



City of  
**Melville**

## **NOTES**

### **AGENDA BRIEFING FORUM**

**6:30pm Tuesday, 8 November 2022**

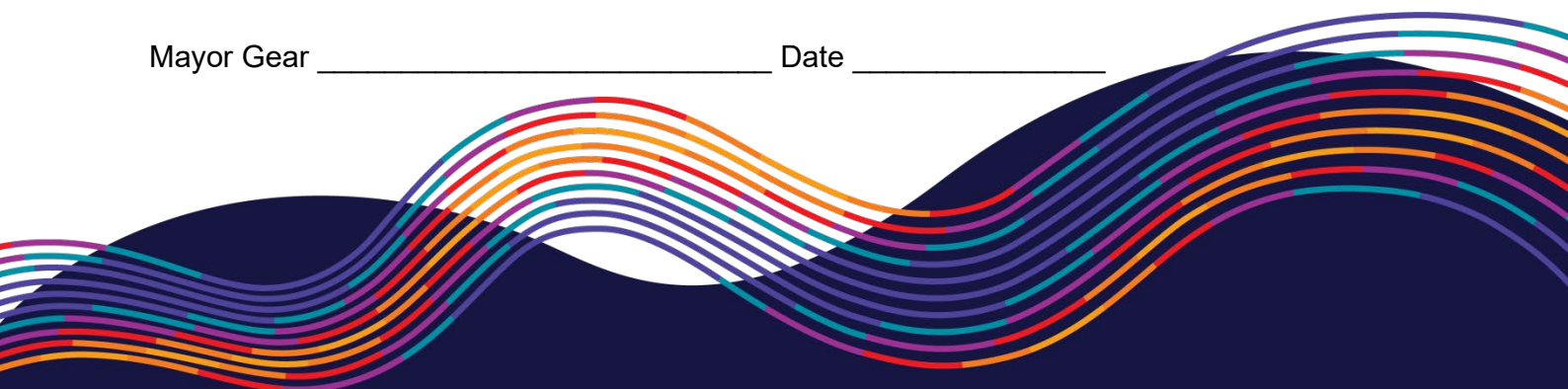
Held in the Council Chambers, Melville Civic Centre  
10 Almondbury Road Booragoon

The City of Melville acknowledges the Bibbulmun people as the Traditional Owners and custodians of the lands on which the City stands today and pays its respect to the Whadjuk people, and Elders both past, present and emerging.

**Notes to be confirmed at the next Ordinary Council Meeting**

These minutes are hereby confirmed as true and accurate

Mayor Gear \_\_\_\_\_ Date \_\_\_\_\_



## Our Vision

Engaging with our diverse community to achieve an inclusive, vibrant and sustainable future.

## Our Mission

To provide good governance and quality services for the City of Melville community.

## Our Values

### Excellence

Striving for the best possible outcomes

### Participation

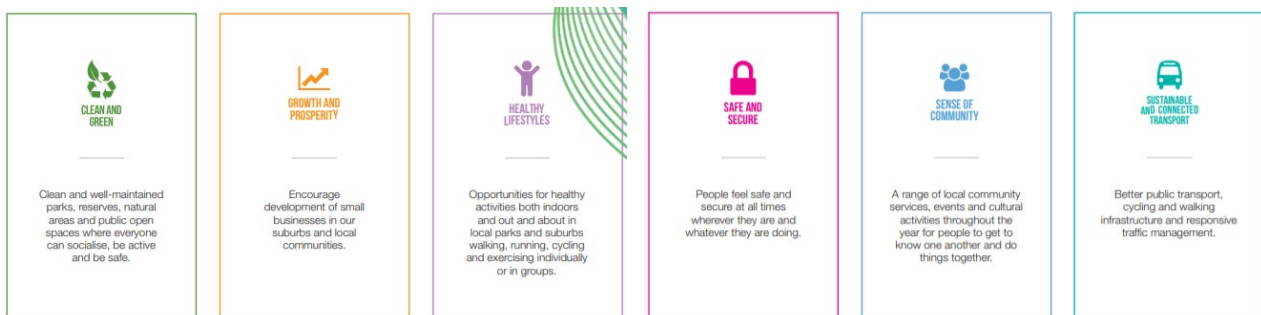
Involving, collaborating and partnering

### Integrity

Acting with honesty, openness and with good intent

### Caring

Demonstrating empathy, kindness and genuine concern



## Making A Deputation

A deputation is a verbal presentation by one or more members of the public on a matter to be considered at the Council meeting. Deputations are made at the relevant Agenda Briefing Forum, held one week prior to the Ordinary Meeting of Council.

