City of Melville and are therefore not recommended for this tender.

GHD Architecture

GHD Architecture forms part of a very large multi-disciplined engineering and architecture group with a network of offices throughout Australia, New Zealand, Asia, the Middle East and the Americas.

Whilst the architecture division within GHD is a recent development the organisation has substantial experience in working with local government and the private sector in the development of commercial mixed use projects including conducting feasibility studies, urban space planning and traffic studies and the design of community facilities. Further, GHD have all the necessary sub consultants as in-house staff.

GHD are at the forefront of ecologically sustainable design (ESD) and developed the ESD construction principles for the City of Melville.

The tender evaluation panel believes that GHD meets the full requirements of this tender.

The pricing schedule submitted by GHD for architectural fees is at the higher end of the pricing proposals. However, GHD's pricing schedule for sub consultants is very competitive as compared to the other tenderers. GHD have the benefit of having all the sub consultants' in-house.

The tender evaluation panel recommend that GHD be appointed to the panel of Architects.

SUMMARY

The tender called for a pricing schedule for architectural and sub consultant services for a five (5) year period. Tenderers were asked to express its pricing proposals as a percentage (%) and dollar (\$) amounts for hypothetical projects ranging in value from one hundred thousand dollars (\$100,000) to three million dollars (\$3,000,000). The pricing proposals from the tenderers were totalled and averaged over the term of the contract.

The evaluation matrix was completed in two (2) forms, one form excluding the pricing proposal and the other inclusive of the pricing proposals.

The outcome of the evaluation matrix exclusive of the pricing proposals shows GHD as the highest scorer followed by James Christou and Bollig Design Group.

When the pricing component was included in the matrix evaluation the outcome showed GHD dropping in the ranking to fifth (5) place. Notwithstanding the aforesaid the tender evaluation panel are unanimous that GHD clearly meets the full requirements of the tender and that the pricing schedule for sub-consultants submitted by GHD which is the most competitive more than compensates for its higher architectural fees.

CO49/05 - ANNUAL SUPPLY TENDER FOR THE PROVISION OF ARCHITECTURAL SERVICES FOR A FIVE (5) YEAR PERIOD (REC) (ATTACHMENT)

The tender evaluation is of the opinion that a panel of three (3) architectural and sub consultants is sufficient to meet the needs of the City of Melville for the next five (5) years. It is therefore recommended that James Christou, Bollig Design Group and GHD Architecture be appointed to the panel.

COUNCIL RESOLUTION (CO49/05)**APPROVAL**

THAT THE TENDERS SUBMITTED BY JAMES CHRISTOU & PARTNERS, BOLLIG DESIGN GROUP AND GHD ARCHITECTURE FOR THE PROVISION OF ARCHITECTURAL SERVICES FOR A FIVE (5) YEAR PERIOD AS SPECIFIED BE ACCEPTED AS THE MOST ADVANTAGEOUS.

CARRIED EN BLOC

CO01/06 – SUPPLY OF PLANT HIRE FOR THE PERIOD FROM 1 DECEMBER 2006 – 30 JUNE 2008 (REC) (ATTACHMENT)

Ward	:	All
Category	:	Operational
Subject Index	:	Tenders CO01/06
Customer Index	:	City of Melville
Disclosure of any Interest	:	No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	:	Not Applicable
Works Programme	:	Not Applicable
Funding	:	2006/07 Budget
Responsible Officer	:	Derek Smith Works Manager

SUMMARY

This item is to accept the recommendation of the Contract and Tender Advisory Unit to award the tender for the Supply of Plant Hire for the period from 1 December 2006 – 30 June 2008.

BACKGROUND

Tenders for the Supply of Plant Hire for the period from 1 December 2006 – 30 June 2008 were invited by advertisement in The West Australian on Wednesday 12 July 2006, closing at 4.00 p.m. on Thursday 27 July 2006.

DETAIL

Nineteen (19) sets of tender documents were issued and twelve (12) tenders were received as follows:

Trenchdigging WA
DP Stampalia
H & L Contractors
Shaw Grading & Contracting
Tree Planting & Watering
Stampalia Contractors
LS & ME Lilleyman Grading Contractors
Trenchbusters
Dalco Earthmoving
Mayday Earthmoving
Carringtons WA
Coates Hire

Price Schedule

The Price Schedule forms part of the Attachments to the Agenda, which was distributed to the Members of the Contract and Tender Advisory Unit on Tuesday 22 August 2006 and to the Elected Members on Wednesday, 13 September 2006 under confidential cover.

CO01/06 – SUPPLY OF PLANT HIRE FOR THE PERIOD FROM 1 DECEMBER 2006 – 30 JUNE 2008 (REC) (ATTACHMENT)**Tender Evaluation Process**

All tenders were evaluated using a weighted attribute method. Each tender was assigned a score from 0 to 5 on each criterion, then multiplied by the weighting and totalled to give a final score. The tenderer who achieved the highest score across all the attributes has been recommended.

The Evaluation Sheet forms part of the Attachments to the Agenda, which was distributed to the Members of the Contract and Tender Advisory Unit on Tuesday 22 August 2006 and to the Elected Members on Wednesday, 13 September 2006 under confidential cover.

The Evaluation Committee consisted of the Purchasing Coordinator, Works Manager and Team Leader, Maintenance, Drainage & Construction

The criteria for this tender were based on the following specific attributes:

1. Relevant Experience
2. Technical Skills
3. Resources
4. Management Systems
5. Methodology
6. References
7. Price
8. Relevance to Purchasing Policy (Business location and product content)

POLICY IMPLICATIONS

Corporate Policy C22 – Purchasing

PUBLIC CONSULTATION/COMMUNICATION

Not applicable

STATUTORY AND LEGAL IMPLICATIONS

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

CO01/06 – SUPPLY OF PLANT HIRE FOR THE PERIOD FROM 1 DECEMBER 2006 – 30 JUNE 2008 (REC) (ATTACHMENT)**FINANCIAL IMPLICATIONS**

In excess of two hundred and fifty thousand dollars (\$250,000) was spent in the last financial year on plant hire and it is estimated that a similar amount will be spent in 2006/2007.

