



MINUTES

FOR THE

ORDINARY MEETING OF THE COUNCIL

HELD ON

TUESDAY 17 APRIL 2018

AT 6.30PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the City must obtain, and should only rely on, written notice of the City's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the City on the operation of written law, or the performance of a function by the City, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the City. Any advice on a matter of law, or anything sought to be relied upon as representation by the City should be sought in writing and should make clear the purpose of the request.

CONTENTS PAGE

Item Description	Page Number
URBAN PLANNING	
P18/3779 Review of Canning Bridge Activity Centre Plan – Update	12
TECHNICAL SERVICES	
Nil	
COMMUNITY DEVELOPMENT	
Nil	
MANAGEMENT SERVICES	
M18/5610 Legal Representation Policy, Elected Members and Employees	31
M18/5000 Common Seal Register	36
CORPORATE SERVICES	
C18/6158 Review of Council Policy CP-023 Procurement of Products and Services	39
C17/6000 Investment Statement for February 2018	44
C17/6001 Schedule of Accounts Paid for February 2018	53
C17/6002 Statements of Financial Activity for February 2018	57



MINUTES OF THE ORDINARY MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON TUESDAY 17 APRIL 2018.

1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:32pm. Mr J Clark, Governance and Compliance Advisor, read aloud the Disclaimer that is on the front page of these Minutes and then His Worship the Mayor, R Aubrey, read aloud the following Affirmation of Civic Duty and Responsibility.

Affirmation of Civic Duty and Responsibility

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

2. PRESENT

His Worship the Mayor R Aubrey

COUNCILLORS

Cr M Woodall (Deputy Mayor)
Cr C Robartson
Cr N Pazolli, Cr S Kepert
Cr T Barling, Cr N Robins
Cr G Wieland
Cr K Mair
Cr P Phelan

WARD

Bull Creek - Leeming
Bull Creek - Leeming
Applecross – Mount Pleasant
Bateman – Kardinya - Murdoch
Bicton – Attadale – Alfred Cove
Central
Palmyra – Melville - Willagee

3. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development
Mr S Cope	Director Urban Planning
Mr M McCarthy	Director Technical Services
Ms A Hill	A/Executive Manager Governance and Legal Services
Mr B Taylor	Manager Financial Services
Mr G Ponton	Manager Strategic Urban Planning
Mr M Spencer	Senior Strategic Urban Planner
Mr J Clark	Governance and Compliance Advisor
Ms C Newman	Governance Coordinator
Ms J Head	Governance Officer

At the commencement of the meeting there were 23 members of the public and two representatives from the Press in the Public Gallery.

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

Cr J Barton - Bicton – Attadale – Alfred Cove

4.2 APPROVED LEAVE OF ABSENCE

Cr D Macphail – Central Ward
Cr K Wheatland – Palmyra-Melville-Willagee Ward

**5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)
AND DECLARATIONS BY MEMBERS****5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN
DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE
BUSINESS PAPERS PRESENTED BEFORE THE MEETING.**

Nil.

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

Nil.

6. QUESTION TIME

The Mayor advised the meeting that a number of questions of an operational nature had been received and these would be directed to the Administration and responses provided to the questioners in due course.

6.1 Mr E Nielsen, Booragoon

Question 1:

Regarding Policy Statement 1C) do our Elected Members know what constitutes 'exceptional circumstances?'

Response:

The term "exceptional circumstances" was explained to the Council at the Agenda Briefing Forum held on 3 April 2018.

Question 2:

Also, as Elected members are well protected under section 9.56 of the Act, why should that be extended to supporting Elected Members for 'indiscretions' made when 'out of office?' (e.g. when these Elected Members make their very unprofessional, derogatory Facebook comments to or about members of the public).

Response:

The clause in the Legal Representation Policy, Elected Members and Employees at 2(b) requires that a "*declaration that he/she has acted in good faith and has not acted unlawfully*" would require the full circumstances of any request for financial support to be assessed and should the circumstances indicate that the Elected Member has not acted in good faith, the request may be denied.

Question 3:

If they were to have this additional 'out of office' support would it not also then be appropriate for the City to provide the same support to any member of the public who have been subjected to an 'indiscretion' by an Elected Member, employee, officer or any other persons under the jurisdiction of the City?

Response:

The response at Question 2 advises that the suggested support would be assessed and may be denied. Any person who feels aggrieved by an action of Elected Members, employees or other persons within the definition of "employees" may initiate a personal action should they feel so inclined. The City has complaints systems and processes in place that may be accessed by a member of the public.

Public Question Time – 6.1 Mr E Nielsen, Booragoon, continued

Question 4:

Why are 'former' Elected Members, employees, volunteers or members of a council committee of the City included, and if so, what's the 'statutory limitation' period for such inclusion?

Response:

The limit relates to the prior functions performed by the "employees" and not any action that occurred after the person ceased to meet the definition of "employee".

Question 5:

The text under the heading of 'Stakeholder Engagement' on page 18 of the Agenda suggests that no legal advice has been sought on this policy? Why not?

Response:

The section of the report headed "Statutory and Legal Implications" advises that specific clauses contained in the *Local Government Act 1995* provided guidance for this Policy. The section of "Stakeholder Engagement - Other Agencies/Consultants" refers to the Department of Local Government, Sport and Cultural Industries Operational Guidelines – Legal Representation for Council Members and Employees and these Guidelines have been taken into consideration in the preparation of this Policy.

6.2 Ms H Cook, Applecross

My questions are in relation to item P18/3779, Review of Canning Bridge Activity Centre Plan. Last year Council supported a motion submitted by Councillor Schuster to limit multi-storey developments to land with a minimum block size of 1,200 square metres.

The proposed changes in the agenda do not include this change, which was approved unanimously at the Council meeting on 19th September 2017, nor make any mention of it and the reasons for why it has not been considered.

As outlined in the 19th September meeting minutes: "The officers suggested on 22 August that the 25 metre lot frontage would act as a form of development control and I agree, but having been briefed and looking closely at a map of the H4 area I have come to the view that combining a 25 metre frontage with a 1200 square metre minimum lot size will act to ensure that development initially focuses in the core area as intended – as time goes by and land values increase then one imagines combining lots in the H4 area will become viable. Larger lots and frontages will of course always offer the opportunity for improved design in these 4 story buildings".

Public Question Time – 6.2 Ms H Cook, Applecross, continued

Question 1:

In all the H4 areas of the CBACP how many current lots exist with greater than a 25 metre frontage, how many of those lots are greater than 1200 m² in area, and apart from those lots how many other lots (ie with less than 25 metre frontage) in the H4 areas are greater than 1200m² in size?

Response:

Thirty four lots (out of a total of 145 lots) in the H4 area of the CBACP have a frontage greater than 25 metres, including corner lots. Of those 5 also are greater than 1200m² in area. There are 2 other lots with an area greater than 1200m² which don't achieve a 25 metre frontage.

Question 2:

Why has the 1200 m² been omitted?

Response:

Council's resolution of 22 August 2017 included support for a 25 metre lot frontage requirement to be a pre-requisite to four storey development in the H4 area of the Canning Bridge Activity Centre Plan (CBACP). Discussion at that time included analysis of the merits of also including a 1200m² lot area requirement, however this was not progressed. The later Notice of Motion adopted by Council at the Ordinary Council Meeting held on 19 September 2017 does however seek further investigation of the merits of the 1200m² requirement. This investigation was overlooked and should have been included in Item P18/3779. It is noted that the package of amendments to the CBACP will be returning to Council for consideration of final wording and consent to advertise in the coming months. To address the omission it is proposed that the merits of including a 1200m² lot size be discussed in that report, thus providing the option for Council to consider its inclusion.

6.3 Mr M McLerie, Booragoon

Summary of Preface:

Mr McLerie referred to questions he presented to the Ordinary Meeting of Council held on 20 March 2018. He acknowledged that the questions had been referred to Administration for a response. The questions and responses were not included in the minutes as the questions were not questions for the Council.

Question 1:

Why the presiding member did not deal with the 20 March OMC public questions publically at the meeting?

Response:

The City has provided a response to Mr McLerie's administrative questions. The questions posed were not questions for the Council.

6.4 City of Melville Residents and Ratepayers Association IncSummary of Preface

The City of Melville Residents and Ratepayers Association wishes to revisit an answer to a question from Mr W Green provided at the Ordinary Meeting of Council held on 20 March 2018.

Question 1:

A) why Mayor Aubrey stated our Association “cost” the City \$104,736 when he should have reasonably known that statement was false; and

Response:

A calculation by the City confirms the amount quoted.

Question 2

*A) If council fully supports **ALL** of the statements Mayor Aubrey’s made in response to **ALL** of the questions our Association asked at the 20 March OMC public question time; and*

Response

I have not been advised that the Council does not support the responses to questions.

Question 3

B) Why Mayor Aubrey did not answer all the questions relating to Bert Jeffrey Park; and

Response

A response was given that matters associated with Bert Jeffery Park were subject to a Freedom of Information Act application. The scope has now been amended by the City of Melville Residents and Ratepayers Association and responses to questions now outside the scope, will be provided by Administration.

Question 4

C) What the answers to our Bert Jeffrey Park questions actually are?

Response

See response to B above.

Question 5

D) We request the attached copy of our 27 November 2017 FOI Application is included with the minutes of this OMC?

Response

The *Local Government Act 1995* confirms what information and documents will be included in the Minutes of a Council Meeting. This request is outside of the requirements of the Act and is not supported.

6.5 Mr W Green, Bull CreekQuestion 1:

Would the Council please consider providing a security guard in the Council Chambers for a period both before and after Council Meetings to help prevent the physical assault of residents and ratepayers by disturbed attendees in the public gallery?

Response:

This question was taken on notice.

Question 2

Would the Council please consider extending it's sound recording in the Council Chamber to include both before and after Council Meetings so that it may be provided to the police for their use as evidence in cases of assault by unstable and psychologically disturbed attendees in the public gallery, as well as Civil Law Suits?

Response:

This question was taken on notice.

Question 3:

Would the Council please accept my sincere appreciation of their decision to station a security guard in the carpark close to the main entrance of the Council Building when meetings are held? This is a thoughtful and caring decision, especially appreciated by elderly residents and ratepayers such as me?

Response:

Noted.

6.6 Mr J Wheeler, Applecross

I refer you to the Council minutes attached to the "Agenda for Ordinary Council Meeting to be held Tuesday 17 April 2018".

Under P18/3779 "Review of Canning Bridge Activity Centre Plan – Conclusion" – states:

Item (C) Single Dwellings – "Approval of single dwellings not be precluded however applicants would need to demonstrate ability for dwellings to be converted to more intensive development (eg Apartments) at a later date. A two storey minimum height was also agreed."

Item (E) Lot Size & Building Height – "Proposal to limit four storey developments in the H4 area to lot sizes which had a frontage of 25m or greater"

Public Question Time – 6.6 Mr J Wheeler, Applecross, continued

Question

For properties within the H4 area which have less than 25m frontage and therefore cannot be developed to H4 requirements is the Council seriously suggesting such single residential developments would still have to comply with Item (C) above?

Response:

Properties with less than a 25 metre frontage would still be able to be developed with apartments up to three storeys only subject to satisfaction of any other requirements of the Canning Bridge Activity Centre Plan. It would be the owner's choice to build a single dwelling, and where an owner chose to do so, it would be necessary to demonstrate the ability for the single dwelling to be converted to more intensive development at a later date.

7. AWARDS AND PRESENTATIONS

Nil.

8. CONFIRMATION OF MINUTES**8.1 ORDINARY MEETING OF THE COUNCIL – 20 MARCH 2018**
Minutes 20 March 2018

The Mayor advised that additional information was required to be included the Public Question Time section of the minutes of the meeting held 20 March 2018, to provide better clarity on a response provided.

RECOMMENDATION

At 7:04pm Cr Robartson moved, seconded Cr Wieland –

That the Minutes of the Ordinary Meeting of Council held on Tuesday, 20 March 2018, be confirmed as a true and accurate record, subject to the following subsequent information being included under the City's response to Question 1 from the City of Melville Residents and Ratepayers Association (Inc.) on page 5 to provide clarity for the purposes of completeness of the minutes:

"Amended Response

In response to questions A and B, these are not applicable as emails are not being screened and on forwarded.

In response to question C, the City may decide on the basis of operational criteria that correspondence of a specified class may be managed most effectively by being collated and referred to an appropriate staff member for a response. It would be inappropriate for the City to publish the identities of correspondents to whom this management procedure may apply at any particular time.

