

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 3 MARCH 2020
COMMENCING AT 6.38PM
AT THE MELVILLE CIVIC CENTRE
2ND FLOOR IN THE COUNCIL CHAMBERS
10 ALMONDBURY ROAD, BOORAGOON**

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DISTRIBUTED: 6 MARCH 2020

CONTENTS PAGE

	Item Description	Page Number
URBAN PLANNING		
P20/3838	Request for Scheme Amendment - Higher Density Coding at Kintail Road, Applecross	10
P20/3841	Six Multiple Dwellings at Lot 235 (5) Grimsay Road, Ardross WA 6153 (Item Brought Forward)	11
P20/3840	Review of Local Planning Policy 1.1 'Planning Process and Decision Making'	12
COMMUNITY DEVELOPMENT		
CD20/8125	Tompkins Park Redevelopment Review (Item Brought Forward)	13
TECHNICAL SERVICES		
T20/3842	Technical Services Policy Review	14
MANAGEMENT SERVICES		
M20/5724	Delegation of Authority to Appoint Approved and Authorised Officers for the Purposes of the Criminal Procedure Act 2004	14
M20/5734	Annual General Meeting of Electors held 3 February 2020, Motions Carried	15
CORPORATE SERVICES		
C20/6173	2019-2020 Mid Year Budget Review	16
C20/6000	Investment Statement for January 2020	16
C20/6001	Schedule of Accounts Paid for January 2020	17
C20/6002	Statements of Financial Activity for January 2020	17



**Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre,
10 Almondbury Road, Booragoon on Tuesday 3 MARCH 2020, 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 6:38pm.

COUNCIL RESOLUTION

At 6:38pm Cr Mair moved, seconded Cr Kepert –

That the Council, in accordance with Council Policy CP-088 Creation, Access and Retention of Audio Recordings of Public Meetings of the Council, resolve that the Agenda Briefing Forum of 3 March 2020 not be audio recorded due to technical issues with the audio equipment.

At 6:38pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

Mr B Taylor, Manager Governance and Property to read aloud the Disclaimer and the Purpose of the Agenda Briefing Forum and then the Mayor 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 conduct of this forum.

2. ELECTED MEMBERS PRESENT

Mayor Honourable G Gear

COUNCILLORS

Cr N Pazolli (Deputy Mayor)
Cr S Kepert
Cr D Macphail, Cr N Robins
Cr C Robartson, Cr M Woodall
Cr G Barber, Cr J Barton
Cr K Mair, Cr M Sandford
Cr T Fitzgerald

WARD

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

3. IN ATTENDANCE

Mr M Tieleman	Chief Executive Officer
Mr S Cope	Director Urban Planning
Ms C Young	Director Community Development
Mr M McCarthy	Director Technical Services
Mr A Ferris	Director Corporate Services
Ms P Venter (<i>left at 9:01pm</i>)	Strategic Urban Planner
Mr P Prendergast (<i>left at 9:01pm</i>)	Manager Statutory Planning
Ms R Tu (<i>left at 9:01pm</i>)	Planning Officer
Ms K Brosztl (<i>left at 10:03pm</i>)	Manager Engineering
Mr J Bird (<i>left at 10:03pm</i>)	Manager Natural Areas and Parks
Ms J Ahola (<i>left at 10:03pm</i>)	Landscape Architect Coordinator
Mr T Cahoon (<i>left at 9:43pm</i>)	Manager Healthy Melville
Mr P de Lang (<i>left at 9:43pm</i>)	Healthy Melville Coordinator
Ms D Whyte (<i>left at 10:09pm</i>)	Manager Financial Services
Ms A Hill (<i>left at 10:04pm</i>)	Governance Project Officer
Mr B Taylor	Manager Governance and Property
Ms C Newman	Governance Coordinator
Ms T Wright	Governance Officer

At the commencement of the meeting there were 13 members of the public and one representative from the Press in the Public Gallery.

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

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Cr K Wheatland

Palmyra – Melville – Willagee

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. DISCLOSURE OF INTEREST

- Cr Macphail - Item M20/5734 - Annual General Meeting of Electors held 3 February 2020, Motions 1, 2 and 3 Carried - Impartiality Interest.
- Cr Macphail - Item M20/5734 - Annual General Meeting of Electors held 3 February 2020, Motion 4 Carried - Impartiality Interest.
- Cr Woodall – Item P20/3838 – Request for Scheme Amendment – Higher Density Coding at Kintail Road, Applecross – Proximity Interest

7. QUESTIONS**7.1 City of Melville Residents and Ratepayers Association Inc**Question 1

Why aren't the answers to the questions taken on notice at last month's OMC not included in the 17 March OMC agenda so that Elected Members can ask questions if required?