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

No strategic implications are applicable to this item.

Risk factors were considered during the evaluation process of this tender and were not considered to be of extreme or high risk.

The term of the contract is until 30 June 2008 only as with rising fuel prices it was felt that contractors would be unlikely to respond if a longer period were stipulated.

The prices have not increased greatly from last year and many have stayed the same.

COMMENT

The companies that tendered divided into three groups:

- Wet Hire
- Dry Hire
- Specialist Equipment

It was felt that it was important to have a panel of suppliers for both Wet and Dry Hire to source equipment from as there are sometimes problems with availability. Included in this panel should be small owner/operators as they have specialist equipment.

Wet Hire

The hourly rate for Bobcat hire was used in the price evaluation as this is the item most commonly used and is provided by all four contractors. Stampalia Contractors were the highest scorers and are recommended to be on the panel. They are current contractors for the City of Melville as are Dalco Earthmoving and Mayday Earthmoving. The latter two have a greater variety of equipment and are therefore also recommended for the panel.

Dry Hire

Coates Hire Operations were the highest scorers in this category and as the most economical are the preferred supplier. However, it was felt that Dalco Earthmoving and Mayday Earthmoving should also be on the panel should Coates be unable to supply equipment.

Specialist Equipment

Trenchdigging WA, DP Stampalia and Shaw Grading & Contracting are all well known to the City of Melville and should also be included as they are able to supply specialist equipment at more reasonable prices. H & L Contractors have not been on our panel of suppliers before but their pricing for the 6 wheeler water truck is very competitive.

CO01/06 – SUPPLY OF PLANT HIRE FOR THE PERIOD FROM 1 DECEMBER 2006 – 30 JUNE 2008 (REC) (ATTACHMENT)

It was decided not to accept any tenders for the 3 T mini excavator but to go back out to tender for this equipment as a stand alone item when we might get better pricing. Similarly, as the tree watering truck is only required for a limited amount of time it was felt preferable to obtain quotes for this nearer the time it would be needed.

COUNCIL RESOLUTION (CO01/06)**APPROVAL**

- 1. THAT THE TENDERS SUBMITTED BY STAMPALIA CONTRACTORS, DALCO EARTHMOVING, MAYDAY EARTHMOVING, TRENCHDIGGING WA, DP STAMPALIA, H & L CONTRACTORS AND SHAW GRADING & CONTRACTING FOR THE SUPPLY AND DELIVERY OF WET HIRE PLANT (WITH THE EXCEPTION OF 3 T MINI EXCAVATOR) FOR THE PERIOD FROM 1 DECEMBER 2006 – 30 JUNE 2008 AS SPECIFIED BE ACCEPTED AS THE MOST ADVANTAGEOUS**
- 2. THAT THE TENDERS SUBMITTED BY COATES HIRE OPERATIONS PTY LTD, DALCO EARTHMOVING AND MAYDAY EARTHMOVING FOR THE SUPPLY AND DELIVERY OF DRY HIRE PLANT FOR THE PERIOD FROM 1 DECEMBER 2006 – 30 JUNE 2008 AS SPECIFIED BE ACCEPTED AS THE MOST ADVANTAGEOUS.**

CARRIED EN BLOC

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
Easement	Cape Bouvard Developments LTD	Drainage Easement Lot 68 Noalimba Crescent Bateman	882794
Deed of Lease	Scout Association of Australia	Scout Association of Western Australia Branch 1 st Applecross	1468663
Deed of Lease	Scout Association of Australia	Scout Association of Western Australia Branch Waylen Bay	1468661
Deed of Lease	Scout Association of Australia	Scout Association of Western Australia Branch 1 st Bicton	1468662
Deed of Lease	Scout Association of Australia	Scout Association of Western Australia Branch 1 st Willagee	1468660

C06/5000 - COMMON SEAL REGISTER (REC)

Deed of Lease	Rener Health Centre	410 Canning Highway, Attadale	1478330
Deed of Agreement	of Primewest (Hometown Melville)	274-280 Leach Highway, Booragoon	1491996
Deed of Licence	The Bull Creek Leeming Sporting Association	Portion of Beasley Reserve	1478142
Deed of Variation	Leeming Bowls and Recreation Club	Dimond Court Leeming	1492595
Withdrawal of Caveat	of GSJV Investments PTY LTD	13-17 Groves Avenue, Attadale	1497477
Deed of License	Communications Australia	Wireless Hill, Adross	1490581
Deed of Lease	Guides Western Australia	1 st Applecross – Portion of Swan Location 61.	1466989
Deed of License	Willagee Rugby League Club	Portion of Webber Reserve, Willagee	1478481
Deed of Lease	Blue Gum Child Care Centre	Crown reserve 38857, Moolyeen Road, Brentwood	1450595
Transfer of Land	Multiplex Raffles PTY LTD	Raffles Public Carpark	1510295

PUBLIC CONSULTATION

Not applicable.

COMMENT

Nil.

STATUTORY ENVIRONMENT

Section 2.5 of the Local Government Act 1995.

POLICY IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Not applicable.

C06/5000 - COMMON SEAL REGISTER (REC)

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

The Investment of Surplus Funds is undertaken in accordance with the Finance Investment Policy document for the City of Melville. [6000D September 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 September 2006.

