

**NOTES OF THE**  
**AGENDA BRIEFING FORUM**  
**HELD ON 5 OCTOBER 2021**  
**AT 6.30PM**

**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 are 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.*

**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.

**Please note: The Agenda for the Briefing Forum should be read in conjunction with the [Agenda for the Ordinary Meeting of the Council to be held on 12 October 2021](#).**

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/agendas](http://www.melvillecity.com.au/agendas) in accordance with the provisions of the Policy.

**DISTRIBUTED: 8 October 2021**

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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 October 2021, commencing at 6:30pm.**

**AGENDA BRIEFING FORUM**

**1. OPENING**

The Presiding Member declared the meeting open at 6:30pm, welcomed those in attendance to the meeting, invited Cr Margaret Sandford to read the Acknowledgement of Country and advised those present of the Disclaimer, the Purpose of the Agenda Briefing Forum and the 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 G Barber  
Cr D Macphail, Cr N Robins  
Cr M Woodall  
Cr N Pazolli, Cr S Kepert  
Cr K Mair, Cr M Sandford  
Cr T Fitzgerald, Cr K Wheatland

**WARD**

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

### **3. IN ATTENDANCE**

Mr M Tieleman	Chief Executive Officer
Mr A Ferris	Director Corporate Services
Ms C Young	Director Community Development
Mr S Cope	Director Urban Planning
Mr M McCarthy	Director Technical Services
Mr L Hitchcock	Executive Manager Governance and Legal Services
Mr P Prendergast ( <i>until 7:35pm</i> )	Manager Statutory Planning
Mr T Cahoon ( <i>until 7:24pm</i> )	Manager Healthy Melville
Ms C Newman	Acting Manager Property and Governance
Ms R Davis	Governance Officer

At the commencement of the meeting, there were 3 members of the public in the Council Chambers and 3 members of the public and 0 representatives from the Press in attendance electronically.

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

#### **4.1 APOLOGIES**

Cr C Robarton – Bull Creek – Leeming

#### **4.2 APPROVED LEAVE OF ABSENCE**

Cr J Barton Bicton – Attadale – Alfred Cove

### **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 CD21/8143 – CSRFF (Community Sporting and Recreation Facility Funding). Interest Under the Code of Conduct.

**7. PUBLIC QUESTIONS**

Nil.

**8. DEPUTATIONS****8.1 Mr M Read, Mr D Porter and Mr D Timmel, Melville Turf Inc and Melville City Hockey Club (MCHC)**

Item CD21/8143 - CSRFF (Community Sporting and Recreation Facility Funding)

**9. BUSINESS**

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## **PROCEDURE FOR AGENDA BRIEFING FORUMS**

### **PRINCIPLES**

The Agenda Briefing Forum which occurs one week 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 time constraints, items will not be ready in time for the Forum ~~session~~ and will go straight to the Council meeting for decision.

### **AGENDA DISTRIBUTION**

The agenda will be distributed to Elected Members on the Friday 10 days 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)

## **DEPUTATIONS**

A deputation is an opportunity for members of the community to address the Council on an item that is on the agenda. Deputations are not to exceed 10 minutes and the Presiding Member may allow additional time for Elected Members to ask questions.

The Agenda Briefing Forum is live-streamed to the community, including deputations.

A request to make a deputation should be submitted in writing and received by 12noon the day before the meeting. A request form and guidelines for making a deputation are available on the City's website, [Request to make a Deputation](#) or by contacting the Governance Team [governance@melville.wa.gov.au](mailto:governance@melville.wa.gov.au).

## **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. Handouts and Presentations, including those from Deputations, will be uploaded to the website as attachments to the Notes. The Audio recording will also be available on the website in accordance with Council Policy CP-088 Creation, Access and Retention of Audio Recordings of Public Meetings.

