

NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 8 JUNE 2021
COMMENCING 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 15 June 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 in accordance with the provisions of the Policy.

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**Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre,
10 Almondbury Road, Booragoon on Tuesday 8 June 2021, commencing at 6.35pm.**

AGENDA BRIEFING FORUM

1. OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:35pm and invited Cr June Barton to read the Acknowledgement of Country, 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 J Barton (Deputy Mayor)
Cr G Barber (*from 6:36pm*)
Cr D Macphail
Cr N Robins
Cr C Robartson, Cr M Woodall
Cr N Pazolli
Cr K Mair (*from 6:37pm*)
Cr T Fitzgerald, Cr K Wheatland

WARD

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

3. IN ATTENDANCE

Mr S Cope	A/Chief Executive Officer
Mr G Ponton	A/Director Urban Planning
Ms C Young	Director Community Development
Mr M McCarthy	Director Technical Services
Mr A Ferris	Director Corporate Services
Mr L Hitchcock	Executive Manager Governance and Legal Services
Mr M Murphy	Manager City Buildings (<i>electronic attendance</i>)
Ms C Newman	Governance Coordinator
Ms R Davis	Governance Officer
Ms J Head	Governance Officer

At the commencement of the meeting, there were 6 members of the public in the Council Chambers and 20 members of the public and no representatives from the Press in attendance electronically.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE**4.1 APOLOGIES**

Mr M Tieleman Chief Executive Officer

4.2 APPROVED LEAVE OF ABSENCE

Cr M Sandford Central Ward
Cr S Kepert Applecross-Mount Pleasant Ward

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.

At 6:36pm Cr Barber entered the meeting.

6. DISCLOSURE OF INTEREST

- Cr C Robartson – P21/3920 – Proposed Land Acquisition by Alchera Living at Winnacott Recreation Reserve. Interest under the Code of Conduct.
- Cr N Pazolli – P21/3920 – Proposed Land Acquisition by Alchera Living at Winnacott Recreation Reserve. Interest under the Code of Conduct.

At 6:37pm Cr Mair entered the meeting.

7. PUBLIC QUESTIONS

Nil.

8. DEPUTATIONS

8.1 Dr J Horton, Ms K Loveday and Ms P Samson (Climate Action Network),
Item C21/5843 – Late Item - Response to Melville City Climate Action Network Petition - Request for Climate Change

8.2 Mr G Sauvage (Alchera Living) and T Paduano (Element)
Item P21/3920 – Proposed Land Acquisition by Alchera Living at Winnacott Recreation Reserve

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 governance@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 6:38pm Mayor Gear brought forward Item C21/5843 Late Item – Response to Melville City Climate Action Network Petition – Request for Climate Change for the convenience of Dr Horton, Ms Loveday and Ms Samson to make their deputation.

C21/5843	<p>Late Item – Response to Melville City Climate Action Network Petition – Request for Climate Change</p>
	<p>OFFICER PRESENTATION - QUESTIONS ONLY Alan Ferris – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Dr Horton and Ms Samson entered the Chambers for the purpose of making a deputation, Ms Loveday attended electronically, which commenced at 6:38pm and concluded at 6:48pm. At 6:55pm Dr Horton, Ms Loveday and Ms Samson left the Chamber.</p> <p><u>Deputation – Melville City Climate Action Network</u></p> <p><u>MCCAN – Executive Summary Handout</u></p> <p><u>MCCAN – Local Government Climate Emergency Toolkit Handout</u></p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

*At 6:55pm Cr Wheatland left the meeting and returned at 7:01pm.
At 6:56pm Cr Fitzgerald left the meeting and returned at 7:01pm.
At 6:57pm Cr Barber left the meeting and returned at 7:02pm.
At 7:07pm Cr Wheatland left the meeting and returned at 7:08pm.
At 7:07pm Cr Woodall left the meeting and returned at 7:14pm.*

At 7:07pm Mayor Gear brought forward Item P21/3920 – Proposed - Land Acquisition by Alchera Living at Winnacott Recreation Reserve, Willagee for the convenience of Mr G Sauvage and T Paduano to make their deputation.