The response to question D is no."

At 7:04pm the Mayor submitted the motion, which was declared

CARRIED (10/0)

8.2 NOTES OF AGENDA BRIEFING FORUM – 3 APRIL 2018
Notes 3 April 2018**RECOMMENDATION**

At 7:04pm Cr Phelan moved, seconded Cr Wieland –

That the Notes of Agenda Briefing Forum held on Tuesday, 3 April 2018, be received.

At 7:04pm the Mayor submitted the motion, which was declared

CARRIED (10/0)

9. DECLARATIONS OF INTEREST

The Members' and Officers' attention is drawn to the following provisions of the *Local Government Act 1995* regarding disclosures of interest;

9.1 FINANCIAL INTERESTS

A declaration under this section requires that the nature of the interest must be disclosed. Consequently, a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.

- M18/5610 – Legal Representation Policy, Elected Members and Employees:
Mayor R Aubrey
Cr M Woodall
Cr T Barling
Cr S Kepert
Cr K Mair
Cr N Pazolli
Cr P Phelan
Cr C Robartson
Cr N Robins
Cr G Wieland
Dr S Silcox
Mr J Clark
Ms C Newman

RECOMMENDATION

At 7:06pm Cr Robartson moved, seconded Cr Phelan –

That the Declarations of Interest submitted by Elected Members and Officers and the advice from the Department of Local Government, Sport and Cultural Industries be received.

At 7:06pm the Mayor submitted the motion, which was declared

CARRIED (10/0)

9.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

Councillors and staff are required, in addition to declaring any financial interest, to declare any interest arising from the City of Melville Code of Conduct, that might cause a conflict. The member/employee is also encouraged to disclose the nature of the interest. The member/employee must consider the nature and extent of the interest and whether it will affect their impartiality. If the member/employee declares that their impartiality will not be affected then they may participate in the decision making processes.

10. DEPUTATIONS

Item P18/3778 – Review of Canning Bridge Activity Centre Plan - Update
Mr G Kirk, Applecross

11. APPLICATIONS FOR NEW LEAVES OF ABSENCE

At 7:07pm Cr Kepert moved, seconded Cr Robins –

That the application for new leaves of absence submitted by Cr Woodall, Cr Robartson and Cr Pazolli on 17 April 2018 be granted.

At 7:07pm the Mayor submitted the motion, which was declared

CARRIED (10/0)

12. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

13. PETITIONS

Nil.

At 7:07pm Mr M Spencer left the meeting and returned at 7:09pm.

At 7:09pm until 7:23pm Mr G Kirk provided a deputation on Item P18/3779 – Review of Canning Bridge Activity Centre Plan – Update.

14. REPORTS OF THE CHIEF EXECUTIVE OFFICER

P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE (REC) (ATTACHMENT)

Ward	: Applecross - Mt Pleasant
Category	: Strategic
Application Number	: Not Applicable
Property	: Various
Proposal	: Update on Review of Canning Bridge Activity Centre Plan
Applicant	: City of Melville
Owner	: Various
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P17/3765 – Report on Canning Bridge Activity Centre Plan, Special Meeting of Council 22 August 2017.
Responsible Officer	: Gavin Ponton Manager Strategic Urban Planning

AUTHORITY / DISCRETION

DEFINITION

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

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- At the Special Meeting of Council held on 22 August 2017 the Council considered the results of a review of Canning Bridge Activity Centre Plan (CBACP). The scope of the review was based on a series of Council resolutions seeking examination of various aspects of the plan including privacy, overshadowing, building heights, car parking and the development control of single dwellings.
- The Council's resolution of 22 August 2017 in relation to this matter included support for review items related to building height, clarification of mezzanine floor definition, procedures for single dwellings, additional setbacks to developments on the perimeter of the plan area and a restriction for four storey developments in H4 to be limited to wider lots.
- Recommended responses to minimum car parking requirements, amenity/privacy considerations, precinct staging and infrastructure capacity were however not supported by the Council and further suggestions were made which required investigation by staff and are addressed in this report.
- The Council's resolution included a request for these matters to be presented to an Elected Member Information Session (EMIS) after the October 2017 Council Elections.
- Content in the proposed modifications to the CBACP was noted to be likely to be required to align with draft Western Australian Planning Commission (WAPC) legislation intended to replace Residential Design Code requirements for apartment design. When last reporting to the Council these new standards were anticipated to be operational by December 2017. Progress of the modifications was deferred to enable the requirements of the new legislation to be taken into account.
- The Apartment Design policy provisions are yet to be released by the State Government and estimated timing is now mid-2018. Whilst the Apartment Design policy will still have implications for the proposed modifications to the CBACP it is recommended that the modifications be progressed to minimise further delay.
- This report provides further responses in relation to the review matters not previously supported by the Council.
- It is recommended that the Council support the proposed modifications discussed in this report, along with those previously supported in August 2017. These modifications would form the basis for preparation of an amendment to the CBACP. The proposed amendment wording would then be presented to the Council to initiate formal advertising. Following advertising and consideration of any submissions received, the amendments would be presented to the Council for further consideration, and if approved, forwarded to the WAPC for determination

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)****BACKGROUND**

Council Item P17/3765 provided a report on the review of the CBACP.

[Minutes of P17/3765 Report on Review of Canning Bridge Activity Centre Plan](#)

The scope of the review was based on series of Council resolutions seeking examination of various aspects of the plan including privacy, overshadowing, building heights, car parking and the development control of single dwellings. Council's resolution of 22 August 2017 in relation to this matter included support for review items relating to:

- Building Height – Clarification that roof structure are not included in calculation of a buildings height, however setbacks to roof structures (from the edge of buildings) and height limits on roof structures were proposed to reduce potential impacts.
- Mezzanine Levels – Additional clarity provided as to the type, scale and appearance of mezzanine levels (including a limit on floorspace).
- Single Dwellings – Approval of single dwellings not precluded however applicants would need to demonstrate ability for dwellings to be converted to more intensive development (eg apartments) at a later date. A two storey minimum heights was also agreed.
- Overshadowing – Requirements proposed for development around the edges of the CBACP precinct to be setback from properties outside of the plan area to minimise impact of overshadowing and building bulk.
- Lot Size and Building Height – Proposal to limit four storey developments in the H4 area to lot sizes which had a frontage of 25metres or greater.

The Council's resolutions with respect to other recommendations from the CBACP review showed partial support, proposed modification to the recommended approach and/or seeking of further information. The modifications and requests for further information are outlined below:

- Car Parking – More stringent minimum parking requirements were proposed as well as the introduction of off-street visitor parking requirements.
- Privacy and Amenity – Proposed privacy setback requirements supported, however, a proposal for additional privacy screening was introduced. An EMIS discussion on the merits of requiring Amenity Impact Statements and potential for staging of development within the precinct was requested.
- Dwelling Yield – Council recognised that having regard to dwelling targets and infrastructure capacity that substantial reduction in development potential within the CBACP is not recommended. Further information however was requested on current movement towards dwelling targets outlined in the State Planning Framework and status of public infrastructure capacity with respect to planned development intensity.

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**

DETAIL

Items from the Council's resolution of August 2017 which sought further information or modification are discussed below.

Car Parking Requirements:

The review of the CBACP recommended maintaining the current parking standards. Council's resolution sought a modified approach with higher minimum requirements as well as the introduction of a requirement for on-site visitor parking.

Purpose of Existing Controls	Proposed Council Modification	Comment on proposed changes/options																										
<ul style="list-style-type: none"> The CBACP includes minimum and maximum requirements for parking for residential development. <table border="1" data-bbox="261 852 605 1014"> <thead> <tr> <th>No. Bedrooms</th> <th>Min</th> <th>Max</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>0.75</td> <td>1</td> </tr> <tr> <td>2-3</td> <td>1</td> <td>1.5</td> </tr> <tr> <td>4+</td> <td>1.25</td> <td>2</td> </tr> </tbody> </table> <ul style="list-style-type: none"> The minimum requirements are less than typical suburban standards, whilst the maximums are similar to typical suburban standards. The lesser minimum requirements are reflective of the precincts proximity to public transport and services. The maximum standards are intended to limit impact on the existing road network and encourage other forms of transport. Additional visitor parking bays are not required, having regard to the availability of street parking, off street public parking and access to public transport. 	No. Bedrooms	Min	Max	1	0.75	1	2-3	1	1.5	4+	1.25	2	<ul style="list-style-type: none"> The alternative proposed in the August 2017 Council resolution is to increase the minimum parking standards (in line with the current maximum requirements) to the following: <table border="1" data-bbox="630 947 972 1108"> <thead> <tr> <th>No. Bedrooms</th> <th>Suggested Min</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1</td> </tr> <tr> <td>2-3</td> <td>1.5</td> </tr> <tr> <td>4+</td> <td>2</td> </tr> </tbody> </table>	No. Bedrooms	Suggested Min	1	1	2-3	1.5	4+	2	<ul style="list-style-type: none"> The existing combination of minimum and maximum parking standards are in keeping with similar centres, with good access to public transport. The existing CBACP parking standards are comparable with the intent of the requirements of the draft Design WA Policy (to minimise cars in the precinct), however the existing CBACP standards incorporate a range with a higher maximum. <p>Design WA draft standard:</p> <table border="1" data-bbox="1011 1325 1354 1457"> <thead> <tr> <th>No. Bedrooms</th> <th>Maximum</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1</td> </tr> <tr> <td>2+</td> <td>1.25</td> </tr> </tbody> </table> <ul style="list-style-type: none"> The existing standards assist with housing affordability and provide opportunities to respond to demand for apartments without a car bay. Developers still have the opportunity to provide additional bays up to the existing maximums, and generally do so. 	No. Bedrooms	Maximum	1	1	2+	1.25
No. Bedrooms	Min	Max																										
1	0.75	1																										
2-3	1	1.5																										
4+	1.25	2																										
No. Bedrooms	Suggested Min																											
1	1																											
2-3	1.5																											
4+	2																											
No. Bedrooms	Maximum																											
1	1																											
2+	1.25																											

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**

<ul style="list-style-type: none"> Provision of off-street visitor parking also raises issues of amenity (undesirability of visitor bays dominating street setback areas) and practicality (visitor bays in secured on-site parking areas are often not used due to complexity of access). 	<p><i>Visitor Parking:</i></p> <ul style="list-style-type: none"> The Council resolution also sought introduction of visitor parking requirements in accordance with the R-Code standards for suburban areas <table border="1" data-bbox="630 596 972 789"> <tr> <td>Visitor Parking Bays</td> <td></td> </tr> <tr> <td>1 bay</td> <td>For every four dwellings</td> </tr> </table>	Visitor Parking Bays		1 bay	For every four dwellings	<p><i>Visitor Parking:</i></p> <ul style="list-style-type: none"> Parking management planning has indicated high availability of street parking and off-street public parking to accommodate visitor parking demand. Provision of off-street visitor parking also raises issues of amenity (undesirability of visitor bays dominating street setback areas) and practicality (visitor bays in secured on-site parking areas are often not used due to complexity of access). The proposed visitor parking ratio is more in keeping with suburban areas. The ratio will encourage additional vehicle movement into the precinct and does not reflect the transportation objectives of the CBACP nor acknowledge opportunities for alternative transport options.
Visitor Parking Bays						
1 bay	For every four dwellings					

Conclusions: Car Parking Requirements:

Increase in the minimum parking standards for residential development within the CBACP is not supported. The range of minimum parking bay requirements and maximum parking bay controls, acknowledges the good accessibility of the precinct to alternative transport options and the need to manage vehicle movement. The existing controls are also in keeping with those of similar strategic centres and are similar to the minimum standards identified in the R-Codes for R40+ developments with access to public transport. It is noted that the proposed car parking ratios do not align with those outlined in the State Government's draft Apartment Design policy. Consistency with the approach of the Design WA policy is expected to be a requirement of WAPC approval.

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**

With respect to the CBACP approach of not requiring a separate visitor parking allocation, preliminary examination indicates sufficient visitor parking opportunities on streets and in public parking. Off street visitor parking in front setback areas detracts from the desired urban character of the precinct and secured on-site bays present access complexity. Parking management studies to date indicate suitable capacity of public transport, alternative transport options, street parking and off street public parking areas to accommodate the needs of visitors. It is recommended that further investigation be undertaken to confirm the findings of preliminary investigations and to explore the capacity of these options and other initiatives to identify and respond to visitor parking demands.

