

NOTES

AGENDA BRIEFING FORUM

HELD ON TUESDAY, 12 APRIL 2022

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 will be 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.

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.

DISTRIBUTED: 14 APRIL 2022

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday 12 April 2022, commencing at 6:30pm.

AGENDA BRIEFING FORUM

1. OPENING

The Mayor welcomed those in attendance to the meeting and declared the meeting open at 6:30pm and invited Cr Jane Edinger 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 decision making within this forum.

2. ELECTED MEMBERS PRESENT

Mayor Honourable G Gear

COUNCILLORS

Cr T Fitzgerald (Deputy Mayor)
Cr K Wheatland
Cr D Macphail
Cr M Woodall
Cr J Spanbroek
Cr C Ross
Cr N Pazolli
Cr K Mair
Cr M Sandford
Cr J Edinger
Cr G Barber

WARD

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

3. IN ATTENDANCE

Mr M Tieleman	Chief Executive Officer
Mr A Ferris	Director Corporate Services
Mr S Cope	Director Urban Planning
Mr M McCarthy	Director Technical Services
Mr T Cahoon	A/Director Community Development
Mr M Scarfone (<i>until 7:03pm</i>)	A/Manager Strategic Urban Planning
Mr J Bird (<i>until 7:44pm</i>)	Manager Natural Areas and Parks (<i>electronic attendance</i>)
Ms K Brosztl (<i>6:38pm – 7:30pm</i>)	Manager Engineering Design (<i>electronic attendance</i>)
Mr P de Lang (<i>until 7:38pm</i>)	A/Manager Healthy Melville
Mr G Edwards (<i>until 7:38pm</i>)	Leisure Planning Officer
Ms C Newman	Coordinator Governance
Ms R Davis	Governance Officer

At the commencement of the meeting, there were no members of the public in the Council Chambers, 3 members of the public and no representatives from the Press in attendance electronically.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Cr N Robins Bateman – Kardinya – Murdoch

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 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 Wheatland – T22/3965 - Technical Services Policy Review. Interest Under the Code of Conduct.

7. PUBLIC QUESTIONS

Nil.

8. DEPUTATIONS

Nil.

9. BUSINESS

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 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

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.

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.

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

URBAN PLANNING

At 6:35, the Mayor advised the meeting that addendum had been tabled and distributed for the consideration of the meeting. [Addendum to P22/3977 Adoption of Amendment No. 13](#)

P22/3977 - Adoption of Amendment No.13 to Local Planning Scheme 6 – Childcare Premises

Officer Presentation –Questions Only

Mark Scarfone – Acting Manager Statutory Planning

Deputation/Presentation(s)

At 6:35pm Mr Scarfone entered the meeting to take questions which concluded at 6:40pm.

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 number of childcare centre applications the City has received over the last 18 months.

At 6:38pm Ms Brosztl entered the meeting electronically.

P22/3981 - Review of Local Planning Policy 3.1 Residential Development

Officer Presentation – Questions Only

Mark Scarfone – Acting Manager Statutory Planning

Deputation/Presentation(s)

At 6:40pm Mr Scarfone was available to answer questions which concluded at 7:03pm.

Disclosure of Interest

Nil.

Notes from Forum

General discussion took place regarding the item and officer recommendation.

Director Urban Planning to meet with Cr Barber regarding “Good Neighbour Courtesy Plan”.

At the request of Elected Members the CEO undertook to provide the following information in the Elected Member Bulletin:

- MRWA designation of roads under the road hierarchy and the frequency of review of the road hierarchy classification.
- Link to information on the WAPC website relating to the Key Design Principles

At 7:03pm Mr Scarfone left the meeting and did not return.

TECHNICAL SERVICES

At 7:03pm, the Mayor advised the meeting that addendum had been tabled and distributed for the consideration of the meeting. [Addendum to T22/3965 Technical Services Policy Review](#)

[T22/3965 - Technical Services Policy Review](#)

Officer Presentation – Presentation and Questions

Mick McCarthy – Director Technical Services
Jeff Bird – Manager Natural Areas and Parks

Deputation/Presentation(s)

At 7:03pm Mr McCarthy presented to the meeting which concluded at 7:11pm. Ms Brosztl and Mr Bird were available to answer questions electronically, which concluded at 7:30pm. [Presentation – T22/3965 – Technical Services Policy Review](#)

Disclosure of Interest

Cr Wheatland – 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 administratively cross-reference relevant policies under this review to the CP-120 Climate Action Policy.

