



City of
Melville

NOTES
AGENDA BRIEFING FORUM

6:30pm Tuesday, 13 June 2023

Held in the Council Chambers, Melville Civic Centre,
10 Almondbury Road, Booragoon

The City of Melville acknowledges the Bibbulmun people as the Traditional Owners and custodians of the lands on which the City stands today and pays its respect to the Whadjuk people, and Elders both past, present and emerging.

Notes to be confirmed at the next Ordinary Council Meeting

These minutes are hereby confirmed as true and accurate

Mayor G Gear

 Date

20 / 6 / 23



Our Vision

Engaging with our diverse community to achieve an inclusive, vibrant and sustainable future.

Our Mission

To provide good governance and quality services for the City of Melville community.

Our Values

Excellence

Striving for the best possible outcomes

Participation

Involving, collaborating and partnering

Integrity

Acting with honesty, openness and with good intent

Caring

Demonstrating empathy, kindness and genuine concern



Making A Deputation

A deputation is a verbal presentation by one or more members of the public on a matter to be considered at the Council meeting. Deputations are made at the relevant Agenda Briefing Forum, held one week prior to the Ordinary Meeting of Council.

Information on making a deputation is available on the City's website. [Request to make a Deputation.](#)

Public Question Time

You can ask a question at a Council meeting during Public Question Time. Information on how to ask a question can be found on the City's website. [Public Question Time.](#)

Complex questions or those related to matters on the agenda and requiring a response at the meeting are "questions on notice" and should be submitted in writing, by the close of business the Tuesday prior to the meeting.

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Audio Recording/ Access to Recording

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 may be accessed at www.melvillecity.com.au/agendas.

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 present deputations in respect to matters on the Council Agenda at this Forum, prior to matters being formally deliberated upon at the next Ordinary Council Meeting.

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1 OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting, officially declared the meeting open at 6:30pm and invited Cr K Mair to read the Acknowledgement of Country and advised those present of the Purpose of the Agenda Briefing Forum, the Disclaimer, the Affirmation of Civic Duty and Responsibility and the Audio Recording Advice.

2 ATTENDANCE AND APOLOGIES

In Attendance

Honourable G Gear JP

Mayor

Councillors

Cr T Fitzgerald (Deputy Mayor)

Cr G Barber

Cr J Edinger

Cr D Macphail

Cr K Mair

Cr N Robins

Cr M Sandford

Cr J Spanbroek

Cr N Pazolli

Ward

Palmyra - Melville - Willagee Ward

Bicton - Attadale - Alfred Cove Ward

Bicton - Attadale - Alfred Cove Ward

Bateman - Kardinya - Murdoch Ward

Central Ward

Bateman - Kardinya - Murdoch Ward

Central Ward

Bull Creek - Leeming Ward

Applecross - Mount Pleasant Ward

Officers

Mr M Tieleman

Chief Executive Officer

Ms G Bowman

Director Community Development

Mr M McCarthy

Director Environment & Infrastructure

Mr P Varelis

Director Urban Planning

Mr G Ponton (*until 8:10pm*)

Manager Strategic Urban Planning (*electronic attendance*)

Mr P Malony (*8:43pm - 8:54pm*)

Manager Resource Recover and Waste
(*electronic attendance*)

Mr B Dawkins (*until 8:41pm*)

Manager Community Safety

Ms C Newman

Head of Governance

Ms T Hardmeier

Senior Governance Officer

Ms R Davis

Governance Officer

Ms M Smith Poulton

Business Support (Administration) Officer

At the commencement of the meeting:

Public Gallery	16
Electronic	6
Press	0

Apologies

Nil

On Approved Leave of Absence

Cr K Wheatland	Palmyra - Melville - Willagee Ward
Cr M Woodall	Bull Creek - Leeming Ward
Cr C Ross	Applecross - Mount Pleasant Ward

3 DECLARATIONS BY MEMBERS

3.1 Declarations by Members who have not read and given due consideration to all matters contained in the business papers presented before the Meeting

Nil.

3.2 Declarations by Members who have received and not read the Elected Members Bulletin

Nil.