Privacy and Amenity

Council's August 2017 resolution supported revisions to the privacy setback requirements of buildings within H4 areas to align with the provisions in the draft Apartment Design policy. The resolution however sought consideration of additional screening requirements in specific circumstances. An EMIS discussion on the merits of requiring Amenity Impact Statements and potential for staging of development within the precinct was requested.

Additional Privacy Screening:

Alignment with the Apartment Design privacy setback requirements for the H4 area provides increased setback requirements to bedroom and balconies when compared to the existing controls. The Apartment Design controls are also likely to encourage greater articulation to the side elevations of buildings and discourage the orientation of balconies to side boundaries. Alignment with the proposed Apartment Design privacy setback requirements provides a consistent and tested approach to assessment of privacy impacts. A development which meets these setback requirements is deemed to have adequately addressed the industry standard with respect to appropriate levels of privacy. Introduction of additional screening requirements over and above these standards is not supported and would be difficult to defend on planning grounds. It is also not known if the WAPC would be likely to support a deviation from the established Apartment Design approach to privacy.

Amenity Impact Statement:

Council Policy LPP1.10, Amenity, requires the submission of an Amenity Impact Statement where a proposal does not satisfy the provisions of Local Planning Scheme No.6 (LPS6), Local Planning Policies or the Deemed to Comply provisions of the R-Codes. The requirement for an Amenity Impact Statement ensures that an applicant presents a justification for a particular variation and demonstrates how the proposal maintains the objectives/performance criteria of the standard proposed to be varied. Council's resolution of 22 August 2017 sought further discussion on the requirement for applicants to submit an Amenity Impact Statement for all multiple unit developments four storeys or higher particularly where the proposal adjoins properties that are not developed for multiple units. This matter was discussed at the EMIS held 27 March 2018. It is concluded that a requirement for an Amenity Impact Statement has merit where a variation to the standards of the CBACP is sought. Where a development complies with the standards within the CBACP, the implication is that in these circumstances the impact on amenity is deemed to be satisfactory. Notwithstanding this, provision could be made for an Amenity Impact Statement to be required in exceptional circumstances. Accordingly it is recommended that in the CBACP the requirement for an Amenity Impact Statement follow a similar approach to that contained in Council Policy LPP1.10, whereby a Statement is required in circumstances where a variation is sought but that the City may still require the submission of an Amenity

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**

Impact Statement where considered necessary on a case by case basis, taking into consideration the individual merits of development being proposed.

Staging of Development:

The Council's previous resolution sought further information on the potential to stage development in the CBACP. This matter was included in the EMIS presentation on 27 March 2018. The planning approach in the CBACP is to identify desired land uses and intensity of development with a long term view. In the case of CBACP most intensive development is provided for in the core area, transitioning to lesser intensity development around the edges of the precinct. The approach provides certainty to stakeholders and infrastructure providers in the area with respect to how the precinct is intended to develop. Under this arrangement the rate of development take up is largely market/demand driven. The CBACP does however forecast that these factors, in the short term, will see most development activity occurring in the core area and around the perimeter of the precinct. An approach to stage development by restricting development to the core areas of the precinct for a period of time and releasing land for more intensive development as supply decreases is not supported. The approach is likely to impact on affordability of development within the precinct, restrict opportunity for diversity in land use and reduce the variety/ scale of new development. New developments within the transition zone around the edges of the precinct are considered to be best managed through design responses and restrictions which minimise impacts on existing residents and buildings. In relation to staging it is further noted that Activity Centre Plans are required to be reviewed at intervals no greater than 10 years. Regular review would enable analysis of issues such as development take up rates and the type/impact of development occurring. Options would be available to consider intervention to encourage or restrict different types of development if it were found that planning objectives were not being achieved.

Conclusions: Privacy and Amenity

With respect to privacy and amenity provisions it is recommended that:

- a) The privacy setback requirements of buildings within H4 areas be modified to align with the provisions in the draft Apartment Design policy (as per the Council's resolution of August 2017) however, the proposal to provide additional privacy screening over and above these standards not be proceeded with.
- b) Amenity Impact Statements to be required in CBACP, in circumstances where a variation to standards is sought or where considered necessary on a case by case basis, taking into consideration the individual merits of development being proposed in keeping with the existing approach in Policy LPP1.10.
- c) Staging development to restrict activity to the core areas of the precinct is not supported. The current approach under CBACP to regulate for the long term outcomes for the precinct is preferred given that it delivers a wider range of development opportunities/types across the precinct and provides a clear outline of the long term planning/built form outcomes for the precinct.

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)****Dwelling Yield**

The Council's August 2017 resolution recognised the existing dwelling targets for Canning Bridge and noted that a substantial reduction in dwelling potential within the precinct was not realistic. The resolution however, sought further discussion on the dwelling targets and associated issues of infrastructure capacity. Further details on these items were presented at the EMIS on 27 March 2018.

The State Government Directions 2031 has identified a target of 11,000 new dwellings for the City by 2031. The approach of the City's Local Planning Strategy (LPS) is to accommodate the bulk of these dwellings in activity centres and transport corridors. A target of approximately 2,100 new dwellings has been identified for the CBACP. The content of the CBACP is intended to provide capability to achieve the above target. The Council at its August 2017 meeting acknowledged the role of the CBACP precinct in meeting the identified targets. The item noted that in terms of the dwelling targets, the current number of approved dwellings would suggest satisfactory movement toward 2,100 new dwellings by 2031, however, actual construction is not on track with identified targets therefore the delivery of new dwellings in the CBACP towards the 2031 target is currently behind schedule. The current number of approved (but not constructed) dwellings suggests that the targets remain achievable.

The planned intensity for the CBACP precinct is based on an understanding of existing and required infrastructure capacity. Upgrades to infrastructure (roads, public transport, power, water, waste water etc) will be required to achieve the long term levels of intensity envisaged in the centre. These upgrades are identified actions within the CBACP. A proportion of the required utility upgrades are captured as headworks/service charges as new development is constructed. Other aspects of the required utility upgrades, such as waste water systems, regional roads and public transport will require State Government investment. The City, via the South West Group, reports on these requirements to the State Government's Infrastructure Coordinating Committee.

Conclusions: Dwelling Yield

The density controls within the CBACP are designed to work toward achievement of the required State Government dwelling targets. Progress toward targets for the City overall is currently behind schedule however trends in dwelling approvals indicate that substantial progress towards the targets is still possible. Infrastructure requirements to support planned intensity are known. Infrastructure capacity at present is not constraining development opportunity. Upgrades to regional infrastructure (roads, public transport, power and waste water) are likely to be required in the future, with the City advocating for State Government investment in these items.

STAKEHOLDER ENGAGEMENT

Advertising Required:

Advertising will be required if the proposed changes to CBACP proceed to a formal amendment.

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)****I. COMMUNITY**

An amendment to an Activity Centre Plan would be required to be advertised for 30 days. Advertising would commence should a formal amendment be initiated.

II. OTHER AGENCIES / CONSULTANTS

Relevant servicing/government agencies would be consulted as part of any formal amendment to the CBACP.

STATUTORY AND LEGAL IMPLICATIONS

This report updates the findings and previous recommendations in August 2017 relating to a review of various aspects of the CBACP. If the report findings are supported a formal amendment to the CBACP would be prepared. This amendment would require initiation by the Council and would be required to follow the process outlined by LPS6 and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this request.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

The review of CBACP aligns with the City's strategic goals and in particular responds to Priority 3 of the Corporate Plan, "Urban development creates changes in amenity (positive and negative) which are not well understood". The review of the CBACP focuses on responding to identified amenity concerns, whilst maintaining overall strategic objectives of the plan.

POLICY IMPLICATIONS

There are no policy implications associated with this proposal.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The review has recommended progression towards a number of amendments to the CBACP in response to items raised in earlier Council resolutions. The current report provides additional information/clarification on specific items identified by the Council. The Council may choose not to proceed with some or all of the recommended changes or to consider modification to the recommended changes. The recommendations of this report are considered to suitably respond to the issues raised and provide enhanced alignment with proposed State Planning Policy Design WA, whilst maintaining the objectives and strategic intentions of the CBACP. Alternative options may detract from achievement of these strategic objectives and may not be supported by the determining authority (WAPC).

P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**CONCLUSION**

The Council at its meeting on 22 August 2017 considered the results of a review of various aspects of the CBACP. Recommended modifications to the CBACP were supported in relation to:

- building height
- clarification of mezzanine floor definition
- procedures for single dwellings
- additional setbacks to developments on the perimeter of the plan area
- a restriction for four storey development in H4 to be limited to wider lots.

Other recommended responses to items regarding minimum car parking requirements, amenity/privacy considerations, precinct staging and infrastructure capacity were however not supported by Council or required further information. Examination of the practicality of the potential further amendments was commenced. At that time the release by the State Government of the Design WA suite of State Planning policies was anticipated to become operational in December 2017. These documents in particular “Apartment Design”, are intended to replace the R-Code provisions for assessment of proposed apartment developments. It is expected that planning instruments such as the CBACP will be required to align with the content of this State Planning Policy. Accordingly, introduction of the Apartment Design policy is likely to have a significant impact on the content of the proposed amendments to CBACP. The State Government’s Design WA policies are now expected to become operational later in 2018. In the circumstances, a further delay in progressing the enhancements to the CBACP, is not supported and accordingly it is recommended that modification to the Plan now be progressed.

Aspects of the review outcomes previously supported by the Council are recommended to now proceed to a formal amendment to the CBACP.

Items identified by the Council for modification and/or clarification have been discussed further in this report and a recommended way forward has been identified. It is recommended that information regarding infrastructure capacity, dwelling targets and staging of development be noted. It is further recommended that the following modifications also be progressed as a formal amendment to the CBACP. The proposed approach enhances alignment with the content of the Design WA State Planning Policy and maintains the objectives of the CBACP.

- Car Parking – no change proposed to existing minimum parking standards. Further investigations to occur in terms of the capacity of the precinct to accommodate visitor parking.
- Privacy and Amenity – Proposal to require additional privacy screening over and above the deemed to comply setback provisions not being supported and *Amenity Impact Statements* being required where an applicant seeks a variation to standards or in exceptional circumstances, determined on a case by case basis, in keeping with the existing approach in Policy LPP1.10.

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**

Should the package of modifications be supported, the next step is formulating the proposals into a statutory format which can be inserted in the CBACP structure. This step presents a number of complications given that the CBACP applies to portions of both the Cities of South Perth and Melville and modifications largely will be limited to land within City of Melville. Upon completion of this step, the formal amendment would be presented to Council for consideration of initiating the amendment process including commencement of public advertising.

OFFICER RECOMMENDATION (3779)**APPROVAL**

At 7:23pm Cr Robins moved, seconded Cr Robartson –

That the Council:

1. **Supports the progression of proposed modifications to the preparation of a formal amendment to the Canning Bridge Activity Centre Plan as approved by Council on 22 August 2017 under resolution P17/3765 relating to the following items:**
 - a) **Building Height – Clarification that roof structures are not included in calculation of a building's height, however setbacks to roof structures (from the edge of buildings) and height limits on roof structures were proposed to reduce potential impacts.**
 - b) **Mezzanine Levels – Additional clarity provided as to the type, scale and appearance of mezzanine levels (including a limit on floorspace).**
 - c) **Single Dwellings – Approval of single dwellings not precluded however applicants would need to demonstrate ability for dwellings to be converted to more intensive development (eg apartments) at a later date. A two storey minimum height was also agreed.**
 - d) **Overshadowing – Requirements proposed for development around the edges of the Canning Bridge Activity Centre Plan precinct to be setback from properties outside of the plan area to minimise impact of overshadowing and building bulk.**
 - e) **Lot Size and Building Height – Proposal to limit four storey development in the H4 area to lot sizes which had a frontage of 25metres or greater.**
2. **Notes the additional clarification in relation to other items the subject of Report P17/3765 and supports the progression of further modification to these items to form part of the formal amendment to the Canning Bridge Activity Centre Plan, namely:**
 - a) **Car Parking – no change proposed to existing minimum parking standards, however, further investigations to occur in terms of the capacity of the precinct to accommodate visitor parking.**

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**

- b) Privacy and Amenity – Proposal to require additional privacy screening over and above the deemed to comply setback provisions not being supported and Amenity Impact Statements being required where an applicant seeks a variation to standards or in exceptional circumstances, determined on a case by case basis, in keeping with the existing approach in Policy LPP1.10.
3. Upon completion of preparation, the formal amendment to the Canning Bridge Activity Centre Plan be presented to the Council for initiation of the amendment process and commencement of public advertising.