At 7:30pm Ms Brosztl disconnected from the meeting electronically and did not return.

[T22/3978 - John Connell Oval Extension](#)

Officer Presentation – Presentation and Questions

Jeff Bird – Manager Natural Areas and Parks

Deputation/Presentation(s)

At 7:30pm Mr Bird was available to answer questions on this item.

Disclosure of Interest

Nil.

Notes from Forum

Cr Spanbroek advised the meeting that she would move a motion to defer this item to the June 2022 Ordinary Meeting of Council. No discussion took place regarding the item and officer recommendation.

At 7:31pm Mr Ferris left the meeting and returned at 7:33pm.

COMMUNITY DEVELOPMENT**CD22/8147 - Webber Reserve Master Plan****Officer Presentation – Questions Only**

Geoff Edwards – Leisure Project Officer

Deputation/Presentation(s)

At 7:31pm Mr Edwards entered the chamber to answer questions which concluded at 7:38pm.

Disclosure of Interest

Nil.

Notes from Forum

General discussion took place regarding the item and officer recommendation.

At 7:38pm Mr Edwards left the meeting and did not return.

At 7:38pm Mr de Lang left the meeting and did not return.

MANAGEMENT SERVICES**M22/5899 - Local Government (Meeting Procedures) Local Law 2022 – Report of Public Submissions****Officer Presentation – Questions Only**

Corrine Newman – Governance Coordinator

Deputation/Presentation(s)

At 7:39pm Ms Newman was available to answer questions on this item.

Disclosure of Interest

Nil.

Notes from Forum

No discussion took place regarding the item and officer recommendation.

M22/5000 – Common Seal Register**Officer Presentation – Questions Only**

Corrine Newman – Governance Coordinator

Deputation/Presentation(s)

At 7:39pm Ms Newman was available to answer questions on this item.

Disclosure of Interest

Nil.

Notes from Forum

No discussion took place regarding the item and officer recommendation.

CORPORATE SERVICES**C22/6000 – Investment Statements for February 2022****Officer Presentation – Questions Only**

Alan Ferris – Director Corporate Services

Deputation/Presentation(s)

At 7:39pm Mr Ferris was available to answer questions which concluded at 7:41pm.

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 in the current status of Green Investments secured through the Commonwealth Bank.

C22/6001 – Schedule of Accounts Paid February 2022**Officer Presentation – Questions Only**

Alan Ferris – Director Corporate Services

Deputation/Presentation(s)

At 7:39pm Mr Ferris was available to answer questions which concluded at 7:41pm.

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 in relation to the use of cheques for petty cash.

C22/6002 – Statements of Financial Activity for February 2022**Officer Presentation – Questions Only**

Alan Ferris – Director Corporate Services

Deputation/Presentation(s)

At 7:41pm Mr Ferris was available to answer questions which concluded at 7:44pm.

Disclosure of Interest

Nil.

Notes from Forum

General discussion took place regarding the item and officer recommendation.

COUNCIL RESOLUTION

At 7:44pm Cr Ross moved, seconded Cr Edinger –

That the meeting be closed to the members of the public to allow for items deemed confidential in accordance with section 5.23(2)(c) of the *Local Government Act 1995*, to be discussed behind closed doors.

At 7:44pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

At 7:44pm Mr Bird left the meeting and did not return.

10. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**Confidential Item M22/5890 – Ground Lease Redevelopment Agreement 13 The Esplanade and 64 Kishorn Road, Mt Pleasant – Alternate Motion**

Alternate Motion deferred from 15 February 2022 Ordinary Meeting of Council.

Officer Presentation – Questions Only

Corrine Newman – Governance Coordinator

Deputation/Presentation(s)

At 7:47pm, Ms Newman was available to answer questions which concluded at 7:53pm.

Disclosure of Interest

Nil.

Notes from Forum

General discussion took place regarding the proposed motion.

COUNCIL RESOLUTION

At 7:53pm Cr Wheatland moved, seconded Cr Ross –

That the meeting comes out from behind closed doors.

At 7:53pm the Mayor declared the motion

CARRIED UNANIMOUSLY (12/0)

11. CLOSURE

There being no further business to discuss, Mayor Honourable George Gear confirmed Cr Spanbroek, Cr Pazolli, Cr Wheatland, Cr Fitzgerald, Cr Sandford, Cr Woodall and Cr Barber were still in attendance electronically and declared the meeting closed at 7:54pm.