4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

Approved Deputations

- **Mr D Maynier and Mr T Smith, Attadale**
Item CD23/3 Melville Bowling Club Proposal
- **Ms K Horn and Mr B Biggins, Ardross**
Item UP23/14 Additions to the City's Local Heritage Survey
- **Mr T Lubin and Ms M Matassa, Attadale**
Item E23/9 Melville Bird Sanctuary Boundaries

Approved Written Submission

- **City of Melville Residents and Ratepayers Association**
Item C23/23 Council Privacy Policy

5 DISCLOSURE OF INTEREST

5.1 Financial or Proximity Interests

Under sections 5.60A and/or 5.60B of the *Local Government Act 1995*

5.2 Disclosure of Interest That May Cause a Conflict

Under *22 Local Government (Model Code of Conduct) Regulations 2021* or a City of Melville (Code of Conduct)

6 PUBLIC QUESTION TIME

At 6:33pm the Presiding Member opened Public Question Time.

6.1 Questions Received with Notice

6.1.1 City of Melville Residents and Ratepayers Association

Question 1

Item C23/23 Council Privacy Policy, given repeated privacy breaches by the City of Melville, incl. the recent release of 480 ratepayers' direct debit information to a third party:

- a) *Who is the third party, and precisely how and when did they receive the ratepayers' private financial information?*
- b) *Which City officer(s) became aware of the data breach and how?*
- c) *What information system(s) was the data released from, including the hardware, operating system(s) and software?*
- d) *Who were the City officers involved in the data breach and what performance management has resulted?*
- e) *Who were the City officers that conducted the urgent review, what process limitations were identified and what immediate systemic changes were made?*
- f) *Why do City officers think it ok to recommend Council delays implementation of privacy protections for more than 18 months.*

Were officers involved in the data breach involved in the recommendations?

Response

To respond to these questions would be a breach of privacy of a third party and/or relate to security of information or to staffing matters, that the City will not be commenting on. Information is provided on the City's website in relation to the data disclosure and on the actions undertaken in relation to this matter. The website link is – [City of Melville Statement on Data Disclosure](#).

As advised in the Officer Report, the City is participating in the Office of Digital Government Privacy and Responsible Information Sharing Program. The structured program is an initiative of the Department of Premier and Cabinet that all state government agencies and local governments are participating in. A benefit of participating in the program is that privacy policies and practices and the release and sharing of information will be consistent and standardised between state government agencies and all local governments.

Question 2

The media is interested in the CEO's proposal to increase the permitted time a vehicle (cars, boats, caravans, trailers and the like) can be parked on the public road reserve from 24 to 72 hours:

- a) *What is the rationale, business case showing the benefit to the community, and justification for the proposed change*
- b) *How many complaints have been received about vehicles being parked/stored on the road reserve for more than 24 hours over the last 6 years.*
- c) *For the complaints received;*
 - i. *What was the range of times from complaint receipt to resolution.*
 - ii. *How many infringements have been issued; and for what total value.*
 - iii. *How many vehicles had to be towed away.*
 - iv. *How many of the complaints received were repeated complaints (for vehicles associated with the same property/persons).*
- d) *What is the anticipated impact of the proposed change on the number of complaints, infringements and tow aways.*

Response

The clause in question will not allow boats, trailers and caravans which are unattached to a vehicle to park on the street. This type of parking is regulated by clause 6.13 of the proposed local law, and the clause in question does not affect the operation of that clause.

Similarly, if a boat, trailer or caravan is attached to a vehicle, it is likely to be an 'overlength' vehicle and maximum time restrictions on this type of parking is regulated by clause 5.10. Again, the clause in question does not affect the operation of that clause.

Cars or vehicles which are a safety issue or causing an obstruction are dealt with by other clauses in the proposed local law (principally clauses 5.16(1) and 6.14), and the City has the power to impound these vehicles under the Local Government Act. The clause in question does not restrict this power.