At 7:34pm Cr Robartson moved, Cr Phelan seconded –

That Cr Woodall be granted an extension of time to speak on this matter.

At 7:34pm the Mayor submitted the motion, which was declared

CARRIED (10/0)

At 7:41pm Cr Robartson moved, Cr Barling seconded –

That Cr Pazolli be granted an extension of time to speak on this matter.

At 7:41pm the Mayor submitted the motion, which was declared

CARRIED (10/0)

At 7:45pm during the discussion and debate on the item, with the approval of the mover and seconder, the date in the first paragraph was amended to 30 June 2018.

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**

Amendment 1

At 7:25pm Cr Woodall moved, seconded Cr Pazolli –

That the Council amend the Officer’s Recommendation 3779 by adding a new recommendation 4 as follows:

“4. Directs the Chief Executive Officer to investigate, and report back to an Elected Member Information Session to be held no later than 30 June 2018, the feasibility of:

a) limiting the maximum number of storeys in all circumstances (including any additional ‘bonus’ storeys) in the M15 and M10 ‘core’ areas of the Canning Bridge Activity Centre Plan to either 20 or 25 storeys in the M15 area and 15 storeys in the M10 area; and

At 7:57pm the Mayor submitted Part A of the motion, which was declared

CARRIED (8/2)

b) setting more prescriptive criteria for determining ‘community benefit’ in assessing whether additional stories are warranted in the ‘core’ areas.”

At 7:59pm the Mayor submitted Part B the motion, which was declared

CARRIED (10/0)

Vote Result Summary – Part A	
Yes	8
No	2

Vote Result Summary – Part B	
Yes	10
No	0

Vote Result Detailed	
Cr Barling	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Cr Robins	No
Mayor	No

Vote Result Detailed	
Cr Barling	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Robins	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor	Yes

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**

During discussion and debate on Amendment 2, Cr Barling foreshadowed an amendment.

Amendment 2

At 7:59pm Cr Woodall moved, seconded Cr Pazolli –

That the Council amend the Officer’s Recommendation 3779 by adding the following words at the end of recommendation 1.e):

“...and a minimum lot size of 1,200 square metres”.

At 8:13pm the Mayor submitted the motion, which was declared

CARRIED (8/2)

Vote Result Summary	
Yes	8
No	2

Vote Result Detailed	
Cr Barling	Yes
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Cr Robins	No
Mayor	No

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**

Substantive motion as amended

COUNCIL RESOLUTION

At 7:23pm Cr Robins moved, seconded Cr Robartson –

That the Council:

1. **Supports the progression of proposed modifications to the preparation of a formal amendment to the Canning Bridge Activity Centre Plan as approved by Council on 22 August 2017 under resolution P17/3765 relating to the following items:**
 - a) **Building Height – Clarification that roof structures are not included in calculation of a building's height, however setbacks to roof structures (from the edge of buildings) and height limits on roof structures were proposed to reduce potential impacts.**
 - b) **Mezzanine Levels – Additional clarity provided as to the type, scale and appearance of mezzanine levels (including a limit on floorspace).**
 - c) **Single Dwellings – Approval of single dwellings not precluded however applicants would need to demonstrate ability for dwellings to be converted to more intensive development (eg apartments) at a later date. A two storey minimum height was also agreed.**
 - d) **Overshadowing – Requirements proposed for development around the edges of the Canning Bridge Activity Centre Plan precinct to be setback from properties outside of the plan area to minimise impact of overshadowing and building bulk.**
 - e) **Lot Size and Building Height – Proposal to limit four storey development in the H4 area to lot sizes which had a frontage of 25metres or greater *and a minimum lot size of 1,200 square metres.***
2. **Notes the additional clarification in relation to other items the subject of Report P17/3765 and supports the progression of further modification to these items to form part of the formal amendment to the Canning Bridge Activity Centre Plan, namely:**
 - a) **Car Parking – no change proposed to existing minimum parking standards, however, further investigations to occur in terms of the capacity of the precinct to accommodate visitor parking.**
 - b) **Privacy and Amenity – Proposal to require additional privacy screening over and above the deemed to comply setback provisions not being supported and Amenity Impact Statements being required where an applicant seeks a variation to standards or in exceptional circumstances, determined on a case by case basis, in keeping with the existing approach in Policy LPP1.10.**

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**

- 3. Upon completion of preparation, the formal amendment to the Canning Bridge Activity Centre Plan be presented to the Council for initiation of the amendment process and commencement of public advertising.**
- 4. Directs the Chief Executive Officer to investigate, and report back to an Elected Member Information Session to be held no later than 30 June 2018, the feasibility of:**
 - a) limiting the maximum number of storeys in all circumstances (including any additional ‘bonus’ storeys) in the M15 and M10 ‘core’ areas of the Canning Bridge Activity Centre Plan to either 20 or 25 storeys in the M15 area and 15 storeys in the M10 area; and**
 - b) setting more prescriptive criteria for determining ‘community benefit’ in assessing whether additional stories are warranted in the ‘core’ areas.**

At 8:14pm the Mayor submitted the motion, which was declared

CARRIED (9/0)

Vote Result Summary	
Yes	9
No	0

Vote Result Detailed	
Cr Barling	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Robins	Yes
Cr Wieland	Yes
Cr Woodall	Yes
Mayor	Yes

At 8:14pm Cr Kepert left the meeting and returned at 8:15pm.

**P18/3779 - REVIEW OF CANNING BRIDGE ACTIVITY CENTRE PLAN – UPDATE
(REC) (ATTACHMENT)**Reason for the Amendment 1

1. The concept of having increased density around transport hubs such as Canning Bridge appears to be broadly supported by the community, however the Canning Bridge Activity Centre Plan (CBACP) is causing some concern for residents due to the scale and speed at which developments are being approved. It is noted that a significant number of those concerns relate to developments in the H4 area, particularly in relation to privacy, overshadowing and parking issues, and that those issues are addressed in the existing officer recommendation.
2. However, concerns have also been raised by residents around excessive building height, negative traffic impacts, lack of parking and difficulty understanding the basis on which additional storeys are approved in respect of developments in the 'core' areas of the CBACP.
3. In relation to building height, the current planning framework does not appear to contain any upper limit on 'bonus' storeys that can be awarded in the 'core' areas of the CBACP. This naturally causes significant concern for residents and raises the possibility of 35, 40 or even 50 storey developments being approved.
4. To ensure continued community support for the CBACP, I believe we should be considering sensible and reasonable changes to the planning framework that i) address community concerns; and ii) preserve the underlying strategy of increasing density around transport hubs whilst preserving our quiet suburban areas.
5. In my view the two particular issues that we should look to address are building heights and community benefit criteria. Setting a maximum cap on building heights, coupled with more prescriptive community benefit criteria in determining whether additional 'bonus' storeys are warranted, is likely to limit overall building heights in the 'core' areas to more acceptable levels, reduce traffic and parking impacts, and ensure that buildings cannot go above 15 storeys unless there are very clear community benefits.

Reasons for Amendment 2

1. At the September 2017 Ordinary Meeting of the Council, a resolution calling for a minimum lot size of 1,200 square metres for four storey developments in the H4 area was passed unanimously.
2. There are likely to be some lots that, either individually or when amalgamated, meet the 25 metre frontage requirement but not the 1,200 square metre requirement, due to the unusual shape of some lots. Enforcing both of these requirements will ensure that development initially focuses on the core areas of the CBACP as intended, with opportunities for further development in the H4 area occurring at a later stage.

Disclosure of Interest

Item No. C18/5610
 Member Mayor R Aubrey
 Type of Interest Financial Interest
 Nature of Interest Policy gives and entitlement which may be considered a personal benefit.
 Request Stay, discuss and vote
 Decision of the Minister Permission to Stay, Discuss and Vote

Item No. C18/5610
 Member Cr M Woodall, Deputy Mayor
 Type of Interest Financial Interest, Employee at firm on WALGA Panel
 Nature of Interest 5.60A, 5.61, Reg 11, Interest Under the Code
 Request Leave
 Decision of the Minister Leave

Item No. C18/5610
 Member Cr T Barling
 Type of Interest Financial Interest
 Nature of Interest Policy gives and entitlement which may be considered a personal benefit.
 Request Stay, discuss and vote
 Decision of the Minister Permission to Stay, Discuss and Vote

Item No. C18/5610
 Member Cr S Kepert
 Type of Interest Financial Interest
 Nature of Interest Policy gives and entitlement which may be considered a personal benefit.
 Request Stay, discuss and vote
 Decision of the Minister Permission to Stay, Discuss and Vote

Item No. C18/5610
 Member Cr K Mair
 Type of Interest Financial Interest
 Nature of Interest Policy gives and entitlement which may be considered a personal benefit.
 Request Stay, discuss and vote
 Decision of the Minister Permission to Stay, Discuss and Vote

Item No. C18/5610
 Member Cr N Pazolli
 Type of Interest Financial Interest
 Nature of Interest Policy gives and entitlement which may be considered a personal benefit.
 Request Stay, discuss and vote
 Decision of the Minister Permission to Stay, Discuss and Vote

Item No.	C18/5610
Member	Cr P Phelan
Type of Interest	Financial Interest
Nature of Interest	Policy gives and entitlement which may be considered a personal benefit.
Request	Stay, discuss and vote
Decision of the Minister	Permission to Stay, Discuss and Vote
Item No.	C18/5610
Member	Cr C Robartson
Type of Interest	Financial Interest
Nature of Interest	Policy gives and entitlement which may be considered a personal benefit.
Request	Stay, discuss and vote
Decision of the Minister	Permission to Stay, Discuss and Vote
Item No.	C18/5610
Member	Cr N Robins
Type of Interest	Financial Interest
Nature of Interest	Policy gives and entitlement which may be considered a personal benefit.
Request	Stay, discuss and vote
Decision of the Minister	Permission to Stay, Discuss and Vote
Item No.	C18/5610
Member	Cr G Wieland
Type of Interest	Financial Interest
Nature of Interest	Policy gives and entitlement which may be considered a personal benefit.
Request	Stay, discuss and vote
Decision of the Minister	Permission to Stay, Discuss and Vote
Item No.	C18/5610
Member	Dr S Silcox
Type of Interest	Financial Interest
Nature of Interest	Officer involved in Preparation and Presentation of Information associated with item
Request	Not Applicable
Decision of the Minister	Noted
Item No.	C18/5610
Member	Ms C Newman
Type of Interest	Financial Interest
Nature of Interest	Officer involved in Preparation and Presentation of Information associated with item
Request	Not Applicable
Decision of the Minister	Noted
Item No.	C18/5610
Member	Mr J Clark
Type of Interest	Financial Interest
Nature of Interest	Officer involved in Preparation and Presentation of Information associated with item
Request	Not Applicable
Decision of the Minister	Not Applicable

At 8:15pm Cr Woodall left the meeting and returned at 9.07pm

M18/5610 – LEGAL REPRESENTATION POLICY, ELECTED MEMBERS AND EMPLOYEES (REC) (ATTACHMENT)

KEY ISSUES / SUMMARY

- Section 9.56 of *Local Government Act 1995* provides for protection for Elected Members and employees who have acted in good faith.
- The Department of Local Government, Sports and Cultural Industries advocates for local governments to have a policy that provides guidance on the expenditure of funds on legal representation for Elected Members and employees.
- Ensuring Elected Members and employees are supported to carry out their roles in uninhibited manner.
- This report recommends changes to the existing Policy CP-017 Legal Representation.

BACKGROUND

The *Local Government Act 1995* provides for protection for Elected Members and employees who carry out their roles in good faith:

“9.56. Certain persons protected from liability for wrongdoing

- (1) *A person who is -
 - (a) a member of the council, or of a committee of the council, of a local government;
or
 - (b) an employee of a local government; or
 - (c) a person appointed or engaged by a local government to perform functions of a prescribed office or functions of a prescribed class,is a protected person for the purposes of this section.*
- (2) *An action in tort does not lie against a protected person for anything that the person has, in good faith, done in the performance or purported performance of a function under this Act or under any other written law.*
- (3) *The protection given by this section applies even though the thing done in the performance or purported performance of a function under this Act or under any other written law may have been capable of being done whether or not this Act or that law had been enacted.*
- (4) *This section does not relieve the local government of any liability that it might have for the doing of anything by a protected person.*
- (5) *In this section —
 - (a) a reference to the doing of anything includes a reference to the omission to do anything;
 - (b) a reference to the doing of anything by a protected person in the performance or purported performance of a function under any written law other than this Act is limited to a reference to the doing of anything by that person in a capacity described in subsection (1)(a), (b) or (c), as the case may be.”*

**M18/5610 – LEGAL REPRESENTATION POLICY, ELECTED MEMBERS AND
EMPLOYEES (REC) (ATTACHMENT)****DETAIL**

In today's society there is an increased risk of legal action being taken or threatened against individual Elected Members and employees in carrying out their role, for example where an aggrieved party believes that that legislative functions or responsibilities are not correct or where they believe the threat of legal action will influence an outcome. In these situations, Elected Members or employees may require legal advice and representation and for this to be provided by the City.