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## 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

### ITEMS BROUGHT FORWARD

#### Disclosure of Interest

Member	Cr Macphail
Type of Interest	Interest under the Code of Conduct
Nature of Interest	I am a social member of the MCHC which is a member of the Windelya Sports Association. Melville Turf Inc. (also a member of the Windelya Sports Association) is seeking CSRFF funding
Request	Stay, Discuss, Vote
Decision Leave	Stay, Discuss, Vote

#### **CD21/8143 – CSRFF (Community Sporting and Recreation Facility Funding)**

##### **Officer Presentation – Presentation and Questions**

Todd Cahoon – Manager Healthy Melville

##### **Deputation/Presentation(s)**

Mr M Read, Mr D Porter and Mr D Timmel commenced a deputation at 6:35pm, which concluded at 6:42pm. At 7:02pm Mr M Read, Mr D Porter and Mr D Timmel left the chamber.

**[Deputation to CD21/8143 – CSRFF \(Community Sporting and Recreation Facility Funding\) – MCHC](#)**

Mr Cahoon entered the chamber at 7:02pm for the purpose of answering questions. At 7:23pm, the officer left the chamber.

##### **Disclosure of Interest**

- Cr Macphail – Interest Under the Code of Conduct.

##### **Notes from Forum**

General discussion took place regarding the item and Officer Recommendation.

At the request of Elected Members the CEO undertook to provide information in the Elected Members Bulletin on whether the City was able to access the \$1.5 million government funding towards upgrading/creating women's change rooms available in 2019.

*At 7:18pm, Cr Wheatland left the meeting and returned at 7:19pm.*

**URBAN PLANNING****[P21/3949 – Local Development Plan – 23 Buckingham Crescent, Kardinya](#)****Officer Presentation – Presentation and Questions**

Peter Prendergast – Manager Statutory Planning

**Deputation/Presentation(s)**

Mr Prendergast commenced a presentation at 7:24pm, which concluded at 7:30pm. At 7:34pm the officer left the chamber. **[Officer Presentation – P21/3949 – Local Development Plan – 23 Buckingham Crescent Kardinya](#)**

**Disclosure of Interest**

Nil.

**Notes from Forum**

General discussion took place regarding the item and officer recommendation.

At the request of Elected Members the CEO undertook to provide information in the Elected Member Bulletin on the ownership and developer of the land of 23 Buckingham Crescent, Kardinya.

*At 7:28pm Mr Ferris left the meeting and returned at 7:31pm.*

**TECHNICAL SERVICES**

Nil.

**COMMUNITY DEVELOPMENT****[CD21/8143 – CSRFF \(Community Sporting and Recreation Facility Funding\)](#)**

Item Brought Forward

**See Page 8.**

**MANAGEMENT SERVICES****[M21/5000 – Common Seal Register](#)****Officer Presentation – Questions Only**

Corrine Newman – Acting Manager Governance and Property

**Deputation/Presentation(s)**

Nil.

**Disclosure of Interest**

Nil.

**Notes from Forum**

No discussion took place regarding the item and officer recommendation.

**CORPORATE SERVICES****C21/6000 – Investment Statements for August 2021****Officer Presentation – Questions Only**

Alan Ferris – Director Corporate Services

**Deputation/Presentation(s)**

Nil.

**Disclosure of Interest**

Nil.

**Notes from Forum**

No discussion took place regarding the item and officer recommendation.

**C21/6001 – Schedule of Accounts Paid August 2021****Officer Presentation – Questions Only**

Alan Ferris – Director Corporate Services

**Deputation/Presentation(s)**

Nil.

**Disclosure of Interest**

Nil.

**Notes from Forum**

General discussion took place regarding the item and officer recommendation.

At the request of Elected Members the CEO undertook to provide information in the Elected Member Bulletin information on the total cost of the Review Report undertaken by Weir Legal and Consulting Pty Ltd.

**C21/6002 – Statements of Financial Activity for August 2021****Officer Presentation – Questions Only**

Alan Ferris – Director Corporate Services

**Deputation/Presentation(s)**

Nil.

**Disclosure of Interest**

Nil.

**Notes from Forum**

No discussion took place regarding the item and officer recommendation.

*At 7:36pm Cr Kepert left the meeting and did not return.*

**10. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil.

**11. CLOSURE**

There being no further business to discuss, Mayor Honourable George Gear declared the meeting closed at 7:39pm.