

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 26 NOVEMBER 2019
COMMENCING AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
2ND FLOOR IN THE COUNCIL CHAMBERS
10 ALMONDBURY ROAD, BOORAGOON**

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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.

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**Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre,
10 Almondbury Road, Booragoon on Tuesday 26 November 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 6:33pm. 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.

2. ELECTED MEMBERS PRESENT

Mayor Honourable G Gear

COUNCILLORS

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

WARD

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

6. DISCLOSURE OF INTEREST

Nil.

7. QUESTIONS

Nil.

8. DEPUTATIONS

8.1 Mr M McLerie, Mr F O'Neill and Mr J Mouat representing City of Melville Residents and Ratepayers Association (Inc)
CD19/8122 – Community Development Council Policy Review

8.2 Mr M McLerie representing City of Melville Residents and Ratepayers Association (Inc)
CD19/5724 – Delegation of Authority to Appoint Approved and Authorised Officers for the Purpose of the Criminal Procedure Act 2004

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 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

CD/8122	<p>Community Development Council Policy Review</p> <p>OFFICER PRESENTATION Christine Young– Director Community Development</p> <p>DEPUTATION/PRESENTATION/S Mr M McLerie, Mr O’Neill and Mr Mouat representing City of Melville Residents and Ratepayers Association (Inc) commenced a presentation at 6:39pm and concluded at 6:46pm. They departed the chambers at 6:56pm.</p> <p>At 6:56pm Ms Young commenced a presentation which concluded at 7:01pm.</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"> • How many TPI permits were provided prior to the change in process? • Confirm if the TPI permit holders were notified of the change to the permit arrangement. • Confirmation of highest cost of parking per hour in the City of Melville. • The Local Law review date and date change implemented. • Which section of the Local Law deals with the parking issue being discussed.
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At 6:44pm Ms Newman left the meeting and returned at 6:47pm.

At 7:06pm Cr Pazolli left the meeting and returned at 7:07pm.

M19/5725	<p>Re-Confirmation of Delegation of Appointment Powers Under the Public Health Act</p> <p>OFFICER PRESENTATION Louis Hitchcock – Executive Manager Governance and Legal Services Anne Hill – Governance Project Officer</p> <p>DEPUTATION/PRESENTATION/S Nil.</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>
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M19/5722	Delegation of Powers and Duties Under the Dog Act
	<p>OFFICER PRESENTATION Louis Hitchcock – Executive Manager Governance and Legal Services Anne Hill – Governance Project Officer</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>

M19/5724	Delegation of Authority to Appoint Approved and Authorised Officers for the Purposes of the Criminal Procedure Act 2004
	<p>OFFICER PRESENTATION Louis Hitchcock – Executive Manager Governance and Legal Services Anne Hill – Governance Project Officer</p> <p>DEPUTATION/PRESENTATION/S Mr M McLerie, representing City of Melville Residents and Ratepayers Association (Inc) commenced a presentation at 7:24pm and concluded at 7:37pm. Mr McLerie departed the chambers at 7:37pm.</p> <p>Mr Hitchcock commenced a presentation at 7:39pm which concluded at 7:40pm.</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"> • Provide examples of the prescribed offences applicable under the Criminal Procedures Act 2004. • Provide information on the process relating to non-compliance matters that may escalate to a fine.

COUNCIL RESOLUTION

At 7:35pm Cr Mair moved, seconded Cr Kepert –

That Mr McLerie be granted a further 5 minutes to speak on this matter.

At 7:35pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (12/0)

*At 8:08pm Cr Wheatland left the meeting and returned at 8:12pm.
At 8:12pm Cr Keper left the meeting and returned at 8:14pm.*

M19/5723	Legal Advice on Withdrawal of Delegated Authority to Prepare and Submit Responsible Authority Reports to Joint Development Assessment Panel
	<p>OFFICER PRESENTATION Steve Cope – Director Planning Services Louis Hitchcock – Executive Manager Governance and Legal Services Anne Hill – Governance Project Officer</p> <p>DEPUTATION/PRESENTATION/S Mr Cope commenced a presentation at 8:14pm which concluded at 8:18pm.</p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

At 8:16pm Cr Woodall left the meeting and returned at 8:19pm.

M19/5000	Common Seal Register
	<p>OFFICER PRESENTATION - IF REQUESTED Bruce Taylor – Manager Governance Property</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>

C19/6166	Update of Financial Policies
	<p>OFFICER PRESENTATION 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>

At 8:39pm Cr Barton left the meeting.

C19/6000	Investment Statements for October 2019
	<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>

C19/6001	Schedule of Accounts Paid October 2019
	<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>

C19/6002	Statements of Financial Activity for October 2019
	<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 8:41pm.



This Report provides comment on the reviewed Council Policies (Community Development) by the Director Community Development.

CP-002 Stakeholder Engagement Policy

- No changes**

CP-028 Physical Activity Policy

- One minor grammatical change**

CP-038 Neighbourhood Development – Community Hub Policy

- One minor grammatical change and addition of reference to place activation**



CP-038 Discretionary Services Review Policy

- No changes

CP-084 Disability Access and Inclusion Policy

- No changes

CP-095 Non Monetary grants Policy Community Partnership Fund

- One minor change to clarify application of Policy to “all” requests associated with Council Fees for events or projects



City of
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DAP CALL UP PROCESS



City of
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- When a DAP application is received notification of the application is provided in the Elected Members bulletin.
- After the EMB item a major development briefing to Elected Members is held.
- After consultation a summary of responses is provided to Elected Members in EMB item.
- At this point the option for Elected Members to request that the Responsible Authority Report (RAR) to the JDAP be called up to a meeting of Council.



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- If an RAR is the subject of such a call up, the resolution of Council in respect of the matter is referred to the JDAP in an updated RAR.