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

C06/6000 – INVESTMENT STATEMENTS (REC) (ATTACHMENT)**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 July 2006, total interest earned was two hundred twenty six thousand eight hundred and sixty dollars (\$226,860) against a budget year to date of one hundred and fifty four thousand dollars (\$154,000). The full year budget is two million seven hundred and eight thousand and seven hundred dollars (\$2,708,700).

Reserve Fund interest earned was one hundred and nineteen thousand eight hundred and fifty seven dollars (\$119,857) against a budget year to date of sixty nine thousand, eight hundred dollars (\$69,800). The full year budget is eight hundred and thirty seven thousand seven hundred dollars (\$837,700).

STRATEGIC IMPLICATIONS

Not applicable.

COMMENT

Base interest rates rose in the month, with an increase of zero point two two percent (0.22%) in the rates for thirty (30) day bank bills. Longer term returns showed a similar increase. 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 zero point six per cent (0.24%) in the month of July 2006 and by one point zero six per cent (1.06%) over the last twelve (12) months.

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

COUNCIL RESOLUTION (6000)

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

[6000A September 2006.pdf](#)

[6000B September 2006.pdf](#)

[6000C September 2006.pdf](#)

[6000D September 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 July 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 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

[6001 September 2006.pdf](#) The Schedule of Accounts for the period ending 31 July 2006 including Warrant of Payments Nos. 654 to 656 were distributed to the Members of Council on Wednesday, 13 September 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 31 JULY 2006, AS APPROVED BY THE DIRECTOR CORPORATE SERVICES IN ACCORDANCE WITH DELEGATED AUTHORITY CE23, AND DETAILED IN ATTACHMENT [6001 September 2006.pdf](#) 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 July 2006 and recommends that they be noted by Council.

BACKGROUND

The Financial Statements for the end of the month of July 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 has meant that it has not been possible so far to complete the year end processes for 2005/2006 and to bring the relevant opening balances into the new system. This same problem also means that the development of the normal reports for Council from the new system has been delayed and that the reports cannot be comprehensive at this stage. The hardware and software problems on the old system are being worked on, but at present it would be unwise to predict a completion date.

The attached reports have been prepared in compliance with the requirements of the legislation, but should be treated with caution. Whilst they give a fair indication of the situation for the month of July, they do lack opening balances and the Budget phasing requires further development. So far as material variances are concerned, at this stage all items are driven by the budget phasing situation, and a detailed report would not be helpful to elected members. The normal detailed analysis will be resumed for the August month information.

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

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

DESCRIPTION	LINK
Statement of Financial Activity	6002A September 2006.pdf
Operating Statements by Program for the period ended 31 July 2006	6002B September 2006.pdf
Representation of Working Capital as at July 2006	6002E September 2006.pdf
Reconciliation of Net Working Capital as at 31 July 2006.	6002F September 2006.pdf
Details of Budget Amendments requested relating to the month of June 2006	6002JB September 2006.pdf
Details of Budget Amendments requested during the month of July 2006	6002JA September 2006.pdf
Summary of Rates debtors for the month of July 2006	6002L September 2006.pdf
Graph showing Rates Collections for July 2006	6002M September 2006.pdf
Summary of Debtors aged 90 days old or greater as at 31 July 2006	6002N September 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 2005/2006 and 2006/2007 Budgets have been included in the budget amendment report.

STRATEGIC IMPLICATIONS

Not applicable.

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

COMMENT

It should be noted that the attached financial statements are preliminary and do not reflect the final end of year financial position and carry forwards. The end of year financial statement accruals and reserve transfers and the subsequent audit are yet to be undertaken. It is expected that these tasks will have been completed by the end of October 2006.

COUNCIL RESOLUTION (6002)

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

DESCRIPTION	LINK
STATEMENT OF FINANCIAL ACTIVITY	6002A September 2006.pdf
OPERATING STATEMENTS BY PROGRAM FOR THE PERIOD ENDED 31 July 2006	6002B September 2006.pdf
REPRESENTATION OF WORKING CAPITAL AS AT JULY 2006	6002E September 2006.pdf
RECONCILIATION OF NET WORKING CAPITAL AS AT 31 July 2006	6002F September 2006.pdf
SUMMARY OF RATES DEBTORS FOR THE MONTH OF JULY 2006	6002L September 2006.pdf
GRAPH SHOWING RATES COLLECTIONS FOR NOVEMBER AND JULY 2006	6002M September 2006.pdf
SUMMARY OF DEBTORS AGED 90 DAYS OLD OR GREATER AS AT 31 July 2006	6002N September 2006.pdf

2. THAT BY ABSOLUTE MAJORITY DECISION, THE BUDGET AMENDMENTS, AS LISTED IN THE BUDGET AMENDMENT REPORTS FOR JUNE 2006, AS DETAILED IN ATTACHMENT [6002JB September 2006.pdf](#) BE ADOPTED
3. THAT BY ABSOLUTE MAJORITY DECISION, THE BUDGET AMENDMENTS, AS LISTED IN THE BUDGET AMENDMENT REPORTS FOR JULY 2006, AS DETAILED IN ATTACHMENT [6002JA September 2006.pdf](#) BE ADOPTED

CARRIED EN BLOC

C06/5024 – OCCASIONAL COMMITTEES AND PORTFOLIOS (AMREC) (ATTACHMENT)

Ward	: All
Category	: Operational
Subject Index	: Council & Special Meetings – Performance Management
Customer Index	: Nil
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: C06/6022 - Council Committee Structure Ordinary Meeting of Council 18 July 2006
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Eric Lumsden Chief Executive Officer

SUMMARY

This report deals with the abolition of a number of occasional committees established by Council in the past, presents a draft charter for a new occasional committee to be termed the Governance Committee, makes suggested changes to the charter for the Audit, Risk and Compliance Committee, including remuneration of the independent member, and provides details regarding the establishment of specific portfolios for which nominated elected members will be responsible. The report recommends that the Governance Committee Charter be adopted, the Audit, Risk and Compliance Committee Charter be amended, the establishment of specific portfolios be approved and that elected members decide who will be the Elected Members represented on the two (2) occasional committees and allocation of the specific portfolios.