Additionally, the City is legislatively required to ensure a safe work environment for its employees and morally it has the same duty to its Elected Members. A legal representation policy provides assurance to Elected Members and employees that they can undertake their roles in a full, and impartial manner, protected from threats and assured that proper legal representation will be provided in the event that any legal action is initiated against them.

The City also has a duty to provide good government to the district, particularly when expending municipal funds and therefore, the Department of Local Government, Sport and Cultural Industries has Operational Guidelines on Legal Representation for Council Members and Employees, which advocates for local governments adopting a policy that provides guidance on when the City will expend funds to provide legal representation for Elected Members and employees.

A copy of CP-017 Legal Representation showing the proposed changes is attached.

[5610 Legal Representation Policy Elected Members and Employees](#)

The revised policy:

- outlines the Council's commitment to protecting the interests of its Elected Members and employees when acting reasonably and good faith and not acting illegally, dishonestly or against the interests of the City.
- provides guidance in determining the circumstances, manner and extent of legal assistance for Elected Members and employees.
- provides clarity on the types of legal proceedings the City may provide assistance.
- provides for the Chief Executive Officer to seek preliminary legal advice.
- includes definitions.

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

No comment has been sought from the community.

II. OTHER AGENCIES / CONSULTANTS

No comment has been sought from other agencies or consultants, however the principles contained in the Department of Local Government, Sport and Cultural Industries Operational Guidelines – Legal Representation for Council Members and Employees have been taken into consideration.

M18/5610 – LEGAL REPRESENTATION POLICY, ELECTED MEMBERS AND EMPLOYEES (REC) (ATTACHMENT)

STATUTORY AND LEGAL IMPLICATIONS

The *Local Government Act 1995* contains specific clauses in relation to protecting Elected Members and employees from liability for wrong doing and that the local government should provide for the good governance of the district, in particular, in relation to the expenditure of money held in the municipal trust. The proposed changes to the existing policy have been developed to support these legislative requirements and ensuring matters are dealt with in an efficient and transparent matter.

FINANCIAL IMPLICATIONS

Whilst there are no financial implications associated with the implementation of the proposed new policy, there are indirect financial implications associated with providing financial assistance where required. These costs, if any, would come from existing budget allocations.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Risk of Elected Members or employees being inhibited in undertaking their roles due to threat of legal action.	Major consequences which are possible, resulting in a Medium level of risk	Ensure policy and processes in place to mitigate the likelihood of occurrence and ensure good governance practices and organisational transparency to meet legislative requirements.

POLICY IMPLICATIONS

The proposed revised CP017 – Legal Representation Policy, Elected Members and Employees supports the Elected Members and employees achieving the City’s Vision of “Working together, to achieve community wellbeing for today and tomorrow” in the achievement of all the aspirations and priorities in the City of Melville Corporate Business Plan and in meeting all statutory and legislative requirements.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

The Council could resolve not to adopt the proposed changes to the Policy CP-017 - Legal Representation and the current policy would remain in place.

CONCLUSION

The City is committed to protecting the interests of its Elected Members and employees in seeking legal advice or where they become involved in legal proceedings in the course of their official duties. The proposed changes to Policy CP-017 – Legal Representation, as outlined in this report provides clarity and guidance in determining the circumstance, manner and extent of legal assistance provided to Elected Members and employees.

M18/5610 – LEGAL REPRESENTATION POLICY, ELECTED MEMBERS AND EMPLOYEES (REC) (ATTACHMENT)

Procedural Motion

At 8:17pm Cr Mair moved, seconded Cr Kepert -

That this item be deferred to enable the policy to be reworded.

At 8:23pm the Mayor submitted the motion, which was declared

LOST (3/6)

Vote Result Summary	
Yes	3
No	6

Vote Result Detailed	
Cr Kepert	Yes
Cr Mair	Yes
Cr Pazolli	Yes
Cr Barling	No
Cr Phelan	No
Cr Robartson	No
Cr Robins	No
Cr Wieland	No
Mayor	No

COUNCIL AND OFFICER RECOMMENDATION (5610)

APPROVAL

At 8:24pm Cr Phelan moved, seconded Cr Robartson –

That the Council approves changes to existing Policy CP-017 – Legal Representation as attached [5610 Legal Representation Policy Elected Members and Employees](#)

At 9:06pm the Mayor submitted the motion, which was declared

CARRIED (6/3)

Vote Result Summary	
Yes	6
No	3

Vote Result Detailed	
Cr Barling	Yes
Cr Phelan	Yes
Cr Robartson	Yes
Cr Robins	Yes
Cr Wieland	Yes
Mayor	Yes
Cr Kepert	No
Cr Mair	No
Cr Pazolli	No

At Cr Phelan left the meeting at 9.07pm and returned at 9:09pm.

M18/5000 – COMMON SEAL REGISTER (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report details the documents to which the City of Melville Common Seal has been applied for the period from 23 February 2018 up to and including 19 March 2018 for the Council's noting.

M18/5000 – COMMON SEAL REGISTER (REC)

BACKGROUND

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

DETAIL

Register Reference	Parties	Description	ECM Reference
CS2017	City of Melville and Sarah Pearn	Heathcote Hire Agreement Sarah Pearn Studio 1 Commencing on 1 January 2018 to 31 December 2018	4597132
CS2025	City of Melville and Ross Potter	Heathcote Hire agreement Ross Potter Studio 5 Kitchen Commencing on 27 February to 31 December 2018	4565887
CS2026	City of Melville and Olivia Jones	Heathcote Hire agreement Olivia Jones Studio 4 Kitchen Commencing on 27 February to 31 December 2018	4565909
CS2027	City of Melville and Jerry Chng	Heathcote Hire agreement Jerry Chng Studio 6 Kitchen Commencing on 27 February to 31 December 2018	4565888
CS2030	City of Melville and Yvonne Walker	Heathcote Hire Agreement - Yvonne Walker - Ceramic Studio from 1 March 2018 to 30 April 2019	4591719
CS2034	City of Melville and	Easement – Partial Surrender by George Lim V Plunkett Homes	4597858
CS2036	City of Melville and Tuscom Subdivision Consultants and Lim & Lim Holdings Pty Ltd	Approval for a Green Title Subdivision 70A for 51 Piercy Way, Kardinya. Decision is valid for three years from 3 November 2017.	DA-2018-181

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

M18/5000 – COMMON SEAL REGISTER (REC)**II. OTHER AGENCIES / CONSULTANTS**

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

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

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

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

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

(a) *the mayor or president; and*

(b) *the chief executive officer or a senior employee authorised by the chief executive officer,*

each of whom is to sign the document to attest that the common seal was so affixed.

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications in this report.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable.

CONCLUSION

This is a standard report for the Council's information.

OFFICER RECOMMENDATION (5000)**NOTING**

That the Council notes the actions of His Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from 23 February 2018 up to and including 19 March 2018 for the Council's noting.

At 9.08pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (9/0)

C18/6158 - REVIEW OF COUNCIL POLICY CP-023 PROCUREMENT OF PRODUCTS AND SERVICES (REC) (ATTACHMENT)

Ward	: All
Category	: Policy
Subject Index	: Policy and Policy Development
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	: C17/5548 Review of Council Policy CP-023 Procurement of Products and Services – Ordinary Meeting of the Council – 18 April 2017
Works Programme	: Not Applicable
Funding	: Not Applicable
Responsible Officer	: Bruce Taylor Manager Financial Services

AUTHORITY / DISCRETION

DEFINITION

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

**C18/6158 - REVIEW OF COUNCIL POLICY CP-023 PROCUREMENT OF PRODUCTS
AND SERVICES (REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- A number of opportunities for improvement in the existing procurement policy were identified including improved clarity of objectives, alignment with the Western Australian Local Government Association's (WALGA's) recommended policy statements, improved clarity of what constitutes value for money, improved clarity of what should be considered at each procurement threshold, improved commitment to corporate social responsibility, and improved statement of requirements against pre-qualified supplier panel arrangements.
- This report and recommendation proposes a complete re-write and re-structuring of the existing policy to incorporate all the opportunities for improvement.

BACKGROUND

Council Policy CP-023 was last updated in April 2017. This update incorporated refinements to the Pre-Qualified Supplier Panel section. Prior to that, in December 2015, the policy was amended to incorporate changes to the legislation surrounding pre-qualified supplier panels.

In December 2017, the City's Risk Management and Strategic Procurement Coordinator replaced the Purchasing and Contracts Coordinator, due to resignation, as the person responsible for the procurement function at the City. This change has been accompanied by a number of improvements to process and procedure. All operational policy and procedure is driven by CP-023 and as such, it is essential that CP-023 is amended to ensure an aligned, consistent approach to procurement across the City.

An independent external audit was carried out by Moore Stephens in October 2017 for a process review of tenders and panel of pre-qualified suppliers. A number of observations and recommendations from this audit have been addressed by lower level policy and procedure but one recommendation referred to the complexity and clarity of pre-qualified supplier panels. The changes proposed to this policy address this recommendation and provide greater clarity for the requirements pre-qualified supplier panels.

DETAIL

Due to the extent of the changes recommended to be made to the policy, a "tracked changes" mark-up version is impractical. Instead, a changes summary document has been prepared which identifies the original section, any changes made and the reason for the change. Please note that the some additions have been made that were not in the existing policy.

The existing version of the policy has been attached:

[C18 6158 CP-023 Procurement of Products and Services Current](#)

The change summary has been attached:

[C18 6158 CP-023 Change Summary](#)

C18/6158 - REVIEW OF COUNCIL POLICY CP-023 PROCUREMENT OF PRODUCTS AND SERVICES (REC) (ATTACHMENT)

The revised version of the policy has been attached:
[C18 6158 CP-023 Procurement Policy Revised](#)

STAKEHOLDER ENGAGEMENT**I. COMMUNITY**

No community engagement or consultation has been carried out.

II. OTHER AGENCIES / CONSULTANTS

An independent external audit was conducted by Moore Stephens in October 2017. This resulted in a number of observations and recommendations. Only one of those has been addressed by this policy relating to pre-qualified supplier panels; however, this policy shapes lower level policy and procedure which have been amended to address the other recommendations.

WALGA provides local governments with a suite of tools and templates for use in procurement. The City has begun utilising many of these to achieve some standardisation as well as address many of the new innovations and improvements that WALGA has proposed. Much of the content in this policy update has been amended to align with the WALGA procurement policy.

STATUTORY AND LEGAL IMPLICATIONS

The *Local Government (Functions and General) Regulations 1996 Regulation 11A* requires the City to have a written Purchasing Policy.

FINANCIAL IMPLICATIONS

The changes to the policy have no direct financial impacts on existing budgets.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

There are no environmental management implications with regard to this matter. There was a minor amendment to the policy to more concisely state the City's commitment to sustainability and how that will be incorporated into procurement going forward.

The Finance Team have identified one HIGH rated procurement risk:

C18/6158 - REVIEW OF COUNCIL POLICY CP-023 PROCUREMENT OF PRODUCTS AND SERVICES (REC) (ATTACHMENT)

Risk Statement	Causes	Current Risk Rating	Mitigation Strategies	Expected Risk Rating Outcome
Stakeholder non-compliance with procurement policies	Reluctance to follow existing processes; Varied skills and experience of existing workforce; Conflicting priorities; Time management	HIGH	The complexity of existing processes is being addressed, in part by the amendment of CP-023. There has been a restructuring of the procurement team which is geared towards improved customer service and assisting stakeholders with their procurement processes. A process review and simplification process is also underway which is expected to be completed by the end of the 2017-2018 financial year. The independent external audit conducted by Moore Stephens resulted in seven observations and recommendations, one of which is addressed by the changes proposed to CP-023. The other recommendations are being addressed in lower level policy and procedure which is shaped by this Council Policy.	LOW

POLICY IMPLICATIONS

By amending this policy, the City will better align with WALGA recommended policy statements, better align with other Local Governments who also use WALGA's recommended policy, improve clarity and ease of use of the policy, improve clarity of value for money, improved clarity of what should be considered at each procurement threshold, improved commitment to corporate social responsibility, and improved statement of requirements against pre-qualified supplier panel arrangements.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

There are no alternate options. Not implementing these changes to the policy will result in an inability to align operational processes with high-level policy. It would also make any reduction to the identified risk impossible.