The clause in question is principally directed to other types of parking, primarily cars which are not causing a safety or obstruction issue and are parked legally on the street. It gives the City the power to, in these circumstances, deem a car to be an obstruction when it otherwise wouldn't be under the local law. In these cases, the issue is likely to be of amenity only, and the City feels that in these circumstances, it is reasonable and appropriate to allow cars to park for 72 hours before considering whether to deem it as an obstruction.

In regard to the specific questions raised in clause c), and in accordance with clause 6.10(h) of the *City of Melville Meeting Procedures Local Law 2022*, the Presiding Member has ruled that answers will not be given, as the research involved to respond in detail would divert a substantial and unreasonable portion of the City's resources away from its other functions.

The City encourages anyone with feedback on the proposed parking local law to provide their comments during the 6-week public consultation process, which will commence if the item is passed at next week's Council meeting.

Question 3

The listing of payments for April in the agenda shows the City paid McLeods lawyers \$ 6,913.34, Minter Ellison lawyers \$ 26,392.85, Jackson McDonald lawyers \$ 1,168.20 and 3D HR Legal, \$ 2,640.00 (more than \$ 37,000 or more than \$ 440,000 annualised)

- a) What types of matters are related to this spend, e.g. prosecutions, debt collection, planning advice, building advice, defamation, damages etc.*
- b) What is the total spend year to date with these lawyers.*
- c) What is the forecast spend with these lawyers for the remainder of the year.*
- d) What was the total paid to these lawyers over 2021 and 2022, broken down by supplier and types of matters.*
- e) What of the total spend during 2022 and 2023 YTD for matters associated with advice in relation to defending any claims against any City officer(s) or elected members).*

Response

The information provided in the monthly payments list is the information that the City is required to provide in relation to payments made.

Expenditure of legal services for the year to date, at the time of this response for the 2022-2023 year is \$479,757. Expenditure for the 2020-2021 year was \$492,363 and \$131,146 for the 2021-2022 year. Funds have been provided in the 2023-2024 draft budget for legal expenditure going forward and the amount that will be spent on legal services for the remainder of the 2023 year will be dependent on the matters that the City and/or the Council require to obtain advice, defend any claims and undertake prosecutions etc.

Any expenditure associated with advice in relation to "defending any claims against any City officer(s) or elected members)", would be reported to the Council in accordance with Council Policy CP-017 Legal Representation Policy Elected Members and Employees.

In accordance with clause 6.10(h) of the City of Melville Meeting Procedures Local Law 2022, the Presiding Member has ruled that answers to the other questions would not be given, as the research involved to respond in detail would divert a substantial and unreasonable portion of the City's resources away from its other functions.

6.2 Questions Received at the Meeting

Nil.

6.3 Questions Taken on Notice at Previous Meeting

This information is available in the agenda of the Ordinary Meeting of Council for 20 June 2023.

At 6:40pm the Presiding Member closed Public Question Time.

7 AWARDS AND PRESENTATIONS

This item will be dealt with at the Ordinary Meeting of Council.

8 NEW BUSINESS OF AN URGENT NATURE

9 IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

10 PETITIONS

This item will be dealt with at the Ordinary Meeting of Council.

11 REPORTS

11.1 Reports from Committees

Nil.

11.2 Reports of the Chief Executive Officer

Management Services

Nil.

Items Brought Forward**CD23/3 Melville Bowling Club Proposal**

Deputations	At 6:41pm Mr D Maynier and Mr T Smith gave a deputation which concluded at 6:52pm. At 7:11pm Mr D Maynier and Mr T Smith returned to the Public Gallery. Deputation Information – Mr D Maynier & Mr T Smith
Officer Presentation	At 7:11pm Ms G Bowman and Mr McCarthy were available to respond to questions on the matter, which concluded at 7:30pm.
Disclosure of Interest	Nil.
Notes from Forum	<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 on the Elected Members Portal:</p> <ul style="list-style-type: none">• Melville Bowling Club Property Condition Report 2022.

