

## NOTES OF THE AGENDA BRIEFING FORUM

**TUESDAY 7 JULY 2020**

### **Held electronically in accordance with Regulation 14D(2)(a) of the Local Government (Administration) Regulations 1996.**

Due to the State of Emergency declared in Western Australia, effective 16 March 2020 and the subsequent government directives with regard to public gatherings and physical distancing only a limited number of the public were able to physically attend this meeting.

This meeting was publically broadcast to the community and the minutes and the audio recording of the meeting available on the City's website as soon as practicable after the meeting to meet the requirements of Regulation 14E(3)(b)(i) and (ii) of the *Local Government (Administration) Regulations 1996*

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

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.

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 will be available within 10 days of the meeting and may be accessed at [www.melvillecity.com.au](http://www.melvillecity.com.au) in accordance with the provisions of the Policy.

**DISTRIBUTED: 10 July 2020**

## **CONTENTS PAGE**

	<b>Item Description</b>	<b>Page Number</b>
<b>GOVERNANCE COMMITTEE 24 JUNE 2020</b>		
<b>M20/5756</b>	Governance Committee Motion – Reimbursement of Expense Request – Cr Kepert	11
<b>URBAN PLANNING</b>		
<b>P20/3860</b>	Request for Scheme Amendment – Marshall Road Local Centre, Myaree	9
<b>TECHNICAL SERVICES</b>		
<b>T20/3859</b>	Beach Street Crossover Review Results	10
<b>T20/3863</b>	Naming of Park at 58-60 Murray Road, Bicton	12
<b>T20/3864</b>	Jetties and Boardwalks Renewal within the City of Melville	12
<b>COMMUNITY DEVELOPMENT</b>		
Nil		
<b>MANAGEMENT SERVICES</b>		
<b>M20/5751</b>	New Council Policy – CP-113 Attendance at Events Policy	13
<b>M20/5754</b>	New Council Policy – CP-114 Compliance and Enforcement Policy	13
<b>M20/5000</b>	Common Seal Register July 2020	14
<b>CORPORATE SERVICES</b>		
<b>C20/6000</b>	Investment Statements May 2020	14
<b>C20/6001</b>	Schedule of Accounts Paid May 2020	14
<b>C20/6002</b>	Statement of Financial Activity for May 2020	15

**Notes of the Agenda Briefing Forum held electronically in accordance with Regulation 14D(2)(a) of the *Local Government (Administration) Regulations 1996*, Tuesday 7 July 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 6:30pm and invited Cr Margaret Sandford to read the Acknowledgment of Country.

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

The Presiding Member requested Mr B Taylor, Manager Governance and Property to 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 conduct of this forum.

Mayor Honourable George Gear advised that Cr Pazolli, Deputy Mayor, Cr Wheatland and Cr Barton were in attendance electronically with his approval, in accordance with Clause 14C of the *Local Government (Administration) Regulations 1996*.

## 2. ELECTED MEMBERS PRESENT

Mayor Honourable G Gear

### COUNCILLORS      WARD

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

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

## 3. IN ATTENDANCE

Mr M Tieleman  
Mr S Cope  
Ms C Young  
Mr M McCarthy  
Mr A Ferris  
Mr L Hitchcock

Mr J Bird (6:32pm – 8:40pm)  
Ms P Venter (until 7:10pm)  
Mr B Taylor  
Ms C Newman  
Ms T Wright

Chief Executive Officer  
Director Urban Planning  
Director Community Development  
Director Technical Services  
Director Corporate Services  
Executive Manager Governance and Legal Services  
Manager Natural Areas and Parks  
Strategic Urban Planner  
Manager Governance and Property  
Governance Coordinator  
Governance Officer

### Officers in attendance

Ms K Brosztl (until 8:03pm)  
Mr G Ponton (until 7:10pm)  
Mr P Handcock (until 8:03pm)  
Ms A Hill (until 8:46pm)

Manager Engineering  
Manager Strategic Urban Planning  
Asset Management Coordinator  
Governance Project Officer

At the commencement of the meeting, there were four members of the public in the Council Chambers, two members of the public and one representative from the Press in attendance electronically.