BACKGROUND

The Chief Executive Officer submitted report C06/6022 for consideration by the Council at its Ordinary meeting held on 18 July 2006. This report outlined a new Committee/Council structure and meeting cycle with the main changes being the abolition of the two standing committees Development & Neighbourhood Amenity and Community & Technical Services. The report detailed that these two (2) committees were to be replaced by an Agenda Forum and two (2) Elected Members Workshops together with one Council meeting a month excluding January. In order to ensure good governance of the Cities internal and external audit, risk management and legislative compliance programs, as well as addressing the statutory requirement to have an audit committee, the report also recommended the establishment of the Audit, Risk and Compliance Committee. The recommendations of the Chief Executive Officer were adopted by Council.

As a result of the changes that were previously adopted by Council it is now necessary to determine the continuing need for the following occasional committees:-

- ◆ Budget and Organisational Review Committee;
- ◆ Executive Committee of the Council ;
- ◆ House Committee;
- ◆ Canning Bridge Precinct Working Group;
- ◆ Heathcote Occasional Committee;
- ◆ Special Property Committee.

C06/5024 – OCCASIONAL COMMITTEES AND PORTFOLIOS (AMREC) (ATTACHMENT)

The Audit Committee which was listed as an occasional committee and whose membership comprised the members of the Community & Technical Services Committee was dealt with in the previous report to Council C06/6022 on 18 July 2006 and is now known as the Audit, Risk & Compliance Committee.

In order to cope with the increasing complexity of issues facing the Council, the Chief Executive Officer suggested in his organisational review paper titled “*The City of Melville – A Future Approach*”, that a portfolio approach to various issues was appropriate. The paper suggested five (5) portfolios being:-

- ◆ Financial Management portfolio;
- ◆ Internal Audit, Governance and Compliance portfolio;
- ◆ Community Planning Portfolio;
- ◆ Infrastructure & Operations portfolio;
- ◆ Planning & Development Services portfolio.

DETAIL

Review of Occasional Committees

Due to the abolition of the two (2) standing committees, the proposed establishment of portfolios and the conclusion of the business for which a number of the occasional committees were established, there is a need to review the need for, or a reallocation of, the functions of the following Occasional Committees:-

Budget and Organisational Review Committee – *To consider and review the budget of the City of Melville and to review the performance of the Organisation.*

Membership consists of Mayor, Deputy Mayor, Presiding Member DNA Committee, Presiding Member CTS Committee, Deputy Presiding Member CTS Committee, Cr’s D J MacPhail & Cr R Aubrey as Deputy Members.

The consideration and review of the budget of the City of Melville could logically be performed by the Audit, Risk & Compliance Committee whereas reviewing the performance of the organisation could be conducted by the proposed Governance Committee.

Executive Committee of the Council - *To Exercise authority provided under Delegated Authority No. C2. The Executive Committee comprised the Mayor, Deputy Mayor, the Presiding Member of the DNA Committee, the Presiding Member of the CTS Committee and the Deputy Presiding Member of the CTS Committee.*

Delegated Authority No. C2 reads as follows:-

The Executive Committee may, subject to the limitations of the Local Government Act regarding Special Majority, deal with any business arising, which requires an urgent decision during the December/January recess of the Council. The Executive Committee comprises the Mayor, Deputy Mayor, the Presiding Member of the Development and Neighbourhood Amenity Committee, the Presiding Member of the Community & Technical Services Committee and the Deputy Presiding Member of the Community & Technical Services Committee. Planning issues require the input of at least one (1) Ward Member prior to a decision being made. The agenda for a meeting of the Executive Committee is to be circulated to all Elected Members. The matter must be of an urgent nature and the Chief Executive Officer is to ensure there is good cause for the issue to require special attention.

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As the Committee's mentioned in the delegation no longer exist the membership of the Committee is no longer valid. The functions of the Executive Committee could also be conducted by the proposed Governance Committee.

House Committee – *To determine types and number of Civic Functions, entitlements for Elected Members by way of reimbursements, facilities for, and conduct of Elected Members and major alterations to the Civic Centre precinct. Membership of the Committee comprises the Mayor, Deputy Mayor and all remaining Elected Members.*

The functions of the House Committee could also be conducted by the proposed Governance Committee.

Canning Bridge Precinct Working Group – *To consider urban design framework for future development of the Canning Bridge Precinct. Membership consists of Mayor, Deputy Mayor, Applecross/Mt Pleasant Ward Cr's (H R Everett & Cr J Phillips), Presiding Member DNA Committee, Presiding Member CTS Committee, Cr's D J MacPhail & Cr A Ceniviva as Deputy Members.*

As the membership of this committee comprises members from now defunct committees this committee needs to be reviewed. Although planning for the future development of the Canning Bridge Precinct is a current and continuing project it would be appropriate for the work previously conducted by this committee to be performed by the holders of the Community Planning Portfolio. Should the Ward Councillors not be represented in that Portfolio they are nonetheless entitled to participate in the planning of the Canning Bridge Precinct as is the Mayor as this is a major issue.