Response

Responses to questions taken on notice are included in the minutes of the meetings as required by legislation. Finalisation of minutes from one meeting and preparation of the agenda for the next meeting often happen simultaneously and this does not provide the opportunity for research and response to questions taken on notice to be included.

Question 2

When and how will the City respond to clarification sought on the City's responses to questions asked at last month's OMC; what can you include these clarifications sought in the 17 March OMC agenda as per question 1 above?

Response

Officers are currently working through the responses to all questions taken on notice at the 18 February 2020 Ordinary Meeting of Council, with the intention that responses will be provided at the Ordinary Meeting of Council to be held 17 March 2020.

8. DEPUTATIONS

- 8.1 Mr J Page of Kardinya, Mr Hill of Applecross**
P20/3838 – Request for Scheme Amendment – Higher Density Coding at Kintail Road, Applecross

- 8.2 Mr C Famiano representing CF Town Planning & Development, Malaga**
P20/3841 – Six Multiple Dwellings at Lot 235 (5) Grimsay Road, Ardross

- 8.3 Mr J Obszanski of Ardross and Ms L Savill of Ardross.**
P20/3841 – Six Multiple Dwellings at Lot 235 (5) Grimsay Road, Ardross

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. 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 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

Disclosure of Interest

Member	Cr Woodall
Type of Interest	Proximity Interest
Nature of Interest	Parents own property on Tweeddale Road
Request	Leave
Decision	Leave

At 6.45pm Cr Woodall having declared an interest left the meeting.

P20/3838	<p>Request for Scheme Amendment - Higher Density Coding at Kintail Road, Applecross</p> <p>OFFICER PRESENTATION Paula Venter – Strategic Urban Planner Peter Prendergast – Manager Statutory Planning</p> <p>DEPUTATION/PRESENTATION/S Mr Page and Mr Hill commenced a presentation at 6:45pm, which concluded at 6.54pm. 3838 Page Hill</p> <p>At 7:03pm Mr Page and Mr Hill departed the Chambers.</p> <p>Ms Venter and Mr Prendergast commenced a presentation at 7:03pm, which concluded at 7:08pm. 3838 Presentation</p> <p>At 7:17pm Ms Venter and Mr Prendergast departed the Chambers.</p> <p>DISCLOSURE OF INTEREST</p> <ul style="list-style-type: none"> • Cr Woodall, Proximity Interest <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>
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At 7:17pm the Presiding Member adjourned the meeting.

At 7:27pm the Presiding Member resumed the meeting.

At 7:28pm Cr Woodall returned to the meeting.

At 7:28pm the Presiding Member brought forward Item P20/3841 – Six Multiple Dwellings at Lot 235 (5) Grimsay Road, Ardross WA 6153 for the convenience of the public gallery.

P20/3841	Six Multiple Dwellings at Lot 235 (5) Grimsay Road, Ardross WA 6153
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning Rachel Tu – Planning Officer</p> <p>DEPUTATION/PRESENTATION/S Mr Famiano commenced a presentation at 7:27pm, which concluded at 7:38pm. 3841 Famiano</p> <p>At 7:51pm Mr Famiano departed the Chambers.</p> <p>Mr Obszanski and Ms Savill commenced a presentation at 7:51pm, which concluded at 8:08pm. 3841 Obszanski</p> <p>At 8:11pm Mr Obszanski and Ms Savill departed the Chambers.</p> <p>Mr Prendergast and Ms Tu commenced a presentation at 8:11pm, which concluded at 8:25pm. 3841 Presentation</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

COUNCIL RESOLUTION

At 8:02pm Cr Kepert moved, seconded Cr Mair –

That Mr Obszanski and Ms Savill be granted a further 10 minutes to speak on the matter.

At 8:02pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

At 7:51pm Mr Ferris left the meeting and returned at 7:56pm

P20/3840	Review of Local Planning Policy 1.1 'Planning Process and Decision Making'
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning Rachel Tu – Planning Officer</p> <p>DEPUTATION/PRESENTATION/S Mr Prendergast and Ms Tu commenced a presentation at 8:49pm, which concluded at 8:55pm. 3840 Presentation</p> <p>At 9:00pm Mr Prendergast and Ms Tu departed the Chambers.</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p> <p>At the request of Elected Members the CEO undertook to arrange a workshop of interested elected members to discuss changes to the policies the subject of this report.</p>

At 8:52 Mr McCarthy left the meeting and returned at 8:53pm.

At 8:56pm Cr Kepert left the meeting and returned at 8:58pm.