SUMMARY

- The purpose of the report is for Council to consider the recommended process to review and assess a submission from the Melville Bowling Club about a proposed major development at their site.
- The draft business case from the Melville Bowling Club does not provide the required information, professional advice and evidence for the Council to be able to consider a major investment and proposal in the magnitude of \$15M to \$20M.
- The recommended process includes the City being allocated a budget to contract a range of professional consultancy services to undertake a review and complete a draft business case/ plan and concept options analysis up to the value of \$90,000.
- The Long-Term Financial Plan or Draft 2023-2024 Budget does not include funding for the redevelopment of the Melville Bowling Club facilities.

OFFICER RECOMMENDATION

That Council allocate \$90,000 in the 2023/2024 budget for the City to contract a range of professional services to review and complete a business case and options analysis for a proposed redevelopment of the Melville Bowling Club subject to the following conditions:

- That the Melville Bowling Club agree to reviewing their lease boundary, terms, and conditions to enable the Atwell Gallery driveway access and additional parking.**
- That the Melville Bowling Club agree to review their management model to ensure a financially sustainable model which provides equitable access to a range of sporting codes and clubs to maximise community access and benefits.**
- That the Melville Bowling Club agree to work co-operatively with the City with the goal to maximise the recreation and community benefits provided by the proposal and**
- That the Melville Bowling Club agree to work cooperatively with the City to identify a range of options that will be economically, socially and environmentally sustainable.**

At 6:57pm, Mr P Varelis left the meeting.

At 6:59pm, Mr P Varelis returned to the meeting.

At 6:57pm, Mr B Dawkins left the meeting.

At 6:59pm, Mr B Dawkins returned to the meeting.

At 7:10pm, Cr N Robins left the meeting.

At 7:12pm, Cr N Robins returned to the meeting.

UP23/14 Additions to the City's Local Heritage Survey

Deputations	At 7:31pm Ms K Horn and Mr B Biggins gave a deputation which concluded at 7:42pm. At 7:44pm Ms K Horn returned to the Public Gallery. Deputation Information – Ms K Horn and Mr B Biggins
Officer Presentation	At 7:43pm Mr P Varelis was available to respond to questions on the matter, which concluded at 7:46pm.
Disclosure of Interest	Nil.
Notes from Forum	General Discussion took place regarding the item and officer recommendation.

SUMMARY

- The Friends of Baden Powell (community group) have explored a number of options to achieve recognition of the heritage value of Baden Powell Reserve.
- The community group initially sought heritage listing of the scout buildings on Baden Powell Reserve in 2014. Assessment of the buildings on site and the cultural history of scouting use, was found to not meet the threshold for heritage listing. A second request was made in 2022 to have the site recognised by the State Heritage Council for its value due to its subdivision/park layout. The Heritage Council did not support the request to have Baden Powell included on the State Heritage Register, however suggested that the sites may be more suitable for recognition under the City's Local Heritage Survey.
- In view of multiple requests for heritage assessment, the City initiated a heritage investigation to consider the significance of the subdivision layout which resulted in the creation of the reserve.
- The City extended the scope of the heritage assessments to include Marguerite Smith Reserve and Reg Beaton Park, as it was identified that they share similar subdivision characteristics as Baden Powell Reserve.
- The City had Place Assessments undertaken for all three sites. The Place Assessments identified that Baden Powell has a moderate level of local significance (category 3) and that Marguerite Smith and Reg Beaton have little local significance (category 4).
- The proposed additions to the heritage survey were advertised for 21 days, and 93 submissions were received, all supporting the proposed inclusions.
- The subdivision and design of the three reserves have some significance and accordingly, it is recommended that Council adopt the proposed inclusions of the reserves as additions to the City's Local Heritage Survey.

OFFICER RECOMMENDATION

That the Council pursuant to the Heritage Act 2018, approve the following 3 reserves to be included in the City's Local Heritage Survey:

- **Baden Powell Reserve (41a McCallum Crescent, Ardross);**
- **Marguerite Smith Reserve (31 Lawlor Road Attadale); and**
- **Reg Beaton Park (13 Roberts Road, Attadale).**

At 7:45pm, Cr N Pazolli left the meeting.