C18/6158 - REVIEW OF COUNCIL POLICY CP-023 PROCUREMENT OF PRODUCTS AND SERVICES (REC) (ATTACHMENT)**CONCLUSION**

The current policy and change summary are attached to this item. The proposed changes will allow for realisation of the opportunities for improvement identified, specifically improving overall clarity of the procurement policy for all stakeholders.

COUNCIL AND OFFICER RECOMMENDATION (6158)**APPROVAL**

That the Council adopts the revised CP-023 Procurement Policy as shown in attachment [C18_6158 CP-023 Procurement Policy Revised](#)

At 9.08pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (9/0)

C18/6000 - INVESTMENT STATEMENTS AS AT 28 FEBRUARY 2018 (REC)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the investment statements for the period ending 28 February 2018 for the Council's information and noting.

C18/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2018 (REC)

BACKGROUND

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

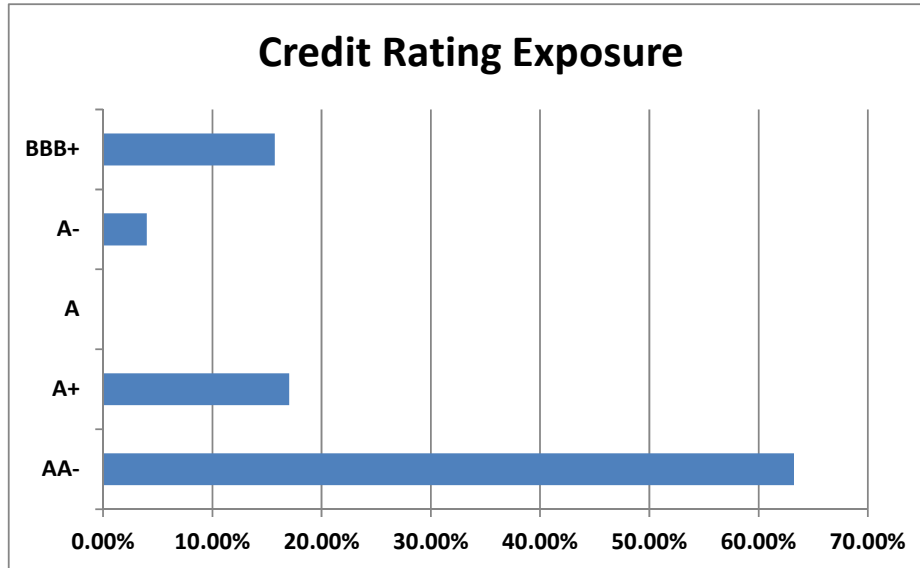
The investment of cash holdings is undertaken in accordance with Council Policy CP-009 - Investment of Funds, with the objective of maximising returns whilst maintaining low levels of credit risk exposure.

DETAIL

Summary details of investments held as at 28 February 2018 are shown in the tables below. The following statements detail the investments held by the City as at 28 February 2018.

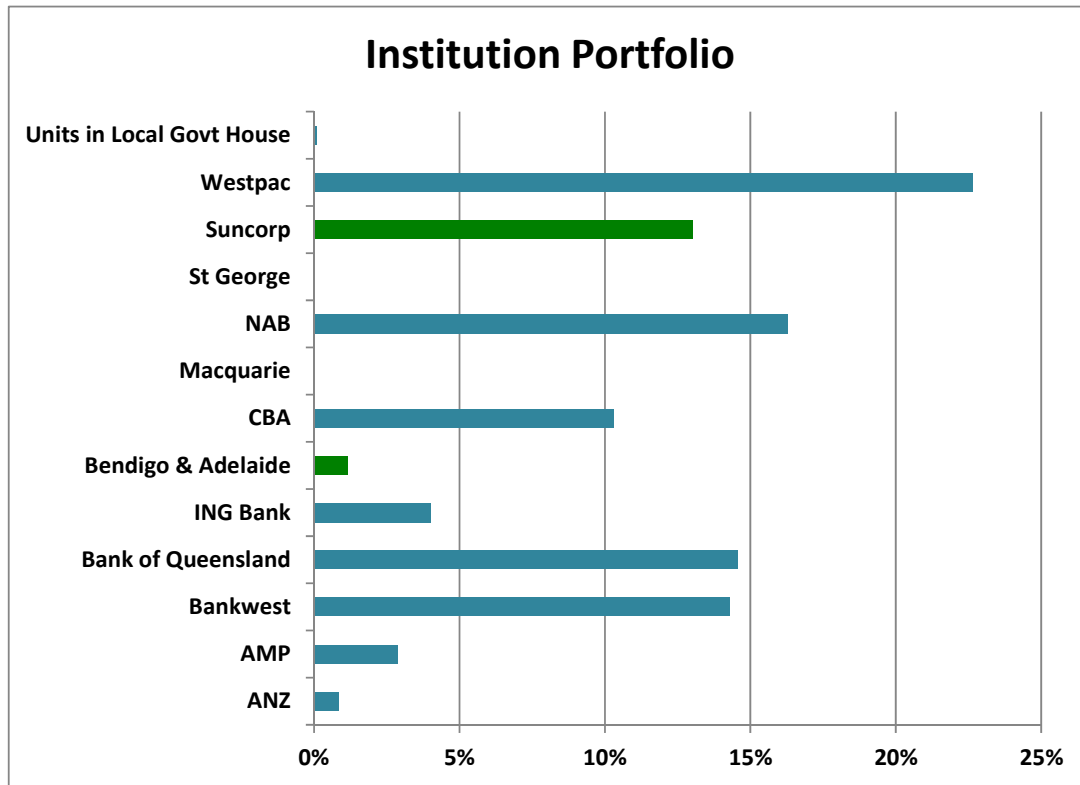
CITY OF MELVILLE	
STATEMENT OF INVESTMENTS	
FOR THE PERIOD ENDING 28 FEBRUARY 2018	
SUMMARY BY FUND	AMOUNT \$
MUNICIPAL	\$ 43,231,595
RESERVE	\$ 130,616,823
TRUST	\$ 1,039,611
CITIZEN RELIEF	\$ 212,868
	\$ 175,100,898
SUMMARY BY INVESTMENT TYPE	AMOUNT \$
11AM	\$ 6,034,210
31DAYS AT CALL	\$ 23,000,000
60DAYS AT CALL	\$ 2,000,000
90DAYS AT CALL	\$ 8,600,000
TERM DEPOSIT	\$ 135,312,020
UNITS (Local Govt Hse)	\$ 154,668
	\$ 175,100,898
SUMMARY BY CREDIT RATING	AMOUNT \$
AA-	\$ 110,646,230
A+	\$ 29,800,000
A	\$ -
A-	\$ 7,000,000
BBB+	\$ 27,500,000
UNITS (Local Govt Hse)	\$ 154,668
	\$ 175,100,898

C18/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2018 (REC)



DIVERSIFICATION RISK & GREEN INVESTMENTS									
INSTITUTION	INVESTMENT TYPE	S & P RATING	AMOUNT	\$	ACTUAL PROPORTION	INSTITUTION PROPORTION	MAX. % WITH ANY ONE INSTITUTION	NON FOSSIL FUEL	INVESTMENT WITH ADI WITH NON FOSSIL FUEL
ANZ BANK (TERM)	TERM	AA-	1,500,000		0.86%	0.86%	30%	No	
AMP BANK (TERM)	TERM	A+	5,000,000		2.86%	2.86%	25%	No	
BANKWEST (TERM)	TERM	AA-	25,000,000		14.28%	14.28%	30%	No	
BANK OF QUEENSLAND (TERM)	TERM	BBB+	25,500,000		14.56%	14.56%	15%	No	
BENDIGO AND ADELAIDE BANK (TERM)	TERM	BBB+	2,000,000		1.14%	1.14%	15%	Yes	2,000,000
COMMONWEALTH BANK (TERM)	TERM	AA-	18,000,000		10.28%	10.28%	30%	No	
ING BANK (TERM)	TERM	A-	7,000,000		4.00%				
ING BANK (FRTD)	FRTD	A-	-		0.00%	4.00%	25%	No	
MACQUARIE BANK (TERM)	TERM	A	-		0.00%	0.00%	25%	No	
NAB (TERM)	TERM	AA-	28,512,020		16.28%	16.28%	30%	No	
ST GEORGE BANK (TERM)	TERM	AA-	-		0.00%	0.00%	30%	No	
SUNCORP METWAY LTD (TERM)	TERM	A+	22,800,000		13.02%	13.02%	25%	Yes	22,800,000
WESTPAC (MAXI BONUS 1)	11AM	AA-	870,371		0.50%				
WESTPAC (MAXI BONUS 2)	11AM	AA-	1,046,579		0.60%				
WESTPAC (MAXI DIRECT)	11AM	AA-	4,117,260		2.35%				
WESTPAC (31DAYS AT CALL)	31DAYS AT CALL	AA-	23,000,000		13.14%				
WESTPAC (60DAYS AT CALL)	60DAYS AT CALL	AA-	2,000,000		1.14%				
WESTPAC (90DAYS AT CALL)	90DAYS AT CALL	AA-	8,600,000		4.91%				
WESTPAC (TERM)	TERM	AA-	-		0.00%	22.64%	30%	No	
UNITS IN LOCAL GOVT HOUSE	NA	NA	154,668		0.09%	0.09%		N/A	
			175,100,898		100%	100%			24,800,000
Total Non Fossil Fuel Lending ADI									14%

C18/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2018 (REC)



■ Non Fossil Fuel Authorised Deposit Taking Institutions. (ADI's)

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

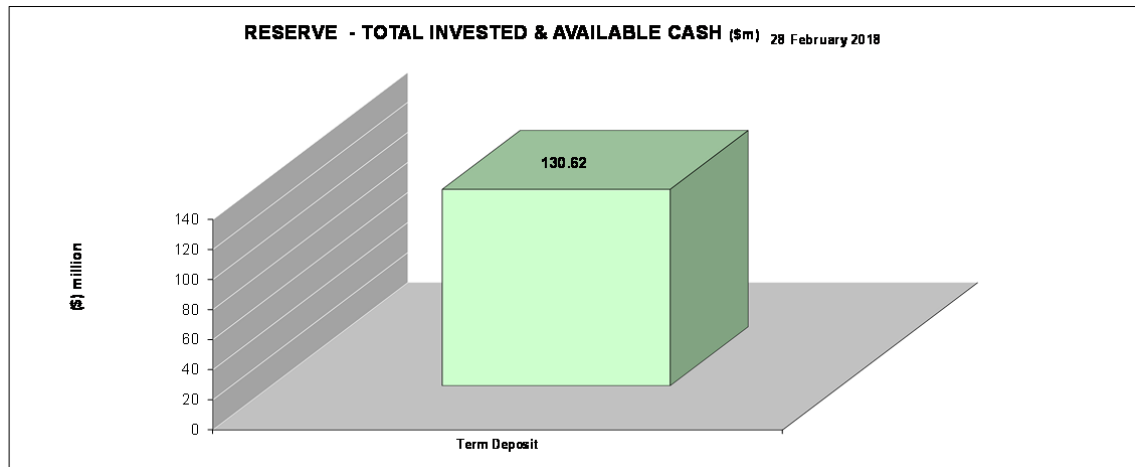
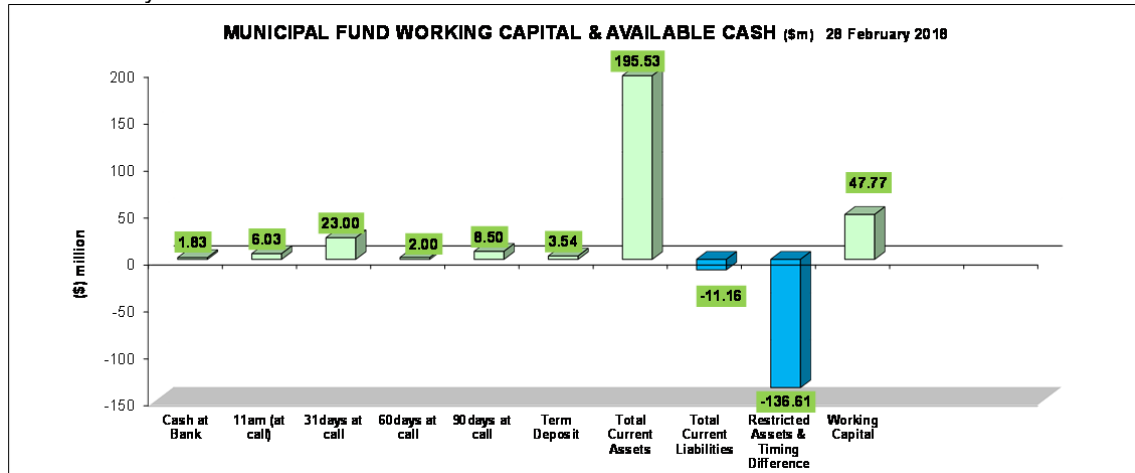
The total investment in authorised institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels, as at 28 February 2018 was \$24,800,000 or 14% of total investment holdings being in non-fossil fuels institutions. This compared to \$51,300,000 (29%) in January 2018. The amount of investment holdings in non-fossil fuels institutions decreased from January due to recent Bank of Queensland investment in fossil fuel institutions which resulted in the Bank no longer being able to be classified and a non-fossil fuel Authorised Deposit Taking Institution.