At 9:01pm the Presiding Member brought forward Item P20/8125 – Tompkins Park Redevelopment Review for the convenience of the public gallery.

CD20/8125	Tompkins Park Redevelopment Review
	<p>OFFICER PRESENTATION Todd Cahoon – Manager Healthy Melville Peter de Lang – Healthy Melville Coordinator</p> <p>DEPUTATION/PRESENTATION/S Mr Cahoon and Mr de Lang commenced a presentation at 9:02pm, which concluded at 9:09pm. 8125 Presentation</p> <p>At 9:43pm Mr Cahoon and Mr de Lang departed the Chambers.</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p> <p>At the request of Elected Members the CEO undertook to provide, in the Elected Members Bulletin, clarification on the implications of the June 2017 Council resolution and its relationship to the report recommendation.</p>

T20/3842	Technical Services Policy Review
	<p>OFFICER PRESENTATION Mick McCarthy – Director Technical Services Kimberly Brosztl – Manager Engineering Jeff Bird – Manager Natural Areas and Parks</p> <p>DEPUTATION/PRESENTATION/S Mr McCarthy, Ms Brosztl and Mr Bird entered the chambers for the purpose of answering questions at 9:43pm.</p> <p>At 10:03pm Mr McCarthy, Ms Brosztl and Mr Bird departed the Chambers.</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p> <p>A number of queries were raised in relation to the Polices by Elected Members. The CEO undertook to arrange for officers to make contact with those Elected Members that identified specific concerns in order to discuss possible amendments.</p>

At 9:44pm Cr Barton left the meeting and returned at 9:49pm.

At 9:50pm Ms Young left the meeting and returned at 9:52pm.

At 9:52pm Mr Ferris left the meeting and returned at 9:53pm.

M20/5724	Delegation of Authority to Appoint Approved and Authorised Officers for the Purposes of the Criminal Procedure Act 2004
	<p>OFFICER PRESENTATION – IF REQUESTED Anne Hill – Executive Manager Governance and Legal Services</p> <p>DEPUTATION/PRESENTATION/S Nil.</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

At 10:04pm Ms Hill departed the meeting and did not return.

Disclosure of Interest

Member	Cr Macphail (Motions 1, 2 & 3)
Type of Interest	Impartiality Interest
Nature of Interest	Interest relating to AGM Motions 1, 2, & 3 moved by City of Melville Resident and Ratepayers Association (Inc) subject to Minor Breach Complaint.
Request	Stay, discuss and vote
Decision	Stay, discuss and vote
Member	Cr Macphail (Motion 4)
Type of Interest	Impartiality Interest
Nature of Interest	Interest relating to AGM Motion 4 by Mr Ross (Chair of Western Australian Residents and Ratepayers Association) subject to Minor Breach Complaint
Request	Stay, discuss and vote
Decision	Stay, discuss and vote

M20/5734	Annual General Meeting of Electors held 3 February 2020, Motions Carried
	<p>OFFICER PRESENTATION Marten Tieleman – Chief Executive Officer – Motion 1 Alan Ferris – Director Corporate Services – Motions 2 and 4 Christine Young – Director Community Development – Motion 3</p> <p>DEPUTATION/PRESENTATION/S Nil.</p> <p>DISCLOSURE OF INTEREST</p> <ul style="list-style-type: none"> • Cr Macphail, Impartiality pursuant to Regulation 11 <p>NOTES FROM FORUM</p> <p>No discussion took place regarding the item and officer recommendation.</p>

At 10:05pm Cr Woodall left the meeting and returned at 10:07pm.

C20/6173	2019-2020 Mid Year Budget Review
	<p>OFFICER PRESENTATION Debbie Whyte – Manager Financial Services Alan Ferris – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Mr Ferris and Ms Whyte commenced a presentation at 10:04pm, which concluded at 10:08pm.</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM General discussion took place regarding the item and 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"> • Information regarding why there has been an increase of approximately \$164,000 in law and order income. • Clarification on the Donation to Murdoch University for \$170,000.

C20/6000	Investment Statements for January 2020
	<p>OFFICER PRESENTATION – IF REQUESTED Alan Ferris – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil.</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C20/6001	Schedule of Accounts Paid January 2020
	<p>OFFICER PRESENTATION – IF REQUESTED Alan Ferris – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil.</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C20/6002	Statements of Financial Activity for January 2020
	<p>OFFICER PRESENTATION – IF REQUESTED Alan Ferris – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil.</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

10. CLOSURE

There being no further business to discuss, Mayor Honourable George Gear declared the meeting closed at 10.12pm.