## 4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

### 4.1 APOLOGIES

Cr N Robins                      Bateman – Kardinya – Murdoch Ward

### 4.2 APPROVED LEAVE OF ABSENCE

Nil.

**5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS****5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE 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****6.1 FINANCIAL INTERESTS**

Nil.

**6.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT**

- Cr Kepert – Item – M20/5756 Governance Committee Motion – Reimbursement of Expense Request – Cr Kepert. Impartiality Interest.

**7. QUESTIONS**

Nil.

**8. DEPUTATIONS****8.1 Mr S Vincent of Planning Solutions Perth**

Item P20/3860 – Request for Scheme Amendment – Marshall Road, Local Centre.

**8.2 Mr R Eaves of Bicton**

Item T20/3859 – Beach Street Crossover Review Results.

**9. BUSINESS**

Nil.

## **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 6:39pm the Mayor brought forward Item P20/3860 – Request for Scheme Amendment – Marshall Road, Local Centre for the convenience of the public gallery.

<p><b>P20/3860</b></p>	<p><b>Request For Scheme Amendment – Marshall Road Local Centre, Myaree</b></p>
	<p><b>OFFICER PRESENTATION</b> Paula Venter – Strategic Urban Planner</p> <p><b>DEPUTATION/PRESENTATION/S</b> Mr Vincent commenced a presentation at 6:39pm, which concluded at 6:43pm. At 6:51pm Mr Vincent returned to the public gallery.</p> <p>Ms Venter commenced a presentation at 6:51pm, which concluded at 6:56pm.</p> <p><u><a href="#">Request for Scheme Amendment Marshall Road Local Centre Myaree Presentation</a></u></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 7:10pm Ms Venter left the meeting and did not return.  
At 7:11pm Cr Wheatland left the meeting and returned at 7:12pm.*

At 7:10pm the Mayor brought forward item T20/3859 – Beach Street Crossover Review Results for the convenience of the public gallery.

<b>T20/3859</b>	<p><b>Beach Street Crossover Review Results</b></p> <p><b>OFFICER PRESENTATION</b> Mick McCarthy – Director Technical Services</p> <p><b>DEPUTATION/PRESENTATION/S</b> Mr Eaves commenced a deputation at 7:11pm, which concluded at 7:14pm. At 7:28pm Mr Eaves returned to the public gallery.</p> <p>Mr McCarthy commenced a presentation at 7:29pm, which concluded at 8:03pm.</p> <p><b><u><a href="#">Beach Street Crossover Review Results Presentation</a></u></b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> 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>• Information on potential cost savings associated with not removing crossovers and constructing the footpath to connect existing crossovers with the wings removed.</li> <li>• A copy of the Australian Standards and/or relevant Guidelines for crossover construction.</li> </ul>
-----------------	--

*At 7:51pm Mr Taylor left the meeting and returned at 7:54pm.*

*At 7:54pm Mr Ferris left the meeting and returned at 8:04pm.*

*At 8:01pm Cr Macphail left the meeting and returned at 8:04pm.*

*At 8:04pm Cr Woodall left the meeting and returned at 8:10pm.*

*At 8:04pm Cr Barton left the meeting and returned at 8:14pm.*

Disclosures of Interest

Member	Cr Kepert
Type of Interest	Impartiality .interest
Nature of Interest	Name is mentioned in subject title
Request	Stay and discuss
Decision	Stay and discuss

<b>M20/5756</b>	<p><b>Governance Committee Motion – Reimbursement of Expense Request – Cr Kepert</b></p> <p><b>OFFICER PRESENTATION – QUESTIONS ONLY</b> Bruce Taylor – Manager Governance and Property</p> <p><b>DEPUTATION/PRESENTATION/S</b> Mr B Taylor commenced a presentation at 8:04pm, which concluded at 8:05pm.</p> <p>At 8:05pm Cr Kepert made a statement, which concluded at 8:07pm.</p> <p><b>DISCLOSURE OF INTEREST</b></p> <ul style="list-style-type: none"> <li>• Cr Kepert, impartiality interest.</li> </ul> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>
-----------------	---

