

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 4 JUNE 2019
COMMENCING AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
2ND FLOOR IN THE COUNCIL CHAMBERS
10 ALMONDBURY ROAD, BOORAGOON**

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**Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre,
10 Almondbury Road, Booragoon on Tuesday 4 June 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 and that the recording may be published on the City's website 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
Cr N Robins
Cr M Woodall, Cr C Robartson
Cr N Pazolli, Cr S Kepert
Cr G Wieland, Cr J Barton
Cr D Macphail
Cr P Phelan, Cr K Wheatland

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

7. QUESTIONS

7.1 Ms Cuttone, Mount Pleasant

Question 1:

Why does council not put changes to this Local Planning Policy on hold and not proceed with it until the Canning Bridge Activity Centre Plan is revised so that building height bonuses are amended in the CBACP so to not allow building height bonuses. The Local Planning Policy can then be amended to reflect that building bonus heights will not be permitted.

Response:

The proposed Local Planning Policy is an interim step to provide additional clarity and control on building height ahead of a wider review of the CBACP. It would remain an option for Council to not proceed with the Local Planning Policy, although this would mean the interim benefits of adopting the Policy are not realised.

Question 2:

Why are council planning officers not considering the negative impact the extra building heights will have to the existing community given that this poses issues such as visual and the poor transition from high density to the existing R12.5 that this policy will create leaving us with a poor outcome

Response

The provisions contained within the Canning Bridge Activity Centre Plan take into account the impact of taller buildings and how they transition to the surrounding lower density areas. This issue will be revisited in the review of the CBACP.

7.2 Mr Cuttone, Mount Pleasant

Question 1:

Why are the council's planning officers pushing for bonus heights of buildings and not taking note of the real concerns raised during advertising of this policy as the proposed building bonus is not acceptable and discretion to council planning officers must not be allowed!

Response:

The bonus height provisions are contained with the Canning Bridge Activity Centre Plan (CBACP) and are not able to be modified through the Local Planning Policy. The feedback in the submissions will however assist in the scheduled review of the CBACP.

Question 2:

Why isn't council proceeding with to amend the Canning Bridge Activity Centre Plan and make changes to the density zoning's with a view of keeping building heights to no greater than that permitted under a zoning and then remove the bonus height criteria give (sic) the negative community impact this is and will have in the future as there is no community benefit from this proposal?

Response:

A review of the Canning Bridge Activity Centre Plan (CBACP) is about to commence. The review will focus on building heights and processes such as provision of community benefits in awarding bonus heights.

7.3 Mr D’Agnone, Mount Pleasant

Question 1:

Why can't the council delay approving any planning policy associated with bonus building heights and amend the Canning Bridge Activity Centre Plan so that no building height bonuses are granted or approved in the future.

Response:

The proposed Local Planning Policy is an interim step to provide additional clarity and control on building height ahead of a wider review of the CBACP. It would remain an option for Council to not proceed with the Local Planning Policy, although this would mean the interim benefits of adopting the Policy are not realised.

Question 2:

Why can't the council delay approving any planning policy associated with bonus building heights south of Helm St Mt Pleasant and amend the Canning Bridge Activity Centre Plan so that no building height bonuses are granted or approved in the future south of Helm St Mt Pleasant.

Response:

The areas south of Helm Street are located in the H4 and H8 zones of the Canning Bridge Activity Centre Plan (CBACP). These zones are not subject to the bonus provisions covered by the Local Planning Policy. In any event the Council has resolved to review the CBACP and this is expected to include consideration of heights in this part of the precinct.

8. DEPUTATIONS

8.1 Mr Robert Cook, President, Ms Jana Fuller, Ladies President and Ms Dot Melkus, Treasurer – Representing Mount Pleasant Bowling Club
CD19/8114 – Tompkins Park Review

8.2 Mr Lincoln Jones, Mr Felipe Soto and Mr Greg Rowe.
P19/3810 – Adoption of Local Planning Policy – Canning Bridge Activity Centre – Bonus Building Height Provisions

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	Mayor Aubrey
Type of Interest	Financial interest
Nature of Interest	Owns property in the Canning Bridge Activity Centre
Request	Leave
Decision	Leave

At 6:44pm Mayor Aubrey having declared an Interest left the meeting.
At 6:44pm the Deputy Mayor, Cr Barling, assumed the Chair.

P19/3810	<p>Adoption of Local Planning Policy - Canning Bridge Activity Centre – Bonus Building Height Provisions</p> <p>OFFICER PRESENTATION Gavin Ponton – Manager Strategic Urban Planning Steve Cope – Director Urban Planning</p> <p>DEPUTATION/PRESENTATION/S</p> <p>At 6:44pm Mr Lincoln Jones, Mr Felipe Soto and Mr Greg Rowe commenced a presentation and concluded at 7:19pm <u>3810 CBACP Bonus Building Height Provisions</u></p> <p>Mr Ponton commenced a presentation at 7:19pm and concluded at 7:58pm</p> <p>DISCLOSURE OF INTEREST</p> <ul style="list-style-type: none"> • Mayor Aubrey, financial interest. <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>
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At 7:19pm Mr Dawkins left the meeting and returned at 7:21pm.
At 7:25pm Mr Prendergast left the meeting and returned at 7:27pm.
At 7:42pm Ms Young left the meeting and returned at 7:44pm.
At 7:56pm Cr Wieland left the meeting and returned at 7:58pm.

At 7:59pm Deputy Mayor Barling adjourned the meeting and vacated the Chair.

