

**NOTES**

**AGENDA BRIEFING FORUM**

**HELD ON**

**TUESDAY 5 FEBRUARY 2019**

**COMMENCING AT 6.30PM**

**AT THE MELVILLE CIVIC CENTRE**

**2<sup>ND</sup> FLOOR IN THE COUNCIL CHAMBERS**

**10 ALMONDBURY ROAD, BOORAGOON**

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**DISTRIBUTED: 8 February 2019**

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**Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre,  
10 Almondbury Road, Booragoon on Tuesday 5 February 2019, commencing at 6.30pm.**

**AGENDA BRIEFING FORUM**

**1. OPENING**

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:30pm. Mr J Clark, Governance and Compliance Advisor read aloud the Disclaimer and the Purpose of the Agenda Briefing Forum and then the Mayor advised that the meeting was being recorded for minute taking purposes and read aloud the following Affirmation of Civic Duty and Responsibility.

***Purpose of Agenda Briefing Forum***

The purpose of this Forum is to provide an opportunity for Elected Members to ask questions and obtain additional information in respect to reports and items on the attached Council Agenda. It is not a decision making forum, nor is it open for debate on matters. Members of the public are able to make submissions or present deputations in respect to matters on the draft Council Agenda at this Forum, prior to matters being formally deliberated upon at the next Ordinary Council Meeting.

***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. ELECTED MEMBERS PRESENT**

His Worship the Mayor Russell Aubrey

Cr T Barling, Deputy Mayor	Bateman – Kardinya – Murdoch Ward
Cr N Robins	Bateman – Kardinya – Murdoch Ward
Cr C Robartson	Bull Creek-Leeming Ward
Cr N Pazolli, Cr S Kepert,	Applecross – Mount Pleasant Ward
Cr J Barton	Bicton – Attadale – Alfred Cove
Cr D Macphail	Central Ward
Cr K Wheatland; Cr Phelan	Palmyra – Melville – Willagee Ward

**3. IN ATTENDANCE**

Mr M Tieleman	Chief Executive Officer
Ms B Dawkins	A/Director Community Development
Mr S Cope	Director Urban Planning
Mr M McCarthy	Director Technical Services
Ms K Johnson	A/Director Corporate Services
Mr L Hitchcock	Executive Manager Governance and Legal Services
Mr G Ponton ( <i>until 8:01pm</i> )	Manager Strategic Urban Planning
Mr J Rae	Strategic Land and Property Executive
Mr P Prendergast ( <i>until 8:01pm</i> )	Manager Urban Planning
Ms M Rea ( <i>until 8:01pm</i> )	Planning Officer
Mr J Clark	Governance and Compliance Advisor
Ms C Newman	Governance Coordinator
Ms T Wright	Governance Officer

At the commencement of the meeting there were five members of the public and one representative from the Press in the Public Gallery.

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

Cr K Mair	Central Ward
Cr M Woodall	Bull Creek-Leeming Ward

**4.2 APPROVED LEAVE OF ABSENCE**

Cr G Wieland	Bicton-Attadale-Alfred Cove
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**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. PUBLIC QUESTIONS**

Nil.

**7. DISCLOSURE OF INTEREST**

M19/5000 – Marten Tieleman, Chief Executive Officer – Financial Interest regarding register reference CS2083 – Contract Variation

**8. DEPUTATIONS**

Mr C Ross, Applecross  
Item M19/5663 – General Meeting of Electors held 5 December 2018, Motions Carried

**9. BUSINESS**

## **PROCEDURE FOR AGENDA BRIEFING FORUMS**

### **PRINCIPLES**

The Agenda Briefing Forum which occurs two weeks prior to the Council meeting provides an opportunity for Elected Members to ask questions and clarify issues relevant to the specific agenda items before Council. The briefing is not a decision-making forum and the Council has no power to make decisions in the Forum.

In order to ensure full transparency, the meetings will be open to the public to observe the process. Where matters are of a confidential nature, they will be deferred to the conclusion of the briefing and at that point the briefing session is closed to the public. The reports provided are the officers' professional opinions. While it is acknowledged that Members may raise issues that have not been considered in the formulation of the report and recommendation, it is a basic principle that as part of the briefing sessions Elected Members cannot direct officers to change their reports or recommendations.

### **PROCESS**

The Agenda Briefing Forum will commence at 6.30pm in accordance with the Schedule of Public Meetings (except January). It will be chaired by His Worship the Mayor or in his absence, the Deputy Mayor or in his/her absence the immediate past serving Deputy Mayor. In the absence of all, Elected Members will elect a Presiding Member from amongst those present. In general, Meeting Procedures Local Law will apply, except that Members may speak more than once on any item and there is no moving or seconding of items.

Where an interest is involved in relation to an item, the same procedure which applies to Ordinary Meeting of Council will apply. It is a breach of the Meeting Procedures Local Law for an interest to not be declared. The briefing will consider items on the agenda only and proceed to deal with each item as they appear. The process will be for the Presiding Member to call each item number in sequence and ask for questions. Where there are no questions regarding the item, the briefing will proceed to the next item.

