

**NOTES OF THE**  
**AGENDA BRIEFING FORUM**  
**TUESDAY 4 AUGUST 2020**  
**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 were 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.**

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

**DISTRIBUTED: 7 August 2020**

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**Notes of the Agenda Briefing Forum held electronically in accordance with Regulation 14D(2)(a) of the *Local Government (Administration) Regulations 1996*, Tuesday 4 August 2020, 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 and invited Cr Steve Kepert to read the Acknowledgment of Country.

"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."

The Presiding Member requested 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.

Mayor Honourable George Gear conducted a roll call at the commencement of the meeting and confirmed that the Deputy Mayor, Cr Pazolli, Cr Wheatland, Cr Barton and Cr Fitzgerald were in attendance electronically with his approval.

**2. ELECTED MEMBERS PRESENT**

Mayor Honourable G Gear

**COUNCILLORS**

Cr N Pazolli (Deputy Mayor)  
Cr S Kepert,  
Cr D Macphail, Cr N Robins  
Cr C Robertson  
Cr M Woodall  
Cr J Barton  
Cr G Barber  
Cr K Mair  
Cr T Fitzgerald  
Cr K Wheatland

**WARD**

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

### **3. IN ATTENDANCE**

Mr A Ferris	A/Chief Executive Officer
Ms D Whyte	A/Director Corporate Services
Mr S Cope	Director Urban Planning
Ms C Young	Director Community Development
Mr M McCarthy	Director Technical Services
Mr L Hitchcock	Executive Manager Governance and Legal Services
Mr B Taylor	Manager Governance and Property
Ms C Newman	Governance Coordinator
Ms J Head	Governance Officer

#### Officers in Attendance

Ms L Hartill ( <i>until 7:53pm</i> )	Manager Neighbourhood Development
Mr P De Lang ( <i>until 8:30pm</i> )	Healthy Melville Coordinator
Mr G Edwards ( <i>until 8:30pm</i> )	Recreation Development Officer
Mr P Prendergast ( <i>until 8:16pm</i> )	Manager Statutory Planning

At the commencement of the meeting, there were 9 members of the public in the Council Chambers, 5 members of the public and no representative from the Press in attendance electronically.

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

#### **4.1 APOLOGIES**

Nil.

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

Cr Sandford                      Central 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 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****6.1 FINANCIAL INTERESTS**

Nil.

**6.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT**

Nil.

**7. QUESTIONS**

Nil.

**8. DEPUTATIONS****8.1 Mr J Barendse and Ms S Kershaw representing Applecross Cricket Club**

Item CD20/8131– Petition to the City of Melville – Bert Jeffery Park.

**8.2 Ms A De Souza of Murdoch, Mr C Ross and Ms M Mawer**

Item CD20/8131 – Petition to the City of Melville – Bert Jeffery Park

**8.3 Mr M McLerie representing City of Melville Residents and Ratepayers Association Inc.**

Item CD20/8126 – New Policy – Council Policy CP-112 Customer Feedback Policy.

**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](http://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](mailto: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**

At 6:38pm the Mayor brought forward Item CD20/8131 – Petition to the City of Melville - Bert Jeffery Park, for the convenience of the public gallery.

<b>CD20/8131</b>	<b>Petition to the City of Melville - Bert Jeffery Park</b>
	<p><b>OFFICER PRESENTATION</b>  Peter de Lang – Health Melville Coordinator  Geoff Edwards – Recreation Development Officer</p> <p><b>DEPUTATION/PRESENTATION/S</b>  Mr Barendse and Ms Kershaw commenced a deputation at 6:38pm, which concluded at 6:48pm. At 6:51pm Mr Barendse and Ms Kershaw left the chambers.</p> <p>Ms De Souza, Mr Ross and Ms Mawer commenced a deputation at 6:54pm, which concluded at 7:04pm. At 7:11pm Ms De Souza, Mr Ross and Ms Mawer left the chambers. <a href="#"><u>8131 Friends of Bert Jeffery Deputation</u></a></p> <p>Mr Edwards and Mr de Lang commenced a presentation at 7:11pm, which concluded at 7:16pm. At 7:29pm Mr de Lang and Mr Edwards left the chambers. <a href="#"><u>8131 Officer Presentation Bert Jeffrey Park</u></a></p> <p><b>DISCLOSURE OF INTEREST</b>  Nil.</p> <p><b>NOTES FROM FORUM</b>  General discussion took place regarding the item and officer recommendation.</p>

*At 7:29pm Mr Hitchcock left the meeting and returned at 7:31pm*

At 7:29pm the Mayor brought forward Item CD20/8126 – New Policy – Council Policy CP-112 Customer Feedback Policy, for the convenience of the public gallery.