Heathcote Occasional Committee – *To consider the future uses of the Heathcote Site. Membership of the Committee comprised The Mayor, Presiding Member DNA Committee the two (2) Applecross/Mt Pleasant Ward Councillors and the CEO as deputy.*

As the uses of the Heathcote site have now been determined this committee is no longer required. Also due to the abolition of the Development & Neighbourhood Amenity Committee the membership of the committee which included the Mayor, the two (2) elected members of the Applecross/Mount Pleasant Ward and the Presiding Member of the Development & Neighbourhood Amenity Committee is no longer valid. The future development of the lower Heathcote land will be determined following extensive consultation with the Elected Members of the Applecross Mount Pleasant Ward, The Mayor, The Council and the Community.

Special Property Committee – *To consider land sales issues associated with the Heathcote Agreement. Membership of the Committee comprised The Mayor, Deputy Mayor, Presiding Member DNA Committee, Presiding Member CTS Committee, Deputy Presiding Member CTS Committee, The CEO, Cr's D J MacPhail & R Aubrey as deputy members.*

As the land sales conducted in accordance with the Heathcote Co-ordination Agreement concluded some time ago there is no longer a continuing need for this committee.

C06/5024 – OCCASIONAL COMMITTEES AND PORTFOLIOS (AMREC) (ATTACHMENT)**Establishment of the Governance Occasional Committee**

The duties previously performed by the House, Executive and Organisational Review Committees could be transferred to the Governance Committee. This committee would deal with all matters of Corporate Governance, other than those specific corporate governance functions performed by the Audit, Risk and Compliance Committee. The Elected Members comprising the Governance Committee could also be the nominated Governance Portfolio holders.

A draft Governance Committee Charter is attached for Councils consideration. [5024A September 2006.doc](#). As will be noted the emphasis of this committee will be to promote excellence in governance within the City of Melville. The proposed committee will review the performance of the organisation and the CEO and ensure that effective performance management systems are in place – a role previously conducted by the Organisational Review Committee. The committee will oversight the community consultation process as well as promoting effective working relationships between the Elected Members and Officers of the Council. Review and adjudication of Code of Conduct issues will also be undertaken by the committee. Executive powers will be delegated to the Committee during the period that Council goes into Christmas/New Year recess. The committee will also exercise oversight and delegated decision making authority in regards to civic and ceremonial matters a function previously conducted by the House Committee.

It is envisaged that the committee will comprise the Mayor, Deputy Mayor and four (4) councillors. As the committee will have delegated powers in respect to determining the types and number of Civic Functions and Receptions in accordance with Councils *Civic & Ceremonial Functions* policy, as well as the exercising of Executive powers in accordance with Delegation C2, the meetings will generally be open to the public. There will however be a number of issues that will be dealt with by the committee that will be closed to the public for example considering issues of Code of Conduct and the CEO's annual performance appraisal. Details of the matters for which meetings or parts of meeting may be closed are listed in the *Statutory and Legal Implications* section of this report. Public question time would also be allocated at the meeting.

Amendments to Audit, Risk and Compliance Committee Charter

In reviewing the functions undertaken by the Budget Committee, as part of the Budget & Organisational Review Committee, it was identified that if that committee was abolished the function of reviewing and commenting on the Annual Budget and Forward Financial Plans would logically sit with the Audit, Risk and Compliance Committee. The charter has therefore been amended to include those functions/responsibilities. Additional responsibilities of initiating and then considering the results of costing/pricing investigations, reviewing fees & charges, rates and other funding arrangements, have also been added to ensure that all aspects of financial management control are covered by the committee. The charter has also been amended to clarify that membership of the committee will be reviewing annually in the month in which the ordinary election of members to Council occurs – currently this is May but should the Local Government Amendment Bill 2006 be passed by parliament and receive royal assent the election date will be in October.

The charter has also been amended to reflect that the committee will comprise at least four (4) members. The charter already provided that there were to be at least three (3) elected members and one (1) independent member but the previous wording limited the total number to four (4) members which was not intended. A maximum of six elected members is considered appropriate and is provided for in the amended charter.

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The charter has also been amended to reflect that the independent member may be paid an honorarium. The quantum of the honorarium paid would be decided by Council as this function cannot be delegated to the CEO.

It is recommended that the **Elected** Members represented on the Audit, Risk and Compliance Committee would also be the holders of the Audit, Risk & Compliance Portfolio.

Portfolios

In order to cope with the increasing complexity of issues facing the Council the Chief Executive Officer initially suggested in his organisational review paper titled “*The City of Melville – A Future Approach*” that a portfolio approach to various issues was appropriate. The paper suggested five (5) portfolios being:-

- ◆ Financial Management portfolio;
- ◆ Internal Audit, Governance and Compliance portfolio;
- ◆ Community Planning Portfolio;
- ◆ Infrastructure & Operations portfolio;
- ◆ Planning & Development Services portfolio.

The Financial Management portfolio and the Internal Audit and Compliance aspects of the Internal Audit, Governance and Compliance portfolio could be managed by the Elected Members who are members of the Audit, Risk and Compliance Committee. Due to the broad nature of this committee the Elected Members who are members of the committee will acquire an in-depth knowledge of matters associated with financial management and reporting, strategic financial planning, budget preparation and review, funding of Councils operations, internal/external audit, risk management and compliance issues. It is considered more appropriate therefore to create a single Financial Management, Audit, Risk and Compliance portfolio with portfolio holders being aligned with the **Elected Members** who are also members of the Audit, Risk and Compliance Committee i.e. excludes the independent member of the Audit, Risk and Compliance Committee.

It is also suggested that membership of the Governance Portfolio could also align with membership of the Governance Committee as the responsibilities of the portfolio and the committee are aligned. The previous suggestion of aligning the two Portfolios with the two occasional committees in effect results in three additional Portfolios to be formed by Council. This, apart from the CEO’s view that elected members should be more involved in corporate processes, also includes a corporate responsibility of elected members to examine a wide range of information relating to various issues and also be directly involved in suggesting policy changes and reviewing and monitoring organisational performance.