### **AGENDA CONTENTS**

While every endeavour is made to ensure that all items to be presented to Council at the formal Council meeting are included in the Agenda Briefing Forum, it should be noted that there will be occasions when, due to necessity, items will not be ready in time for the forum session and will go straight to the Council agenda as a matter for decision. Further, there will be occasions when items are tabled at the briefing rather than the full report being provided in advance. In these instances, staff will endeavour to include the item on the agenda as a late item.

### **AGENDA DISTRIBUTION**

The agenda will be distributed to Elected Members on the Friday prior to the Agenda Briefing Forum and made available on the City of Melville Website [www.melvillecity.com.au/agendas](http://www.melvillecity.com.au/agendas) Spare agendas will be available at the Agenda Briefing Forum for interested members of the public.

## **DEPUTATIONS**

Deputations may be heard prior to the commencement of an item.

The following guidelines have been prepared to assist groups who have requested or been invited to a Council Meeting, Agenda Briefing Forum or Committee Meeting to present a submission.

A deputation must relate to a report on the meeting agenda.

- (a) Notice of a request for deputation must be in writing and include the name, office and contact details of members of the deputation and be forwarded to the Chief Executive Officer by either **Mail** at Locked Bag 1, Booragoon WA 6954, **Email** at [deputations@melville.wa.gov.au](mailto:deputations@melville.wa.gov.au) or **Fax** on 9364 0285 by 9.00am on the Monday prior to the meeting.
- (b) The request should be received at least two working days before the meeting and a response will be given by the Governance and Compliance Advisor (G&CA). If approved, the G&CA will respond to the email and include as attachments the "Guidelines and Protocols" document and the "purpose of the Agenda Briefing Forum".
- (c) A deputation may comprise a maximum of three people of which only two may speak.
- (d) An outline of the points to be made in addressing the Council, Agenda Briefing Forum or the Committee must be submitted in writing by 9.00am on Monday prior to the meeting.
- (e) The person/s requesting the deputation will be required to advise the main points they wish to make in a given time of 10 minutes (dot points are fine).
- (f) The representatives of the deputation will be met in the Council Chamber of the Civic Centre by a Council Officer 10 minutes prior to the commencement of the meeting.
- (g) Hardcopies of the presentation will be required if a copy of the presentation is to be distributed to Elected Members and staff (20 copies).
- (h) The Presiding Member will ask the leader of the deputation to present the submission on behalf of the group. The leader of the deputation may call on one other member of the deputation to assist.
- (i) The deputation period, including the time allowed for the questions and answers from members of the committee, should not exceed 15 minutes, of which 10 minutes is for the presentation and five minutes is for question time, unless the Council grants an extension of time.
- (j) The Presiding Member has discretion to permit a deputation to present a submission under other circumstances.

## **RECORD OF BRIEFING**

The formal record of the briefing session will be limited to notes regarding any agreed action to be taken by Staff or Elected Members. No recommendations will be included.

## **DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995**

### **Members' interests in matters to be discussed at meetings to be disclosed**

**S.5.65** A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) In a written notice given to the CEO before the meeting; or
- (b) At the meeting immediately before the matter is discussed.

Penalty: \$10,000 or imprisonment for 2 years.

### **Meeting to be informed of disclosures**

**S.5.66** If a member has disclosed an interest in a written notice given to the CEO before a meeting then -

- (a) Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before the matters to which the disclosure relates are discussed.

### **Disclosing members not to participate in meetings**

**S.5.67** A member who makes a disclosure under Section 5.65 must not -

- (a) Preside at the part of the meeting relating to the matter; or
- (b) Participate in, or be present during, any discussion or decision making procedure relating to the matter,

Unless, and to the extent that, the disclosing member is allowed to do so under Section 5.68 or 5.69.

Penalty: \$10,000 or imprisonment for 2 years.

**Please refer to your Handbook for definitions of interests and other detail.**

**9. AGENDA ITEMS FOR PRESENTATION**

At 6:35pm the Mayor brought forward item M19/5663 General Meeting of Electors held 5 December 2018, Motions Carried, for the convenience of the public gallery.

*At 6:35pm Mr Ross entered the Chambers.*

<b>M19/5663</b>	<b>General Meeting of Electors held 5 December 2018, Motions Carried</b>
	<p><b>OFFICER PRESENTATION</b> Corrine Newman – Governance Coordinator</p> <p><b>DEPUTATION/PRESENTATION/S</b> At 6:36pm Mr C Ross commenced a presentation in relation to motion 2 of the item, and concluded at 6:56pm.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding motion 2 of the item and associated officer recommendation.</p> <p>At the request of Elected Members the CEO undertook to provide the following information in the Elected Member Bulletin:</p> <ul style="list-style-type: none"> <li>• A copy of the Western Australian Residents and Ratepayers Association (WARRA) rules.</li> <li>• Services provided by the Western Australian Local Government Association (WALGA) relating to the fees paid by the City of Melville;</li> <li>• Resolutions from the Cities of Subiaco, Wanneroo and Joondalup in relation to payments to WARRA.</li> <li>• Information on how WALGA calculate the yearly fees paid by City of Melville.</li> </ul>