E23/9 Melville Bird Sanctuary Boundaries

Deputations	At 7:46pm Mr T Lubin and Ms M Matassa gave a deputation which concluded at 8:01pm. At 8:08pm Mr T Lubin returned to the Public Gallery. Deputation Information – Mr T Lubin and Ms M Matassa
Officer Presentation	At 8:08pm Mr M McCarthy was available to respond to questions on the matter, which concluded at 8:14pm.
Disclosure of Interest	Nil.
Notes from Forum	General Discussion took place regarding the item and officer recommendation.

SUMMARY

- The Friends of the Melville Bird Sanctuary (FoMBS) first put forward the proposal for a Melville Bird Sanctuary and Discovery Centre to the City of Melville at the Annual General Meeting (AGM) of Electors in December 2018.
- At the March 2022 Ordinary Meeting of Council, Council acknowledged the Attadale-Alfred Cove Master Plan (AACFMP), which included the recommendation to establish the Melville Bird Sanctuary (MBS) as an intended outcome.
- The MBS Stage 1 boundary encompasses most of the area that was included as a part of the Attadale Alfred Cove Foreshore Master Plan.
- The MBS Stage 2 boundary incorporates the Point Walter Spit, Blackwell Reach and the Bicton foreshore area including Quarantine Park.
- The Department of Biodiversity Conservation and Attraction (DBCA) have advised the MBS does not offer any further formal protections to the marine park or the adjoining nature reserve, however the DBCA support the proposal as a symbolic initiative.
- DBCA have advised the MBS will be a valuable way to assist in conveying to the community how the area is managed collectively as regionally significant bird habitat.
- The officer recommendation is for the Council to support the establishment of the Melville Bird Sanctuary (MBS) based on the proposed boundaries for Stage 1 with the primary purpose of managing the land for biodiversity protection, enhancement, and conservation.
- Officers also recommend that the Council approve progressing with community consultation for Stage 2 of the MBS.

OFFICER RECOMMENDATION

- 1. That Council supports the establishment of the Melville Bird Sanctuary based on the Stage 1 boundaries, with the primary purpose of managing the land for biodiversity protection, enhancement and conservation; and**
- 2. Supports progressing with community consultation for Stage 2 of the Melville Bird Sanctuary.**

At 7:46pm, Mr B Dawkins left the meeting.

At 7:46pm, Cr J Spanbroek left the meeting.

At 7:47pm, Mr B Dawkins returned to the meeting.

At 7:48pm, Cr J Spanbroek returned to the meeting.

At 7:49pm, Cr N Pazolli returned to the meeting.

At 8:10pm, Mr G Ponton electronically disconnected from the meeting.

At 8:15pm at the request of Elected Members the Presiding Member brought forward the following item:

15.1 Motion with Notice - Public Open Space Investigation

Deputations	Nil
Officer Presentation	At 8:15pm Mr P Varelis was available to respond to questions on the matter, which concluded at 8:21pm.
Disclosure of Interest	Nil.
Notes from Forum	General Discussion took place regarding the item and officer recommendation.

OFFICER RECOMMENDATION

- 1. Request the Chief Executive Officer prepare a report for Council's consideration, by September 2023, regarding the scope and resourcing requirements for investigations to ensure the City's localities are provided with Public Open Space in accordance with community expectation and contemporary State Government planning policy and guidelines.**
- 2. The scope of investigations should include but not be limited to:**
 - a. Stakeholder and community engagement.**
 - b. Policy context:**
 - i. State Government**
 - ii. Local Government**
 - c. Demographic and future trends analysis.**
 - d. Public Open Space Evaluation:**
 - i. Identification, audit, and assessment**
 - ii. Proximity of Public Open Space within 400m catchments of dwellings.**
 - iii. Percentage allocation analysis on a locality-by-locality basis.**
 - e. Community sports space current needs and future requirements.**
 - f. Community open space needs and future requirements (particular focus on areas with proposed density increases).**
 - g. Strategies, opportunities, recommendations, and actions (with a focus on short-medium term deliverables).**

At 8:16pm, Cr J Edinger left the meeting.

At 8:18pm, Cr J Edinger returned to the meeting.

At 8:22pm, Cr G Barber left the meeting.