The total investment holding for January was \$175,099,355 and February was \$175,100,898.

C18/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2018 (REC)

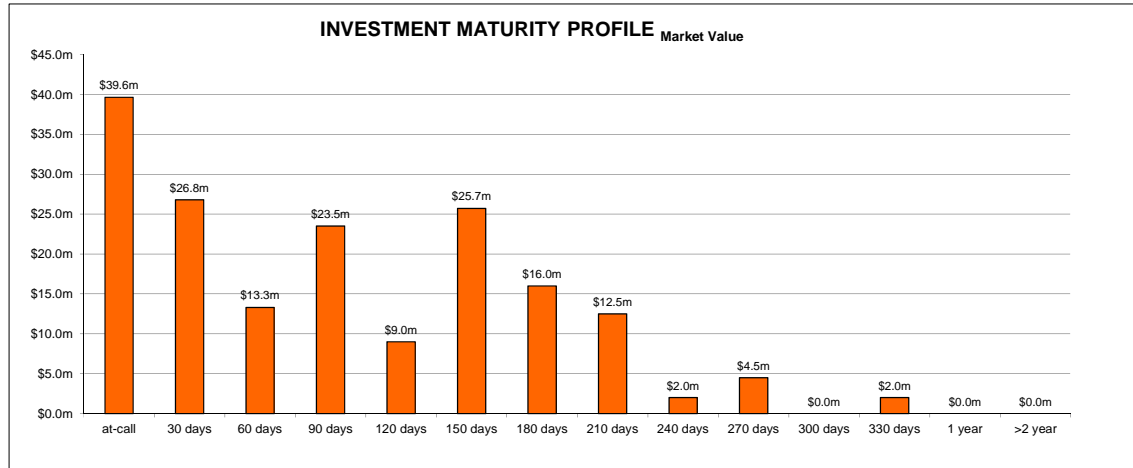
Net Funds Held

The graphs on the following page summarise the Municipal Fund working capital and available cash and the funds held in Cash Backed Specific Purpose Reserve Accounts as at 28 February 2018.



C18/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2018 (REC)

The graph below summarises the maturity profile of the City's investments at market value as at 28 February 2018.



STAKEHOLDER ENGAGEMENT

I. COMMUNITY

This report is available to the public on the City's web-site.

II. OTHER AGENCIES / CONSULTANTS

A wide range of suitably credit rated Authorised Deposit-taking Institutions (ADI's) were engaged with during the course of the month in respect to the placement and renewal of investments.

STATUTORY AND LEGAL IMPLICATIONS

The following legislation is relevant to this report:

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

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

Effective from 13 May 2017 the *Local Government (Financial Management) Regulations 1996* were amended (regulation 19C) to allow local governments to deposit funds for a fixed term of three years or less. The regulation previously only allowed for deposits of 12 months or less. Deposits of greater than one year may, depending on the shape of the yield curve, enable the City to achieve better investment returns.

C18/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2018 (REC)

FINANCIAL IMPLICATIONS

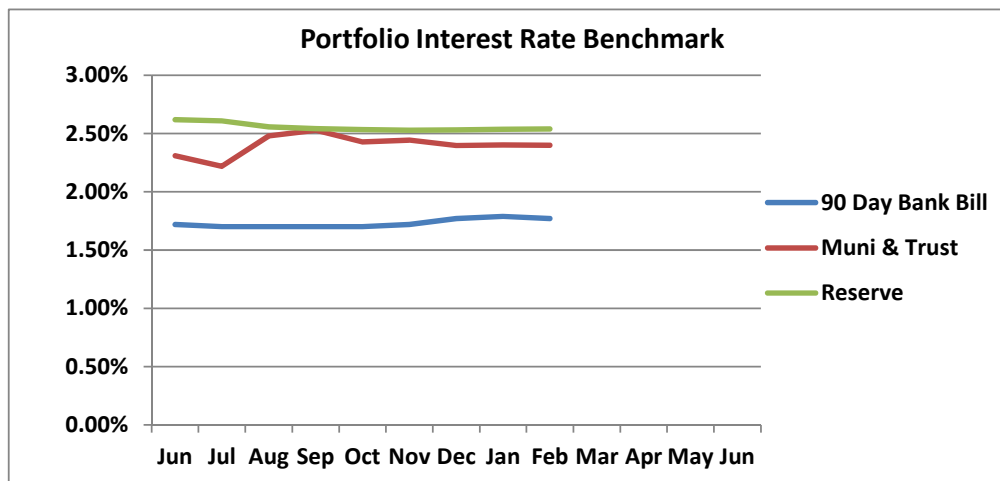
For the period ending 28 February 2018:

- Investment earnings on Municipal and Trust Funds were \$596,704 against a year to date budget of \$404,667 representing a \$192,037 positive variance.

The weighted average interest rate for Municipal and Trust Fund investments as at 28 February 2018 was 2.40% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.77%.

- Investment earnings on Reserve accounts were \$2,183,773 against a year to date budget of \$1,765,730 representing a \$418,043 positive variance.

The weighted average interest rate for Reserve account investments as at 28 February 2018 was 2.54% which compares favourably to the benchmark three month bank bill swap (BBSW) reference rate of 1.77%.



STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Strategic

The interest earned on invested funds assists in addressing the following key priority area identified in The City of Melville Corporate Business Plan 2016-2020.

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

Risk

The Council’s Investment of Funds Policy CP-009 was drafted so as to minimise credit risk through investing in highly rated securities and diversification. The Policy also incorporates mechanisms that protect the City’s investments from undue volatility risk as well as the risk to reputation as a result of investments that may be perceived as unsuitable by the Community.

C18/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2018 (REC)**Environmental**

When investing the City's funds, a deliberative preference will be made in favour of authorised institutions that respect the environment by not investing in fossil fuel industries. This preference will however, only be exercised after the foremost investment considerations of credit rating, risk diversification and interest rate return are fully satisfied.

POLICY IMPLICATIONS

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

Council Policy CP-030 – Environmental states that the “The City aims to prevent, manage and minimise environmental impacts associated with its activities, while conserving and enhancing the City's biodiversity and environmental quality, thereby maintaining and creating healthy surroundings for the community.” Whilst this Policy directly relates to the environmental impacts that relate to activities within the Cities boundaries and there is a tenuous link between the City's investment activities and lending to organisations producing fossil fuels, the City will, to the extent it can without putting invested funds at undue risk, direct its investments to financial institutions that do not lend to those organisations.

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report only presents information for noting.

CONCLUSION

The City's investment portfolio is invested in highly secure investments with a low level of risk yielding a weighted average rate of return of 2.40% to 2.54% which well exceeds the benchmark three month bank bill swap (BBSW) reference rate of 1.77%.

14% of the City's investment portfolio is invested in authorised deposit taking institutions that do not lend to industries engaged in the exploration for, or production of, fossil fuels. This compared to 29% in January 2018. The amount of investment holdings in non-fossil fuels institutions decreased from January due to recent Bank of Queensland investment in fossil fuel institutions.

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

C18/6000 - INVESTMENT STATEMENTS FOR FEBRUARY 2018 (REC)**OFFICER RECOMMENDATION (6000)****NOTING**

That the Council notes the Investment Report for the period ending 28 February 2018.

At 9.08pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (9/0)

**C18/6001 – SCHEDULE OF ACCOUNTS PAID FOR FEBRUARY 2018 (REC)
(ATTACHMENT)**

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

This report presents the details of payments made under delegated authority to suppliers for the month of February 2018 and recommends that the Schedule of Accounts Paid be noted.

**C18/6001 – SCHEDULE OF ACCOUNTS PAID FOR FEBRUARY 2018 (REC)
(ATTACHMENT)**

BACKGROUND

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

DETAIL

The Schedule of Accounts Paid for the period ending 28 February 2018 including Payment Registers numbers, Cheques 640 - 645 and Electronic Funds Transfers batches 493 - 496, Trust Payments, Card Payments and Payroll was distributed to the Elected Members of the Council on 30 March 2018. Payments for the period totalled \$8,864,465.54 for the Municipal Fund and \$38,729.76 for the Trust Fund whilst new investment transactions totalled \$4,000,000.00. Details of the payments are shown in attachment [6001 February 2018](#).

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

Supplier Name	Remittance Number	Remittance Details	Amount
Amcom Pty Ltd T/A Vocus Communication	E062091	Fibre services from November to February and data centre charges for February	\$36,966.26
Asphaltech Pty Ltd	E062100 & E062383	Road resurfacing at various sites	\$96,020.87
Axiis Contracting Pty Ltd	E062110 & E62392	Concrete works at various sites	\$128,807.57
City of Cockburn	E061954	Commercial waste tip fees for January 2018	\$34,897.23
DB Cunningham Pty Ltd	E062152 & E062427	Progress claim for construction of wetland drainage and foreshore revetment works	\$129,588.46
Denver Technology (Australia) Pty Ltd	E061921 & E062105	Infrastructure upgrade for software	\$49,856.50
Department of Fire & Emergency Services	E062090	ESL remittance for January 2018	\$1,216,351.87
Dickies Tree Service	E061955 & E062257	Tree lopping services	\$64,097.20
EMSO Maintenance T/A Crabclaw Holdings Pty Ltd	E062020 & E062314	Building maintenance	\$71,843.25
Flexi Staff	E061978 & E062278	Temporary employment	\$52,119.65
Fredon Air Pty Ltd	E062126 & E062409	Service and maintenance to air conditioners City wide	\$83,486.15
Hays Specialist Recruitment (Australia) Pty Ltd	E061920 & E062099 & E062382	Temporary employment	\$46,109.02
Hydroquip Pumps	E061983 & E062285	Irrigation pumps and repairs at various sites	\$50,314.77
Hyland Management & Contractors Pty Ltd	E062191 & E062452	Progress claims for refurbishment of Blue Gum Recreation Centre	\$60,001.16
Melville Toyota	E062010 & E062308	Purchase of Toyota Corolla Hybrid and service to vehicle	\$26,060.21
MG Group WA	E061923	Remedial works at Heathcote Playground	\$211,091.89
Murdoch University	E062108	Sponsorship for Music at Murdoch	\$33,000.00

**C18/6001 – SCHEDULE OF ACCOUNTS PAID FOR FEBRUARY 2018 (REC)
(ATTACHMENT)**

Supplier Name	Remittance Number	Remittance Details	Amount
Pearmans Electrical & Mechanical Services	E062073 & E062359	Electrical services	\$42,507.44
Quantum Building Services Pty Ltd	E062189 & E062450	Roof plumbing at various sites	\$35,696.17
Sandra Hill	Chq 068804	Purchase of artwork	\$32,604.00
Southern Metropolitan Regional Council	E062036 & E062326	Green waste, MRF and MSW gate fees for January and MSW gate fees for February	\$746,268.51
Synergy	E061977 & E062277	Electricity charges	\$412,246.52
Technology One Ltd	E062213 & E062480	Purchase of software for Financials	\$56,146.24
Titan Ford	E062001 & E062301	Purchase of Ford Ranger, servicing of vehicle and parts for vehicles	\$38,171.09
Tree Care WA Pty Ltd	E062200 & E062465	Tree lopping services	\$25,752.68
Tree Planting & Watering (ATF) Baroness Holdings Pty Ltd	E062098 & E062380	Street tree watering	\$112,659.39
Trident Plastics (SA) Pty Ltd	E062180	Purchase of bins	\$83,899.20
Water Corporation	Chq's 068727 & 068802	Water charges	\$52,191.84

Payroll

Supplier Name	Remittance Number	Remittance Details	Amount
Various Banking Institutions	Direct Bank Transfers 07/02/2018 & 21/02/2018	Payment of salaries and wages to City employees net of tax and deduction for pays 16 and 17.	\$2,120,098.56
Australian Taxation Office	Direct Bank Transfers 07/02/2018 & 21/02/2018	Pay as You-Go taxation and other deductions from employee payroll for pays 16 and 17.	\$649,264.00
Creditors and Advances	Direct Bank Transfers 07/02/2018 & 21/02/2018	Payment of superannuation, union membership, council rates, vehicle deductions, Centrelink, etc. for pays 16 and 17.	\$507,255.64
Total			\$3,276,618.20

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

**C18/6001 – SCHEDULE OF ACCOUNTS PAID FOR FEBRUARY 2018 (REC)
(ATTACHMENT)****STATUTORY AND LEGAL IMPLICATIONS**

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

FINANCIAL IMPLICATIONS

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

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

ALTERNATE OPTIONS AND THEIR IMPLICATIONS

Not applicable as this report presents information for noting only.