<b>CD20/8126</b>	<b>New Policy – Council Policy CP-112 Customer Feedback Policy</b>
	<p><b>OFFICER PRESENTATION – QUESTIONS ONLY</b> Leanne Hartill - Manager Neighbourhood Development</p> <p><b>DEPUTATION/PRESENTATION/S</b> Mr McLerie commenced a deputation at 7:29pm, which concluded at 7:38pm. At 7:40 Mr McLerie left the Chambers. <a href="#"><u>8126 New Policy Customer Feedback Deputation</u></a></p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p> <p>At the request of Elected Members the Acting CEO undertook to give consideration to preparation of an additional clause for insertion into the proposed Customer Feedback Policy regarding performance targets. <a href="#"><u>8126 Office Presentation Customer Feedback Policy</u></a></p>

*At 7:53pm Ms Hartill left the meeting and did not return*

<b>P20/3862</b>	<b>Local Development Plan – Lot 42 (23) Buckingham Crescent, Kardinya</b>
	<p><b>OFFICER PRESENTATION –</b> Peter Prendergast - Manager Statutory Planning</p> <p><b>DEPUTATION/PRESENTATION/S</b> Mr Prendergast commenced a presentation at 7:53pm, which concluded at 8:01pm. At 8:16pm Mr Prendergast left the chambers. <a href="#"><u>3862 Officer Presentation Local Development Plan</u></a></p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> At the request of Elected Members the Acting CEO undertook to provide information in the Elected Member Bulletin related to feedback from the Developer on removing reference to Solar Access.</p>

*At 8:16pm Mr Prendergast left the meeting and did not return.*

*At 7:54pm Cr Woodall left the meeting and returned at 7:59pm.*

<b>CD20/8131</b>	<b>Petition to the City of Melville - Bert Jeffery Park</b>
	Item brought forward See page 9.

<b>CD20/8132</b>	<b>New Policy – Council Policy CP-116 Active Reserve Infrastructure Policy</b>
	<p><b>OFFICER PRESENTATION – QUESTIONS ONLY</b> Peter de Lang - Healthy Melville Coordinator Leisure Planning Geoff Edwards - Recreation Development Officer</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> At the request of Elected Members the Acting CEO undertook to give consideration presenting this item at an Elected Member Information Session for further discussion prior to the Ordinary Meeting of Council.</p>

*At 8:30pm Mr de Lang and Mr Edwards left the meeting and did not return.*

<b>CD20/8126</b>	<b>New Policy – Council Policy CP-112 Customer Feedback Policy</b>
	Item brought forward. See page 10.

<b>M20/5759</b>	<b>Standards Panel Representation – Financial Assistance Legal Representation Policy</b>
	<p><b>OFFICER PRESENTATION – QUESTIONS ONLY</b> Alan Ferris - A/Chief Executive Officer</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>M20/5763</b>	<b>Delegates to the Western Australian Local Government Association Annual General Meeting 2020</b>
	<p><b>OFFICER PRESENTATION – QUESTIONS ONLY</b> Corrine Newman - Governance Coordinator</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

<b>M20/5000</b>	<b>Common Seal Register August 2020</b>
	<p><b>OFFICER PRESENTATION – QUESTIONS ONLY</b> Bruce Taylor – Manager Governance and Property</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C20/6000</b>	<b>Investment Statements for June 2020</b>
	<p><b>OFFICER PRESENTATION - QUESTIONS ONLY</b> Alan Ferris – Acting CEO</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p> <p>The Acting CEO undertook to provide further details in relation to the decrease in the Green Investment Statements.</p>

<b>C20/6001</b>	<b>Schedule of Accounts Paid June 2020</b>
	<p><b>OFFICER PRESENTATION - QUESTIONS ONLY</b> Alan Ferris – Acting CEO</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation</p>

<b>C20/6002</b>	<b>Preliminary Statements of Financial Activity for June 2020</b>
	<p><b>OFFICER PRESENTATION - QUESTIONS ONLY</b> Alan Ferris – Acting CEO</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil.</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

#### **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 that Cr Pazolli, Cr Wheatland, Cr Barton and Cr Fitzgerald were still in attendance electronically and declared the meeting closed at 8:40pm.