At 8:24pm, Cr G Barber returned to the meeting.

At 8:25pm, Ms G Bowman left the meeting and did not return.

Corporate Services**C23/23 Council Privacy Policy**

Deputations	Written Submission – City of Melville Residents and Ratepayers Association
Officer Presentation	At 8:25pm Mr M Tieleman was available to respond to questions on the matter, which concluded at 8:26pm.
Disclosure of Interest	Nil.
Notes from Forum	<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 on the Elected Members Portal:</p> <ul style="list-style-type: none"> • Summary of actions the City of Melville is undertaking in relation to the Privacy Policy.

SUMMARY

- At the Annual General Meeting of Electors (AGM) held on Monday, 6 February 2023, a motion was supported requesting that the City develop a Privacy Policy.
- The motion from the AGM was considered at the 21 February 2023 Council Meeting where it was noted and it was resolved that a report be presented to the June 2023 Council Meeting on the options for the development of a draft Privacy Policy.
- This report provides an update on the WA Governments actions in drafting new legislation that will form the basis of Privacy and Responsible Information Sharing (PRIS) Reforms.
- These reforms and legislation will apply to Local Governments.
- The City is participating in the State Governments readiness and implementation program as required.
- It is recommended that consideration of a Privacy Policy be deferred until the State Governments PRIS reforms and legislation have been introduced.

OFFICER RECOMMENDATION

1. **That Council notes the WA Government Privacy and Responsible Information Sharing Reforms and the requirement to have a Privacy Policy.**
2. **That Council notes that the State Government will be providing State Government Departments and Local Government with a template Privacy Policy.**
3. **That Council defers the decision to adopt a City of Melville Privacy Policy until the State Government Privacy and Responsible Information Sharing Reforms and legislation have been introduced.**

At 8:25pm, Cr J Edinger left the meeting.

At 8:25pm, Cr G Barber left the meeting.

At 8:25pm, Ms P Varelis left the meeting.

C23/25 Yearly Delegation Review

Deputations	Nil.
Officer Presentation	At 8:26pm Ms C Newman was available to respond to questions on the matter.
Disclosure of Interest	Nil.
Notes from Forum	No Discussion took place regarding the proposed motion.

SUMMARY

- Delegations made under the *Local Government Act 1995* and various other legislation must by law be reviewed by the delegator at least once every financial year and listed in a register kept by the CEO.
- The statutory review of Council delegations for 2023 has been undertaken and it is recommended that the outcome of this review be adopted by the Council.
- Following the Council's resolution on this matter the Register of Delegations will be updated and provided to Elected Members for information.

OFFICER RECOMMENDATION

That the Council resolves by absolute majority decision to:

- 1. endorse the 2023 review of Council's statutory delegations, authorisations and appointments.**
- 2. confirm the minor changes and edits to the instruments of delegation, authorisation and appointment, as contained in Attachment 1 - City of Melville Statutory Delegation and Authorisation Manual 2023-2024 MARKED UP.**

C23/39 Proposed City of Melville Parking Local Law 2023

Deputations	Nil
Officer Presentation	At 8:26pm Ms T Hardmeier and Mr B Dawkins were available to respond to questions on the matter, which concluded at 8:39pm.
Disclosure of Interest	Nil.
Notes from Forum	<p>General Discussion took place regarding the item and officer recommendation.</p> <p>Agreement to amend clause 4.2(3) for the heading to include the word "veteran".</p> <p>At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:</p> <ul style="list-style-type: none"> • Confirm if a customer can paid for parking initially and return to park later using the free parking.

SUMMARY

- The current Parking Local Law was made by Council on 20 September 2016.
- Since this time, several changes to the Parking Local Law have been suggested by staff and Elected Members to help ensure it responds to the modern parking context.
- In response to this feedback, the City instigated a full review of the Parking Local Law which

has resulted in a new proposed Parking Local Law 2023.

- This report seeks Council approval to invite public comment on the proposed Parking Local Law 2023, for a six-week period, in accordance with section 3.12 of the *Local Government Act 1995* (the Act).
- Following consultation, a report on the submissions, as well as the final proposed Parking Local Law 2023, will be presented back to Council.