Furthermore, if the role of Council is to be improved at the strategic/corporate level, then the time available to elected members must be maximized so that they can become more effectively involved in corporate inputs and in evaluation and decision making processes. The new structure adopted by Council comprises workshops, an Agenda Forum, the Council Meeting and the formation of portfolios.

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The allocation of portfolios recognizes that the workload of the Mayor and Deputy Mayor has increased over time by the chairing of the Agenda Forum and workshops. Within a corporate management context, the advantages of allocating portfolios to involve all elected members are:

- a) Provides a concentration by an elected member/s on an area of specific corporate area of interest;
- b) The subject area bridges ward boundaries and allocates a corporate programme area to all elected members, not just a few individuals or staff members;
- c) Promotes direct involvement between elected members and staff in formulating policy development and the monitoring of strategic projects for consideration by Council via the workshops and agenda forum processes;
- d) Increases the expertise and knowledge of an elected member as a “Director” in respect of the corporate issues facing elected members;
- e) Promotes effective political representation of portfolio issues on behalf of Council (in conjunction with the Mayor) rather than just being focused on a ward issues;
- f) Enhances a direct elected member involvement in the Corporate Planning and Management processes on behalf of Council;
- g) Reinforces and extends the principle already adopted by Council in appointing representatives to external organizations which deal with specific areas of Council representation;
- h) Promotes a more balanced distribution of corporate responsibilities amongst elected members in their roles as Directors of the body corporate;
- i) Enables elected members to more effectively review the focus and direction of Council and review its performance;
- j) Facilitates an increase of delegation involving elected members and staff where Council deems such action as appropriate.

Three (3) remaining portfolios have been identified, which can be initiated to have input and an overview of various corporate strategies and operational issues. These are a:

- i. Community Planning Portfolio
- ii. Infrastructure and Operations Portfolio
- iii. Planning & Development Services Portfolio

Portfolio issues would also be presented to Council workshops and an Agenda Forum in the event a formal Council decision was required.

Community Planning Portfolio – focusing on community planning strategies and priorities. From time to time that the Community Planning Portfolio outcomes would also be discussed with the Financial Portfolio Members in terms of future implementation of programmes. This portfolio will enable dialogue with members on “Place Planning strategies”, community engagement processes and other Community Development issues which have corporate implications. The Strategic Urban Planning unit would also link with this portfolio.

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The Community Planning Portfolio will be responsible for the development of a long term (three [3] – five [5] years) City of Melville Community Plan that takes an integrated whole-of-organisation approach to the achievement of community outcomes underpinned by the principles of sustainability (economic, social and environment). The Community Plan will create the decision-making framework for the development of Place Based Plans that respond to the specific needs of residents within defined places within the City of Melville.

The Community Plan and associated Place Plans will be developed using authentic community engagement strategies to ensure they meet community expectations.

The Community Plan and associated Place Plans will clearly enunciate the City's role in achieving the Community Plan from the following perspectives:

1. Provider
2. Advocate
3. Facilitator
4. Partner

Infrastructure & Operations Portfolio – has a particular focus on the implementation of local and place based initiatives/priorities and major operational issues/services which may have a corporate impact eg. South Metropolitan Regional Council/Waste Management Strategies.

Planning & Development Services Portfolio – focus on Statutory Planning and Building Services. This portfolio would be responsible for the investigation of Town Planning policies and processes, deputations on planning and development/zoning issues, and be a conduit for consideration of policies, etc. It could also be charged with developing a Dispute Resolution process which is operating in Councils in the Eastern States.

It is considered that all the above Portfolios should be introduced from 1 October 2006 and comprise no less than three or four elected members, with the Mayor having the option to sit on each Portfolio. All Portfolios should at least meet quarterly and the Planning & Development Portfolio at least every month, dependent upon the workload of that Portfolio.

The Portfolios would also relate to Briefing Sessions – i.e. if the briefing involves strategic and/or community planning issues, these would be initially presented to the respective Portfolio. Quarterly reports could also be dealt with in the same way – i.e. Briefing Session quarterly reports would be presented to the Portfolio members as part of their Portfolio Meeting or where appropriate as part of the overall Briefing Session.

It is intended that the arrangement would result in more effective on-going internal dialogue with staff members and elected members. The approach also spreads the workload on elected members in a more equitable manner, enables improvements in operational efficiency and utilizes the skills and community focus of elected members

C06/5024 – OCCASIONAL COMMITTEES AND PORTFOLIOS (AMREC) (ATTACHMENT)**POLICY IMPLICATIONS**

The Governance Committee would administer and oversight all policies associated with the matters of Council business that fall within the ambit of responsibilities of the committee.

The Audit, Risk & Compliance Committee administers and oversights all policies associated with the matters of Council business that fall within the ambit of responsibilities of the committee.

PUBLIC CONSULTATION/COMMUNICATION

No public consultation or communication was considered necessary for this item of business as it deals with governance issues internal to the administration of the City. The changes proposed in this report should result in an increase of the accountability of the City to its citizens.

STATUTORY AND LEGAL IMPLICATIONS**Audit Committees**

Section 7.1A. of the Local Government Act 1995 titled *Audit Committee* provides as follows:-

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed by the local government and at least 3 of the members, and the majority of the members, are to be council members. (Note an absolute majority decision of Council is required).

C06/5024 – OCCASIONAL COMMITTEES AND PORTFOLIOS (AMREC) (ATTACHMENT)

Matters for Which Meetings or Parts Thereof May be Closed

Section 5.24 (2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following

- (a) a matter affecting an employee or employees;
- (b) the personal affairs of any person;
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
- (f) a matter that if disclosed, could be reasonably expected to —
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
- (g) information which is the subject of a direction given under section 23(1a) of the *Parliamentary Commissioner Act 1971*; and
- (h) such other matters as may be prescribed.