Information on making a deputation is available on the City's website [Request to make a Deputation](#).

## Public Question Time

You can ask a question at a Council meeting during Public Question Time. Information on how to ask a question can be found on the City's website [Public Question Time](#).

Complex questions or those related to matters on the agenda and requiring a response at the meeting are "questions on notice" and should be submitted in writing, by the close of business the Tuesday prior to the meeting.

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## Audio Recording/ access to Recording

In accordance with the Council Policy CP- 088 Creation, Access and Retention of Audio Recordings of the Public Meetings this meeting is electronically recorded. All recordings are retained as part of the City's records in accordance with the *State Records Act 2000* and the General Disposal Authority for Local Government Records. The Audio recording may be accessed at [www.melvillecity.com.au/agendas](http://www.melvillecity.com.au/agendas).

## 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 present deputations in respect to matters on the Council Agenda at this Forum, prior to matters being formally deliberated upon at the next Ordinary Council Meeting.

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### MATTERS FOR WHICH THE MEETING WAS CLOSED

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Nil.

## 1 OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and officially declared the meeting open at 6:30pm and invited Cr Mair to read the Acknowledgement of Country and advised those present of the Purpose of the Agenda Briefing Forum, the Disclaimer, the Affirmation of Civic Duty and Responsibility and the Audio Recording Advice.

## 2 ATTENDANCE AND APOLOGIES

### In Attendance

Mayor Honourable George Gear

#### Councillors

Cr T Fitzgerald (Deputy Mayor)  
Cr N Pazolli (from 7:34pm)  
Cr C Ross  
Cr D Macphail  
Cr N Robins  
Cr J Edinger  
Cr J Spanbroek  
Cr M Woodall  
Cr M Sandford  
Cr K Mair

#### Ward

Palmyra – Melville – Willagee  
Applecross – Mount Pleasant (*electronic attendance*)  
Applecross – Mount Pleasant  
Bateman – Kardinya – Murdoch  
Bateman – Kardinya – Murdoch  
Bicton – Attadale – Alfred Cove  
Bull Creek – Leeming (*electronic attendance*)  
Bull Creek – Leeming (*electronic attendance*)  
Central  
Central

#### Officers

Mr M Tieleman  
Ms K Brosztl  
Ms G Bowman  
Mr P Deague  
  
Ms C Newman  
Ms R Davis

Chief Executive Officer  
A/Director Environment and Infrastructure  
Director Community Development  
Senior Executive Support Officer  
(Urban Planning Services)  
Head of Governance  
Governance Officer

At the commencement of the meeting:

Public Gallery	7
Electronic	5
Press	0

#### Apologies

Mr A Ferris	Director Corporate Services
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#### On Approved Leave of Absence

Cr G Barber	Bicton – Attadale – Alfred Cove
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### **3 DECLARATIONS BY MEMBERS**

#### **3.1 Declarations by Members who have not read and given due consideration to all matters contained in the business papers presented before the Meeting.**

Nil.

#### **3.2 Declarations by Members who have received and not read the Elected Members Bulletin.**

Nil.

### **4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

#### **Approved Deputations**

At 6:36pm Mayor Gear approved a deputation request from Mr M McLerie of Bicton on the following items which concluded at 6:48pm:

- Item M22/5937 – Review of 14 Beach Street Foundation and Retaining by an Independent Registered Building Surveyor
- Item M22/5927 – Independent Review – Weir Legal and Consulting

During his deputation, Mr McLerie referred to confidential information he had circulated to Elected Members. At 6:57pm, Mr McLerie returned to the public gallery.