At 7:59pm Mr Prendergast left the meeting and did not return
At 7:59pm Mr Ponton left the meeting and did not return

At 8:04pm Mayor Aubrey assumed to the Chair and resumed the meeting.

At 8:04pm the Mayor brought forward Item CD19/8114 – Tompkins Park Review, for the convenience of the public gallery.

Disclosure of Interest

Member	Mayor Aubrey
Type of Interest	Interest under the Code
Nature of Interest	Patron of Palmyra RUFC and Melville Cricket Club
Request	Stay and discuss
Decision	Stay and discuss

CD19/8114	Tompkins Park Review
	<p>OFFICER PRESENTATION</p> <p>Christine Young – Director Community Development.</p> <p>DEPUTATION/PRESENTATION/S</p> <p>Mr Robert Cook, President, Ms Jana Fuller, Ladies President and Ms Dot Melkus, Treasurer – Representing Mount Pleasant Bowling Club entered the chambers at 7:59pm to make a Deputation and concluded at 8:44pm</p> <p>Ms Young commenced a presentation at 8:45pm and concluded at 9:07pm.</p> <p>DISCLOSURE OF INTEREST</p> <ul style="list-style-type: none"> Mayor Aubrey, Interest under the Code. <p>NOTES FROM FORUM</p> <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:</p> <ul style="list-style-type: none"> Financial matters associated with the project will be advised at an EMIS.

At 8:05pm Cr Pazolli returned to the meeting.

At 8:30pm Mr Dawkins left the meeting and returned at 8:31pm

At 9:00pm Cr Phelan left the meeting and returned at 9:03pm

At 9:08pm Cr Robins left the meeting and returned at 9:10pm

At 9:08pm Ms Young left the meeting and returned at 9:10pm

At 9:10pm Cr Wheatland left the meeting and returned at 9:12pm

At 9:10pm Cr Robartson left the meeting and returned at 9:12pm

CD19/8113	Parking Management Riseley Centre
	<p>OFFICER PRESENTATION Brodie Dawkins – Manager Neighbourhood Amenity</p> <p>DEPUTATION/PRESENTATION/S Mr Dawkins commenced a presentation at 9:08pm and concluded at 9:20pm</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

At 9:21pm Mr Dawkins left the meeting and did not return.

M19/5691	Review of City of Melville Delegated Authority Manual
	<p>OFFICER PRESENTATION Jeff Clark – Governance and Compliance Advisor</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>

M19/5000	Common Seal Register
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Advisor</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>

Disclosure of Interest

Member	Cr Macphail
Type of Interest	Interest under the Code
Nature of Interest	Member of Melville City Hockey Club
Request	Stay, discuss
Decision	Stay, discuss

C19/5688	Consideration and Adoption of the 2019-2020 Budget
	<p>OFFICER PRESENTATION Debbie Whyte – A/Manager Financial Services Marten Tieleman – Chief Executive Officer</p> <p>DEPUTATION/PRESENTATION/S Mr Tieleman commenced a presentation at 9:21pm and concluded at 9:51pm</p> <p>DISCLOSURE OF INTEREST</p> <ul style="list-style-type: none"> • Cr Macphail, Interest under the Code <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

At 9:34pm Cr Woodall left the meeting and returned at 9:38pm

C19/5689	RFT181919 Supply of In-Situ Concrete Works for Footpaths and Associated Works
	<p>OFFICER PRESENTATION – IF REQUESTED Mick McCarthy – Director Technical 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>

C19/6000	Investment Statements for April 2019
	<p>OFFICER PRESENTATION – IF REQUESTED Debbie Whyte – A/Manager Financial 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>

C19/6001	Schedule of Accounts Paid April 2019
	<p>OFFICER PRESENTATION – IF REQUESTED Debbie Whyte – A/Manager Financial 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>

C19/6002	Statements of Financial Activity for April 2019
	<p>OFFICER PRESENTATION – IF REQUESTED Debbie Whyte – A/Manager Financial 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 9:51 Ms Whyte left the meeting and did not return.

CONFIDENTIAL ITEM - M19/5690 – POINT WALTER GOLF COURSE PROPOSAL (AMREC)
(CONFIDENTIAL ATTACHMENT)

The matter is confidential in accordance with Section 5.23(2)(c) and (e) of the Local Government Act 1995 relating to a contract that the City may enter into and the report contains information of a commercial value to a person.

COUNCIL RESOLUTION

At 9:52pm Cr Barling moved, seconded Cr Phelan –

That the meeting be closed to the public to permit discussion on a confidential matter (Item M19/5690 – Point Walter Golf Course Proposal – Confidential Item – Confidential Item – covered under section 5.23 (2) (c) of the Local Government Act 1995

At 9.52pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

Disclosure of Interest

Member	Cr Barton
Type of Interest	Proximity Interest
Nature of Interest	Resides opposite Point Walter Reserve
Request	Stay, discuss
Decision	Stay, discuss

M19/5690	Point Walter Golf Course Proposal
	<p>OFFICER PRESENTATION Jeff Clark – Governance and Compliance Advisor</p> <p>DEPUTATION/PRESENTATION/S Mr Clark commenced a presentation at 9:53pm and concluded at 10:13pm.</p> <p>DISCLOSURE OF INTEREST</p> <ul style="list-style-type: none"> • Cr Barton, Proximity Interest <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

COUNCIL RESOLUTION

At 10:13pm Cr Barton moved, seconded Cr Keper-

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

At 10:13 the Deputy Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

No members of the public returned to the meeting.

10. CLOSURE

There being no further business to be discussed, His Worship the Mayor declared the meeting closed at 10:14pm.