CONCLUSION

Payments for the period totalled \$8,864,465.54 for the Municipal Fund and \$38,729.76 for the Trust Fund whilst new investment transactions totalled \$4,000,000.00.

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

OFFICER RECOMMENDATION (6001)**NOTING**

That the Council notes the Schedule of Accounts paid for the period ending 28 February 2018 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in attachment [6001 February 2018](#).

At 9.08pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (9/0)

C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 2018 (REC)
(ATTACHMENTS)

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

AUTHORITY / DISCRETION

DEFINITION

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

KEY ISSUES / SUMMARY

<p>This report presents:</p> <ul style="list-style-type: none"> • The Statements of Financial Activity by Program, Sub-Program and Nature and Type, for the period ending 28 February 2018 and recommends that they be noted by the Council. • The variances for the month of February 2018 and recommends that they be noted by the Council. • There are no budget amendments in February 2018 due to the mid-year budget review being undertaken.
--

**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 2018 (REC)
(ATTACHMENTS)**
BACKGROUND

The Statements of Financial Activity for the period ending 28 February 2018 have been prepared and tabled in accordance with the *Local Government (Financial Management) Regulations 1996*.

DETAIL

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

1. Rate Setting Statement by Program, which provides details on the Program classifications,
2. Rate Setting Statement by Sub-Program, which provides further details on the Program classifications and,
3. Statement of Financial Activity by Nature and Type, which provides details on the various categories of income and expenditure.

Variances

CITY OF MELVILLE EXTRACT OF RATE SETTING STATEMENT FOR VARIANCE IN EXCESS OF \$50,000 for the Period 1 July 2017 to 28 February 2018							
	<i>February</i> Actual \$	YTD Rev. Budget \$	YTD Actual \$	Variance \$	Variance %	Annual Budget \$	Annual Rev. Budget \$
OPERATING ACTIVITIES							
Revenue from operating activities (excluding rates and non-operating grant, subsidies and contributions)							
General Purpose Funding	722,324	6,886,640	7,685,967	799,327	12%	10,206,355	10,230,195
Law, Order, Public Safety	19,403	2,499,732	2,599,881	100,150	4%	2,640,836	2,702,906
Recreation and Culture	665,355	5,674,196	5,528,842	(145,355)	-3%	8,570,847	8,582,847
Economic Services	151,152	1,935,045	2,388,469	453,425	23%	2,613,767	2,613,767
Other Property and Services	88,120	2,038,238	265,799	(1,772,439)	-87%	1,881,450	2,235,250
	1,961,265	23,475,153	22,946,380	(528,773)		31,450,827	32,109,712
Expenditure from operating activities							
Governance	(313,471)	(3,465,213)	(3,046,912)	418,300	-12%	(5,263,277)	(5,424,286)
Law, Order, Public Safety	(307,573)	(2,743,997)	(2,594,319)	149,678	-5%	(4,118,059)	(4,192,789)
Health	(80,345)	(774,982)	(704,325)	70,657	-9%	(1,168,492)	(1,153,320)
Education & Welfare	(214,496)	(1,829,061)	(1,699,766)	129,295	-7%	(2,729,585)	(2,731,679)
Community Amenities	(1,503,402)	(17,038,762)	(15,697,121)	1,341,641	-8%	(24,667,337)	(25,933,609)
Recreation and Culture	(2,438,878)	(20,170,083)	(18,769,477)	1,400,606	-7%	(29,988,278)	(30,010,780)
Transport	(1,453,255)	(11,542,153)	(10,963,495)	578,658	-5%	(17,725,955)	(17,728,708)
Economic Services	(203,190)	(1,648,601)	(1,721,512)	(72,911)	4%	(2,390,021)	(2,403,060)
Other Property and Services	(448,682)	(6,661,588)	(4,793,688)	1,867,900	-28%	(10,369,279)	(11,411,788)
	(7,006,914)	(66,465,613)	(60,613,218)	5,852,395		(101,719,144)	(104,285,108)
Investing Activities							
Non-operating grants, subsidies and contributions	3,500	1,682,900	1,289,312	(393,588)		2,236,267	3,086,900
Proceeds from Disposal of Assets	17,095	1,731,023	1,816,167	85,144	5%	2,158,950	2,512,750
Purchase of Furniture & Equipment	(236,509)	(1,763,929)	(1,063,556)	700,373	-40%	(2,173,668)	(3,447,606)
Purchase of Plant & Equipment	(56,849)	(796,670)	(722,786)	73,884	-9%	(2,235,727)	(3,699,470)
Purchase of Land & Buildings	(181,212)	(2,517,070)	(1,585,528)	931,542	-37%	(12,992,772)	(20,369,234)
Purchase of Infrastructure Assets	(743,427)	(9,857,226)	(7,390,950)	2,466,276	-25%	(17,552,829)	(24,260,466)

**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 2018 (REC)
(ATTACHMENTS)**

A more detailed summary of variances and comments based on the Rate Setting Statement by Sub-Program is provided in attachments [6002C Sub Program February 2018](#) and [6002H February 2018](#).

Revenue

\$85.49 million in Rates was raised to 28 February 2018, compared to \$82.55 million being \$2.94m or 3.6% more than for the same reporting period last year. This is compared with a revised year to date budget of \$85.30 million, resulting in a positive variance of \$195,340 (0.2%). This variance has arisen out of additional commercial gross rental values being applied to commercial properties that had not been received when rates modelling was conducted during the development of the 2017-2018 budget, resulting in additional commercial rates income.

Money Expended in an Emergency and Unbudgeted Expenditure

Not applicable for February 2018.

Budget Amendments

There were no Budget Amendments processed for the month of February 2018 due to the mid-year budget review being in progress.

Rates Debtors

Rates, Refuse, Fire and Emergency Service Authority and Underground Power payments totalling \$4,323,752 were collected over the course of the month. Rates collection progress for the month of February is 0.2% below the target of 87%. This represents a dollar value of \$218,950. As at 28 February 86.8% of 2017-2018 rates, including prior year arrears had been collected and an equal amount of 86.8% collected for the same time last year. Rates collection for 2017-2018 excluding prior year rate arrears is 89.5%.

Total sundry debtor balances decreased by \$70,773 over the course of the month from \$657,849 to \$587,076. The 90+ day's debtor balance decreased by \$31,356 from \$179,186 to \$147,830.

Granting of concession or writing off debts owed to the City

Delegation DA-032 empowers the Chief Executive Officer (CEO) to grant concessions and write off monies owing to the City to a limit of \$10,000 for any one item. The CEO has partially on-delegated this to the Director Corporate Services to write off debts or grant concessions to a value of \$5,000.

There were no debts written off for the month of February 2018.

**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 2018 (REC)
(ATTACHMENTS)**

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

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – February 2018	6002A Nature Type February 2018
Rate Setting Statement by Program – February 2018	6002B Program February 2018
Rate Setting Statement by Sub-Program – February 2018	6002C Sub Program February 2018
Representation of Net Working Capital – February 2018	6002E February 2018
Reconciliation of Net Working Capital – February 2018	6002F February 2018
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – February 2018	6002H February 2018
Details of Budget Amendments requested – February 2018	N/A
Summary of Rates Debtors – February 2018	6002L February 2018
Graph Showing Rates Collections – February 2018	6002M February 2018
Summary of General Debtors aged 90 Days Old or Greater – February 2018	6002 February 2018

STAKEHOLDER ENGAGEMENT

I. COMMUNITY

Not applicable.

II. OTHER AGENCIES / CONSULTANTS

Not applicable.

STATUTORY AND LEGAL IMPLICATIONS

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

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

**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 2018 (REC)
(ATTACHMENTS)****34. Financial activity statement report — s. 6.4**

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

(a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);

(b) budget estimates to the end of the month to which the statement relates;

(c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;

(d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and

(e) the net current assets at the end of the month to which the statement relates.

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

(a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;

(b) an explanation of each of the material variances referred to in subregulation (1)(d); and

(c) such other supporting information as is considered relevant by the local government.

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

(a) according to nature and type classification; or

(b) by program; or

(c) by business unit.

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

(a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and

(b) recorded in the minutes of the meeting at which it is presented.

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

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

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

FINANCIAL IMPLICATIONS**Variations**

Variations are detailed and explained in attachment [6002H February 2018](#) (Notes on Statement of Variations in excess of \$50,000 by Sub-Program).

**C18/6002 – STATEMENTS OF FINANCIAL ACTIVITY FOR FEBRUARY 2018 (REC)
(ATTACHMENTS)**

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

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

POLICY IMPLICATIONS

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

CONCLUSION

The attached financial reports reflect a positive financial position of the City of Melville as at 28 February 2018.

OFFICER RECOMMENDATION (6002)

NOTING

That the Council:

Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 28 February 2018 as detailed in the following attachments:

DESCRIPTION	LINK
Statement of Financial Activity By Nature and Type – February 2018	6002A Nature Type February 2018
Rate Setting Statement by Program – February 2018	6002B Program February 2018
Rate Setting Statement by Sub-Program – February 2018	6002C Sub Program February 2018
Representation of Net Working Capital – February 2018	6002E February 2018
Reconciliation of Net Working Capital – February 2018	6002F February 2018
Notes on Rate Setting Statement reporting on variances of 10% or \$50,000 whichever is greater – February 2018	6002H February 2018
Details of Budget Amendments requested – February 2018	N/A
Summary of Rates Debtors – February 2018	6002L February 2018
Graph Showing Rates Collections – February 2018	6002M February 2018
Summary of General Debtors aged 90 Days Old or Greater – February 2018	6002N February 2018

At 9.08pm the Mayor submitted the motion, which was declared

CARRIED EN BLOC (9/0)

15. EN BLOC ITEMS

At 9:08pm Cr Robartson moved, seconded Cr Wieland –

That the recommendations for items M18/5000, C18/6000, C18/6001, C18/6002 and C18/6158 be carried En Bloc.

At 9:08pm the Mayor submitted the motion, which was declared

CARRIED (9/0)

16. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**16.1 Online Governance and Accountability Portal**

At 9.08pm Cr Barling withdrew this Notice of Motion, to enable him to obtain further information from officers.

That the Council:

- 1) Requests the Chief Executive Officer to create a dedicated page on the City of Melville website to act as a Governance and Accountability Portal.**
- 2) For the portal to contain the following information to residents and ratepayers:**
 - Mayor and Councillor sitting fees, allowances and meeting attendances backdated to November 2017;**
 - A register of Financial, Proximity and Impartiality Interests as disclosed by Elected Members at Council meetings backdated to November 2017;**
 - The Online Gift and Contribution to Travel register that already exists on its own dedicated web page.**

17. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

18. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

19. CLOSURE

The Mayor acknowledged the attendance of WALGA representatives Mr T Brown, Mr J McGovern and Ms E Kania.

There being no further business to discuss, the Mayor declared the meeting closed at 9.09pm.