(3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

Council Members Entitled To Be Member of at Least One (1) Committee

Section 5.10 (2) provides that - At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

5.43. Limits on delegations to CEO's

A local government **cannot** delegate to a CEO any of the following powers or duties :-

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government; ...
- (c) appointing an auditor; ...
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100; ...

FINANCIAL IMPLICATIONS

Budget provision will be required for the payment of an honorarium of up to two thousand, five hundred dollars (\$2,500) for the independent external member of the Audit, Risk & Compliance Committee.

C06/5024 – OCCASIONAL COMMITTEES AND PORTFOLIOS (AMREC) (ATTACHMENT)

STRATEGIC AND RISK MANAGEMENT IMPLICATIONS

There are no significant strategic or risk management implications associated with the matters dealt with by this report.

COMMENT

The responsibilities faced by Elected Members at the City of Melville are akin to those faced by Directors of large diversified corporations. The establishment of the Governance Committee and the proposed additions to the functions and responsibilities of the Audit, Risk and Compliance Committee will ensure that a best practice governance framework will be established. This combined with the establishment of the Portfolios will ensure that Elected Members are able to cope with the diverse and complex nature of business being conducted by the City of Melville. Specific training will be provided to ensure that Elected Members are equipped with the appropriate level of knowledge and skills to deal effectively with the broad range of issues dealt with at the Council decision making level.

Officer Recommendation

Cr C W Robartson moved, seconded Cr J Phillips -

That by absolute majority decision of the Council:-

1. Approves the establishment of the Governance Committee with roles and responsibilities and membership as set out in the Draft Governance Committee Charter shown in [5024A September 2006.pdf](#)
2. Approves the amendments to the Audit, Risk & Compliance Committee Charter as shown in [5024B September 2006.pdf](#)
3. Approves the payment of an honorarium of up to two thousand five hundred dollars per annum (\$2,500), to be paid quarterly in arrears, to the independent member of the Audit, Risk & Compliance Committee.
4. Approves the establishment of the following Portfolios
 - ◆ Financial Management, Audit, Risk & Compliance Portfolio with the Elected Member Portfolio holders being those Elected Members who are members of the Audit, Risk & Compliance Committee;
 - ◆ Governance Portfolio with the Elected Member Portfolio holders being those Elected Members who are members of the Governance Committee;
 - ◆ Community Planning Portfolio with four (4) Elected Member Portfolio holders selected by Council;
 - ◆ Infrastructure & Operations Portfolio with four (4) Elected Member Portfolio holders selected by Council;
 - ◆ Planning & Development Services Portfolio with four (4) Elected Member Portfolio holders selected by Council.

C06/5024 – OCCASIONAL COMMITTEES AND PORTFOLIOS (AMREC) (ATTACHMENT)

5. Declares the following Elected Members to be a Member of the Governance Committee and accordingly the Governance Portfolio:-
 - ◆ Standing position – Mayor
 - ◆ Standing position - Deputy Mayor
 - ◆ Elected member – to be nominated and a ballot held
 - ◆ Elected member – to be nominated and a ballot held
 - ◆ Elected member – to be nominated and a ballot held
 - ◆ Elected member – to be nominated and a ballot held.

6. Declares the following Elected Members to be a member of the Audit, Risk & Compliance Committee and accordingly the Financial Management, Audit, Risk & Compliance Portfolio:-
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held andNotes that nominations for the position of an independent member will be called by Public Advertisement.

7. Declares the following Elected Members to be Portfolio holders of the Community Planning Portfolio:-
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held.

8. Declares the following Elected Members to be Portfolio holders of the Infrastructure & Operations Portfolio:-
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held.

9. Declares the following Elected Members to be Portfolio holders of the Planning & Development Services Portfolio:-
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held
 - ◆ Elected Member – to be nominated and a ballot held.

C06/5024 – OCCASIONAL COMMITTEES AND PORTFOLIOS (AMREC) (ATTACHMENT)

Amendment 1

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

That an additional condition ten (10) be included which reads as follows:

- 10. Re-constitutes the Heathcote Occasional Committee comprising the Mayor, the two (2) Applecross / Mount Pleasant Ward members, the Chairman of the Community Planning Portfolio and the Chief Executive Officer (or his Deputy).**

The Mayor submitted the motion, which was declared

CARRIED (6/5)

COUNCIL RESOLUTION (5024)

ABSOLUTE MAJORITY DECISION

The Mayor submitted the substantive motion, being –

THAT BY ABSOLUTE MAJORITY DECISION OF THE COUNCIL:-

- 1. APPROVES THE ESTABLISHMENT OF THE GOVERNANCE COMMITTEE WITH ROLES AND RESPONSIBILITIES AND MEMBERSHIP AS SET OUT IN THE DRAFT GOVERNANCE COMMITTEE CHARTER SHOWN IN [5024A September 2006.pdf](#)**
- 2. APPROVES THE AMENDMENTS TO THE AUDIT, RISK & COMPLIANCE COMMITTEE CHARTER AS SHOWN IN [5024B September 2006.pdf](#)**
- 3. APPROVES THE PAYMENT OF AN HONORARIUM OF UP TO TWO THOUSAND FIVE HUNDRED DOLLARS PER ANNUM (\$2,500), TO BE PAID QUARTERLY IN ARREARS, TO THE INDEPENDENT MEMBER OF THE AUDIT, RISK & COMPLIANCE COMMITTEE.**
- 4. APPROVES THE ESTABLISHMENT OF THE FOLLOWING PORTFOLIOS**
 - ◆ FINANCIAL MANAGEMENT, AUDIT, RISK & COMPLIANCE PORTFOLIO WITH THE ELECTED MEMBER PORTFOLIO HOLDERS BEING THOSE ELECTED MEMBERS WHO ARE MEMBERS OF THE AUDIT, RISK & COMPLIANCE COMMITTEE;**
 - ◆ GOVERNANCE PORTFOLIO WITH THE ELECTED MEMBER PORTFOLIO HOLDERS BEING THOSE ELECTED MEMBERS WHO ARE MEMBERS OF THE GOVERNANCE COMMITTEE;**
 - ◆ COMMUNITY PLANNING PORTFOLIO WITH FOUR (4) ELECTED MEMBER PORTFOLIO HOLDERS SELECTED BY COUNCIL;**
 - ◆ INFRASTRUCTURE & OPERATIONS PORTFOLIO WITH FOUR (4) ELECTED MEMBER PORTFOLIO HOLDERS SELECTED BY COUNCIL;**
 - ◆ PLANNING & DEVELOPMENT SERVICES PORTFOLIO WITH FOUR (4) ELECTED MEMBER PORTFOLIO HOLDERS SELECTED BY COUNCIL.**