*At 8:06pm Cr Wheatland left the meeting and returned at 8:09pm*

*At 8:06pm Ms Newman left the meeting and returned at 8:07pm.*

*At 8:17pm Cr Robartson left the meeting and returned at 8:18pm.*

<b>T20/3863</b>	<b>Naming of Park at 58-60 Murray Road, Bicton</b>
	<p><b>OFFICER PRESENTATION – QUESTIONS ONLY</b> Jeff Bird - Manager Natural Areas and Parks</p> <p><b>DEPUTATION/PRESENTATION/S</b> Mr Bird commenced answering questions at 8:20pm, and concluded at 8:24pm.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> 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>• An update on the community engagement process proposed to be undertaken to compile a list of Aboriginal names suitable to be considered for inclusion in the Naming of Assets Register.</li> <li>• Advise on previous reviews and updates to the Register.</li> </ul>

*At 8:18pm Cr Wheatland left the meeting and returned at 8:24pm.*

*At 8:20pm Cr Kepert left the meeting and returned at 8:23pm.*

*At 8:21pm Cr Pazolli left the meeting and returned at 8:24pm.*

*At 8:24pm Ms Newman left the meeting and returned at 8:24pm*

<b>T20/3864</b>	<b>Jetties and Boardwalks Renewal within the City of Melville</b>
	<p><b>OFFICER PRESENTATION</b> Mick McCarthy – Director Technical Services</p> <p><b>DEPUTATION/PRESENTATION/S</b> Mr McCarthy commenced a presentation at 8:32pm, which concluded at 8:38pm. <a href="#"><u>Jetties and Boardwalks Renewal Presentation</u></a></p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> The CEO undertook to give consideration to:</p> <ul style="list-style-type: none"> <li>• the review of the relevant Local Law to consider the current use of the jetties.</li> <li>• determining if any assessment has been done on the load ratings of jetties under the care and control of the City.</li> <li>• Report on the current usage or future audits of the use of Jetties by the community.</li> </ul>

*At 8:40pm Mr Bird left the meeting and did not return.*

*At 8:43pm Cr Barber left the meeting and returned at 8:45pm.*

<b>M20/5754</b>	<b>New Policy CP-114 Compliance and Enforcement</b>
	<p><b>OFFICER PRESENTATION</b> Louis Hitchcock - Executive Manager Governance and Legal Services</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 the item and officer recommendation.</p> <p>It was advised that an administrative amendment would be made on page 4 and page 12 of the proposed policy to include the “to” for the sentence to read “prior to deciding to commence prosecution”.</p>

*At 8:46pm Ms Hill left the meeting and did not return.*

*At 8:46pm Mr Hitchcock left the meeting and returned at 8:51pm.*

<b>M20/5751</b>	<b>New Policy CP113 Attendance at Events</b>
	<p><b>OFFICER PRESENTATION</b> Corrine Newman - Governance Coordinator</p> <p><b>DEPUTATION/PRESENTATION/S</b> Ms Newman commenced a presentation at 8:46pm, which concluded at 8:49pm.</p> <p><b><u><a href="#">New Policy CP-113 Attendance at Events Presentation</a></u></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> <p>At the request of Elected Members it was asked if the last paragraph on page 1 of the policy could be provided in dot points for better clarity.</p>

<b>M20/5000</b>	<b>Common Seal Register July 2020</b>
	<p><b>OFFICER PRESENTATION – QUESTIONS ONLY</b> Bruce Taylor – Manager Governance and Property</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>C20/6000</b>	<b>Investment Statements for May 2020</b>
	<p><b>OFFICER PRESENTATION - QUESTIONS ONLY</b> Alan Ferris – 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>C20/6001</b>	<b>Schedule of Accounts Paid May 2020</b>
	<p><b>OFFICER PRESENTATION - QUESTIONS ONLY</b> Alan Ferris – 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>C20/6002</b>	<b>Statements of Financial Activity for May 2020</b>
	<p><b>OFFICER PRESENTATION - QUESTIONS ONLY</b> Alan Ferris – 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>

## **11. CLOSURE**

There being no further business to discuss, Mayor Honourable George Gear confirmed that Cr Pazolli, Cr Barton and Cr Wheatland were still in attendance electronically and declared the meeting closed at 8:56pm.