#### **Approved Written Submissions**

- City of Melville Residents and Ratepayers Association (Inc)  
Item C22/5940 – Petition Site Survey 18A and 18B Tweeddale Road, Applecross

### **5 DISCLOSURES OF INTEREST**

#### **5.1 Financial or Proximity Interests**

Under sections 5.60A and/or 5.60B of the *Local Government Act 1995*

- Cr Edinger – Item E122/4008 – Provision of Design and Construct Services for the Point Walter Mountain Bike Trail Project

#### **5.2 Disclosure of Interest That May Cause a Conflict**

Under 22 *Local Government (Model Code of Conduct) Regulations 2021* or a City of Melville Code of Conduct)

Nil.

## **6 PUBLIC QUESTION TIME**

At 6:59pm the Mayor opened Public Question Time.

### **6.1 Questions Received with Notice**

Nil.

### **6.2 Questions Received at the Meeting**

#### **6.2.1 Mr McLerie, Bicton**

##### Question 1

*Marten Tieleman's report to Council on the 18A and B Tweeddale road Applecross motion requiring him to undertake a ground level survey at that site (M22/5940) indicates that his key premise for not completing Council's direction is that his officers can't get access to the site to do the survey, so how then where City officers walking all over the 18 Tweeddale Rd site on 25 October and inspecting things, what were they doing there and why didn't they have a land surveyor with them at that time?*

##### Response

The CEO responded that City's Compliance Officers were on site to respond to a request put forward by the Questioner and another party in respect to what was characterised as a safety issue with a wall at risk of collapse. The officers attended site. Where there is a present danger, the officers have authority to enter site. Once onsite the wall was evaluated and there was no risk of collapse, so officers exited the site.

##### Question 2

*Under the Building Act does the City Council have the authority to issue orders or undertake prosecution for non-compliance even in the event that there is not a safety Issue?*

##### Response

The CEO responded that there are provisions under the *Building Act 2011* which authorised officers can seek access to a site or place, and they are examined in each case.

### **6.3 Questions Taken on Notice at Previous Meeting**

Nil.

At 7:05pm the Mayor closed Public Question Time.

**7 NEW BUSINESS OF AN URGENT NATURE**

Nil.

**8 IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

That the meeting may close to members of the public, if required, to allow for items with attachments deemed confidential in accordance with Sections 5.23(b) and (c) of the *Local Government Act 1995* to be discussed behind closed doors.

- Item M22/5927 – Independent Review – Weir Legal and Consulting
- Item E122/4006 – RFT222304 Provision of Traffic Management Services

## 8. AGENDA ITEMS FOR PRESENTATION

### Management Services

#### **M22/5927 INDEPENDENT REVIEW – WEIR LEGAL AND CONSULTING**

<b>Deputations</b>	Mr M McLerie, Bicton
<b>Officer Presentation</b>	At 7:07pm Mr M Tieleman responded to questions which concluded at 7:17pm.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.  The CEO thanked Mr Kenny his contribution in identifying and reporting irregularities.

#### **M22/5937 REVIEW OF 14 BEACH STREET FOUNDATION AND RETAINING BY AN INDEPENDENT REGISTERED BUILDING SURVEYOR**

<b>Deputations</b>	Mr M McLerie, Bicton
<b>Officer Presentation</b>	At 7:17pm the CEO responded to questions which concluded at 7:18pm.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

*At 7:21pm Cr Wheatland left the meeting and returned at 7:24pm.  
At 7:34pm Cr Pazolli joined the meeting electronically.*

**Corporate Services**

**C22/5940      PETITION SITE SURVEY 18A AND 18B TWEEDDALE ROAD, APPECROSS**

<b>Deputations</b>	City of Melville Residents and Ratepayers Association Inc. <a href="#"><u>Written Submission C22/5940 - City of Melville Residents &amp; Ratepayers Association</u></a>
<b>Officer Presentation</b>	At 7:19pm Mr M Tieleman responded to questions which concluded at 7:32pm.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.  At the request of Elected Members, the CEO undertook to provide the following information in the Elected Members Bulletin: <ul style="list-style-type: none"><li>• Make available for the Council to view, the new planning application for DA-2022-931.</li></ul>

**C22/6000      INVESTMENT STATEMENTS FOR AUGUST 2022**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:37pm Mr Tieleman was available for questions on this item.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