C06/5024 – OCCASIONAL COMMITTEES AND PORTFOLIOS (AMREC) (ATTACHMENT)

5. **DECLARES THE FOLLOWING ELECTED MEMBERS TO BE A MEMBER OF THE GOVERNANCE COMMITTEE AND ACCORDINGLY THE GOVERNANCE PORTFOLIO:-**
 - ◆ **STANDING POSITION – MAYOR K J JACKSON**
 - ◆ **STANDING POSITION – DEPUTY MAYOR (CR D J MACPHAIL)**
 - ◆ **ELECTED MEMBER – CR P M PHELAN**
 - ◆ **ELECTED MEMBER – CR H R EVERETT**
 - ◆ **ELECTED MEMBER – CR A CENIVIVA**
 - ◆ **ELECTED MEMBER – CR J R BENNETT**
 - ◆ **ELECTED MEMBER – CR C W ROBARTSON**
 - ◆ **ELECTED MEMBER – CR M J BARTON**

6. **DECLARES THE FOLLOWING ELECTED MEMBERS TO BE A MEMBER OF THE AUDIT, RISK & COMPLIANCE COMMITTEE AND ACCORDINGLY THE FINANCIAL MANAGEMENT, AUDIT, RISK & COMPLIANCE PORTFOLIO:-**
 - ◆ **ELECTED MEMBER – CR C HALTON**
 - ◆ **ELECTED MEMBER – CR J PHILLIPS**
 - ◆ **ELECTED MEMBER – CR A CENIVIVA**
 - ◆ **ELECTED MEMBER – CR L M REYNOLDS**

NOTES THAT NOMINATIONS FOR THE POSITION OF INDEPENDENT MEMBER WILL BE CALLED BY PUBLIC ADVERTISEMENT.

7. **DECLARES THE FOLLOWING ELECTED MEMBERS TO BE PORTFOLIO HOLDERS OF THE COMMUNITY PLANNING PORTFOLIO:-**
 - ◆ **ELECTED MEMBER – CR C HALTON**
 - ◆ **ELECTED MEMBER – CR J R BENNETT**
 - ◆ **ELECTED MEMBER – CR P M PHELAN**
 - ◆ **ELECTED MEMBER – CR D J MACPHAIL**
 - ◆ **ELECTED MEMBER – CR M J BARTON**

8. **DECLARES THE FOLLOWING ELECTED MEMBERS TO BE PORTFOLIO HOLDERS OF THE INFRASTRUCTURE & OPERATIONS PORTFOLIO:-**
 - ◆ **ELECTED MEMBER – CR L J WYATT**
 - ◆ **ELECTED MEMBER – CR P M PHELAN**
 - ◆ **ELECTED MEMBER – CR L M REYNOLDS**
 - ◆ **ELECTED MEMBER – CR D J MACPHAIL**
 - ◆ **ELECTED MEMBER – CR C W ROBARTSON**

9. **DECLARES THE FOLLOWING ELECTED MEMBERS TO BE PORTFOLIO HOLDERS OF THE PLANNING & DEVELOPMENT SERVICES PORTFOLIO:-**
 - ◆ **ELECTED MEMBER – CR J PHILLIPS**
 - ◆ **ELECTED MEMBER – CR L J WYATT**
 - ◆ **ELECTED MEMBER – CR D J MACPHAIL**
 - ◆ **ELECTED MEMBER – CR J R BENNETT**

10. **RE-CONSTITUTES THE HEATHCOTE OCCASIONAL COMMITTEE COMPRISING THE MAYOR, THE TWO (2) APPLECROSS / MOUNT PLEASANT WARD MEMBERS, THE CHAIRMAN OF THE COMMUNITY PLANNING PORTFOLIO AND THE CHIEF EXECUTIVE OFFICER (OR HIS DEPUTY).**

which was declared **CARRIED WITHOUT DISSENT(11/0)**

12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Cr C W Robartson has given notice of the following Motion:

In this regard, Council supports not only the initiative but the City of Melville corresponding with relevant local parliamentarian representatives, ie. Senators and Members of the House of Representatives, to secure their support for a resolution to recognise Local Government and the associated referendum initiatives.

Cr C W Robartson moved, seconded Cr D J Macphail

“THAT THE CITY OF MELVILLE SUPPORTS THE INITIATIVE OF THE WA LOCAL GOVERNMENT ASSOCIATION AND THE AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION IN ITS ENDEAVOURS TO OBTAIN CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT.”

The Mayor submitted the motion, which was declared

CARRIED WITHOUT DISSENT (11/0)

13. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

14. CLOSURE

There being no further business, the Mayor declared the Meeting closed at 7.52pm.