*At 6.56pm Mr Ross left the Chambers.*

<b>P19/3795</b>	<b>John Connell Reserve Redevelopment Project Partnering Opportunity with LandCorp – Memorandum of Understanding</b>
	<p>As this item has a confidential attachment, it was deferred for discussion to enable the meeting to be closed to the public</p> <p>(See page 14)</p>

<b>P19/3802</b>	<b>Response to Request for a Higher Density Coding at Bolger Place, Booragoon</b>
	<p><b>OFFICER PRESENTATION</b> Gavin Ponton – Manager Strategic Urban Planning</p> <p><b>DEPUTATION/PRESENTATION/S</b> Mr Ponton commenced a presentation at 7:06pm, which concluded at 7:20pm.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

<b>P19/3803</b>	<b>Local Planning Policy 4.5 Carawatha Development Design Guidelines</b>
	<p><b>OFFICER PRESENTATION</b> Peter Prendergast – Manager Statutory Planning Madison Rea – Planning Officer</p> <p><b>DEPUTATION/PRESENTATION/S</b> Mr Prendergast and Ms Rea commenced a presentation at 7:21pm, which concluded at 8:01pm.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p> <p>The Chief Executive Officer confirmed that a briefing would be set up for Elected Members to attend a meeting to seek clarification on the presentation, design guidelines and policy impacting the development.</p>

*At 8:01pm Mr P Prendergast left the meeting and did not return.*

*At 8:01pm Ms M Rae left the meeting and did not return.*

*At 8:01pm Mr G Ponton left the meeting and did not return.*

<b>M19/5662</b>	<b>City of Melville Local Government Elections 2019</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Jeff Clark – Governance and Compliance Advisor</p> <p><b>DEPUTATION/PRESENTATION/S</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>M19/5663</b>	<b>General Meeting of Electors held 5 December 2018, Motions Carried</b>
	<p><b>OFFICER PRESENTATION</b> Corrine Newman – Governance Coordinator</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding on item and the officer recommendation, with the exception of motion 2 discussed earlier (see page 8).</p>

*Cr Phelan left the meeting at 8:03pm and returned at 8:05pm.*

*Cr Wheatland left the meeting at 8:07pm and returned at 8:09pm*

<b>M19/5664</b>	<b>Policy Review Management Services</b>
	<p><b>OFFICER PRESENTATION</b> Corrine Newman – Governance Coordinator</p> <p><b>DEPUTATION/PRESENTATION/S</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

*At 8:14pm Mr J Rae left the Chambers and returned at 8:17pm.*

Disclosure of Interest

Staff	Mr M Tieleman
Type of Interest	Financial Interest
Nature of Interest	Register reference CS2083 relates to employment contract
Request	Stay and observe
Decision	Stay and observe

<b>M19/5000</b>	<b>Common Seal Register</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Jeff Clark – Governance and Compliance Advisor</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Marten Tieleman, Chief Executive Officer – Financial Interest regarding register reference CS2083 – Contract Variation</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C19/6000-1</b>	<b>Investment Statements for November 2018</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Kylie Johnson – A/Director Corporate Services</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C19/6000-2</b>	<b>Investment Statements for December 2018</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Kylie Johnson – A/Director Corporate Services</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C19/6001-1</b>	<b>Schedule of Accounts Paid November 2018</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Kylie Johnson – A/Director Corporate Services</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C19/6001-2</b>	<b>Schedule of Accounts Paid December 2018</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Kylie Johnson – A/Director Corporate Services</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C19/6002-1</b>	<b>Statements of Financial Activity for November 2018</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Kylie Johnson – A/Director Corporate Services</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C19/6002-2</b>	<b>Statements of Financial Activity for December 2018</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Kylie Johnson – A/Director Corporate Services</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

At 8:19pm Cr Wheatland moved, seconded Cr Barling –

**That the meeting be closed to the public to permit discussion on a confidential matter (Item P19/3795 – Confidential Item - John Connell Reserve Redevelopment Project Opportunity with LandCorp – Memorandum of Understanding) covered under section 5.23 (2) (c) of the Local Government Act 1995.**

At 8:19pm the Mayor submitted the motion, which was declared.

**CARRIED**

*At 8:19pm Cr Wheatland left the Chambers and returned at 8:22pm.*

<b>P19/3795</b>	<b>John Connell Reserve Redevelopment Project Partnering Opportunity with LandCorp – Memorandum of Understanding</b>
	<p><b>OFFICER PRESENTATION</b> Jeremy Rae – Strategic Property Executive</p> <p><b>DEPUTATION/PRESENTATION/S</b> At 8:20pm Mr J Rae commenced a presentation, which was concluded at 8:34pm.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

At 8:34pm Cr Wheatland moved, seconded Cr Kepert-

**That the meeting come out from behind closed doors and the public be invited back into the meeting.**

At 8:34pm the Mayor submitted the motion, which was declared.

**CARRIED**

No members of the public returned.

## **10. CLOSURE**

There being no further business to be discussed, His Worship the Mayor declared the meeting closed at 8:35pm.