Disclosure of Interest

Member Cr Robartson
 Type of Interest Interest under the Code of Conduct
 Nature of Interest I am the state president of the Air Force Association WA that is involved in residential care (aged)
 Request Stay, Discuss, Vote
 Decision Leave Stay, Discuss, Vote

Disclosure of Interest

Member Cr Pazolli
 Type of Interest Interest under the Code of Conduct
 Nature of Interest I am a former community/Council board member of Alchera Living – No longer involved.
 Request Stay, Discuss, Vote
 Decision Leave Stay, Discuss, Vote

P21/3920	<p>Proposed - Land Acquisition by Alchera Living at Winnacott Recreation Reserve, Willagee</p> <p>OFFICER PRESENTATION Gavin Ponton – Manager Strategic Urban Planning</p> <p>DEPUTATION/PRESENTATION/S Mr G Sauvage and T Paduano entered the Chambers for the purpose of making a deputation, which commenced at 6:56pm and concluded at 7:01pm. At 7:07pm Mr G Sauvage and T Paduano left the Chamber.</p> <p>Mr Ponton commenced a presentation at 7:07pm, which concluded at 7:10pm. At 7:18pm the officer left the chamber.</p> <p><u>Officer Presentation – Mr Ponton – P21/3920</u></p> <p>DISCLOSURE OF INTEREST</p> <ul style="list-style-type: none"> • Cr Robartson – Interest under the Code of Conduct • Cr Pazolli – Interest under the Code of Conduct <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p> <p>At the request of Elected Members the A/CEO undertook to provide information in the Elected Members Bulletin on the current Payment by Alchera Living to the City for the current five year lease per annum.</p>
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At 7:15pm Cr Barber left the meeting and returned at 7:17pm.
At 7:15pm Mr Ferris left the meeting and returned at 7:17pm.
At 7:17pm Cr Barton left the meeting.

M21/5841	Chief Executive Officer Triennial Review of Risk Management, Internal Control and Legislative Compliance
	<p>REPORT FROM FINANCIAL MANAGEMENT, AUDIT, RISK AND COMPLIANCE COMMITTEE</p> <p>OFFICER PRESENTATION – QUESTIONS ONLY 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>

P21/3920	Proposed - Land Acquisition by Alchera Living at Winnacott Recreation Reserve, Willagee
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Item brought forward
See Page 8

T21/3928	RFT202123 - Supply and Installation of Point Walter Golf Course Irrigation System
	<p>OFFICER PRESENTATION – QUESTIONS ONLY 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>

Cr Barton returned to the meeting at 7:21pm.

T21/3929	<u>RFT202125 – Minor Refurbishment Works Tompkins Park Stage 2</u>
	<p>OFFICER PRESENTATION Mario Murphy – Manager City Buildings (electronic attendance)</p> <p>DEPUTATION/PRESENTATION/S Mr Murphy commenced a presentation at 7:19pm, which concluded at 7:22pm. At 7:33pm the officers left the meeting.</p> <p><u>Officer Presentation – Mr Murphy – T21/3929</u></p> <p>DISCLOSURE OF INTEREST Nil.</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

At 7:34pm Ms Davis left the meeting and returned at 7:37pm.

M21/5842	<u>Review of City of Melville Council Delegations 2021</u>
	<p>OFFICER PRESENTATION – QUESTIONS ONLY Corrine Newman – Governance Coordinator</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> <p>At the request of Elected Members the CEO undertook to provide the following information in the Elected Member Bulletin on the ability and correct process for Elected Members to call any Development Application matter to the Council for consideration.</p>

M21/5000	Common Seal Register
	<p>OFFICER PRESENTATION – QUESTIONS ONLY Louis Hitchcock – Executive Manager Governance and Legal 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>

C21/6000	Investment Statements for April 2021
	<p>OFFICER PRESENTATION - QUESTIONS ONLY 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>

C21/6001	Schedule of Accounts Paid April 2021
	<p>OFFICER PRESENTATION - QUESTIONS ONLY 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>

C21/6002	Statements of Financial Activity for April 2021
	<p>OFFICER PRESENTATION - QUESTIONS ONLY Alan Ferris – Director Corporate Services</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> <p>The A/CEO undertook to provide Elected Members with clarification in the Elected Members Bulletin relating to:</p> <ul style="list-style-type: none"> • the spend in relation to SWG group – Tourism and Promotion - clarity on the negative variance of \$326 expenditure incurred in relation to South West Group. • positive variances in <ul style="list-style-type: none"> ○ Protection of Environment \$100K; ○ Library \$100K; and ○ Other Culture \$150K (donations, sponsorship and performance artist fees). <p>When there is a positive variance for capital works it is rolled over will this happen with these? Why was this not spent?</p> <ul style="list-style-type: none"> • underspend associated with libraries, is there benchmarking on State Government staffing ratios for funding and is this affected.

C21/5843	Late Item – Response to Melville City Climate Action Network Petition – Request for Climate Change
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Item brought forward
See Page 7.

10. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

11. CLOSURE

At the conclusion on the meeting Councillor Robins was still in attendance electronically.

There being no further business to discuss, Mayor Honourable George Gear declared the meeting closed at 7:50pm.