*At 7:39pm Cr Sandford left the meeting.  
At 7:39pm Mr Deague left the meeting and returned at 7:41pm.*

**C22/6001            SCHEDULE OF ACCOUNTS PAID FOR AUGUST 2022**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:37pm Mr Tieleman responded to questions which concluded at 7:42pm.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	<p>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 Members Bulletin:</p> <ul style="list-style-type: none"><li>• Does the rebate of rent paid by Blue Water Grill relate to the Covid Shutdown period?</li><li>• Refund process for Building and Planning Applications and where residents can find that information.</li><li>• Point Walter Road / Canning Highway intersection Plans</li></ul>

**C22/6002            STATEMENTS OF FINANCIAL ACTIVITY FOR AUGUST 2022**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:37pm Mr Tieleman was available to take questions on this item.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**Community Development**

**CD22/8148 CITY OF MELVILLE TENNIS STRATEGY – UPDATE**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:42pm Ms G Bowman was available to take questions on this item.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**CD22/8150 CULTURAL INFRASTRUCTURE STRATEGY**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:43pm Ms G Bowman was available to take questions on the item.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

*At 7:44pm Cr Sandford returned to the meeting.*

**CD22/8152 ALFRED COVE CHILD HEALTH CENTRE**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:44pm Ms G Bowman responded to questions which concluded at 7:47pm.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

## Environment and Infrastructure

### **EI22/4006 RFT222304 PROVISION OF TRAFFIC MANAGEMENT SERVICES**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:47pm Ms K Brosztl was available to respond to questions on this item.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

## Urban Planning

### **UP22/4003 NEW LOCAL PLANNING POLICY 1.22 CONSTRUCTION MANAGEMENT PLANS**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:47pm Mr P Deague responded to questions which concluded at 7:50pm.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

### **UP22/4005 KARDINYA ACTIVITY CENTRE PLAN AND ASSOCIATED SCHEME AMENDMENT**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:50pm Mr P Deague responded to questions which concluded at 8:04pm.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

At the request of Elected Members, the CEO undertook to provide the following information in the Elected Members Bulletin:

- The inclusion of the majority of the Melville City Hockey Club Grounds which would be rezoned – can that please be confirmed and what would be the objective?
- Document asked for advertising verse the document we are advertising – Can there be some clarification on the land north and east of 20A Hutchins Way, and whether the zoning will run along the property lines?

**UP22/4007      REVIEW OF LOCAL PLANNING POLICY 1.2 – DESIGN REVIEW PANEL**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 8:05pm Mr P Deague responded to questions which concluded at 8:07pm.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.  At the request of Elected Members, the CEO undertook to provide the following information in the Elected Members Bulletin: <ul style="list-style-type: none"><li>• Is there mechanism available to remove City of South Perth from making decisions that will affect City of Melville residents, with respect to the Design Review Panel?</li></ul>

**Late Items**

**Disclosure of Interest**

Member	Cr Edinger
Type of Interest	Financial Interest
Nature of Interest	One of the respondents is a client of the company I work for.
Request	Leave
Decision Leave	Leave

*At 8:07pm having declared an interest in this matter, Cr Edinger left the meeting.*

**EI22/4008      PROVISION OF DESIGN AND CONSTRUCT SERVICES FOR THE POINT  
WALTER MOUNTAIN BIKE TRAIL PROJECT**

<b>Deputations</b>	
<b>Officer Presentation</b>	At 8:07pm Ms K Brosztl was available to respond to questions on this item.
<b>Disclosure of Interest</b>	Cr Edinger – Financial Interest.
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**CD22/8154 BUDGET AMENDMENT FOR REPLACEMENT OF FLOODLIGHTING  
INFRASTRUCTURE AT BEASLEY PARK, LEEMING**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 8:07pm Ms G Bowman was available to respond to questions on this item.
<b>Disclosure of Interest</b>	Nil.
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

*At 8:08pm, Cr Edinger returned to the meeting.*

**9 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC**

Nil.

**10 CLOSURE**

There being no further business to discuss, the Mayor confirmed Cr Woodall, Cr Pazolli and Cr Spanbroek were still in attendance electronically and declared the meeting closed at 8:09pm.