OFFICER RECOMMENDATION

That the Council by absolute majority decision:

1. **proposes to repeal the existing *City of Melville Parking Local Law 2016* and make a new local law with the following purpose and effect:**
 - a) **The purpose of the proposed local law is to provide for the regulation, control and management of parking, vehicles and parking facilities within the parking region of the City of Melville.**
 - b) **The effect of the local law is that a person stopping or parking a vehicle within the parking region is required to comply with the provisions of the Parking Local Law 2023.**
2. **authorises the CEO to commence the procedure under section 3.12 of the *Local Government Act 1995* to make the above local law by:**
 - a) **Giving local public notice and inviting public submissions in accordance with section 3.12(3)(a) on the proposed local law;**
 - b) **Giving a copy of the public notice and proposed local law to the Minister for Local Government in accordance with section 3.12(3)(b);**
 - c) **After the last day of submissions, preparing and presenting a report for Council to consider and determine whether to make the local law in accordance with section 3.12(4).**

At 8:26pm, Cr G Barber returned to the meeting.

At 8:27pm, Mr P Varelis returned to the meeting.

At 8:27pm, Cr J Edinger returned to the meeting.

C23/40 Investment Statements for April 2023

Deputations Nil

Officer Presentation At 8:40pm Mr M Tieleman was available to respond to questions on the matter, which concluded at 8:42pm.

Disclosure of Interest Nil

Notes from Forum General Discussion took place regarding the item and officer recommendation.

SUMMARY

- This report presents the investment statements for the period ending 30 April 2023 for the Council's information and noting.

OFFICER RECOMMENDATION

That Council notes the Investment Report for the period ending 30 April 2023.

At 8:41pm Mr B Dawkins left the meeting and did not return.

At 8:41pm Ms T Hardmeier left the meeting.

C23/41 Schedule of Accounts Paid for April 2023

Deputations	Nil
Officer Presentation	At 8:40pm Mr M Tieleman was available to respond to questions on the matter, which concluded at 8:42pm.
Disclosure of Interest	Nil
Notes from Forum	General Discussion took place regarding the item and officer recommendation.

SUMMARY

- This report presents the details of payments made under delegated authority to suppliers for the period of April 2023 and recommends that the Schedule of Accounts Paid be noted.

OFFICER RECOMMENDATION

That Council notes the Schedule of Accounts paid for the period April 2023 as approved by the Director Corporate Services in accordance with delegated authority DA-035 and detailed in the attachment to this report.

C23/42 Statements of Financial Activity for April 2023

Deputations	Nil
Officer Presentation	At 8:40pm Mr M Tieleman was available to respond to questions on the matter, which concluded at 8:42pm.
Disclosure of Interest	Nil.
Notes from Forum	General Discussion took place regarding the item and officer recommendation.

SUMMARY

This report presents:

- The Statements of Financial Activity by Nature or Type and Rate Setting Statement by Program and Nature or Type, for the period ending 30 April 2023 and recommends that they be noted by the Council.
- The variances for the month of 30 April 2023 and recommends that they be noted by the Council.

- The Budget amendments required for the month of 30 April 2023 and recommends that they be adopted by Absolute Majority decision of the Council. This report presents the investment statements for the period ending 30 April 2023 for the Council's information and noting.

OFFICER RECOMMENDATION

That the Council

1. **Notes the Rate Setting Statement and Statements of Financial Activity for the month ending 30 April 2023 as detailed in the following attachments:**
 - **Statement Nature Type April 2023**
 - **Rate Setting Program April 2023**
 - **Rate Setting Nature Type April 2023**
 - **Net Working Capital April 2023**
 - **Reconciliation Net Working Capital April 2023**
 - **Notes Rate Setting Statement April 2023**
 - **Budget Amendments April 2023**
 - **Summary Rate Debtors April 2023**
 - **Rates Collection Graph April 2023**
 - **General Debtors Aged 90 Days April 2023**
2. **By Absolute Majority Decision adopts the budget amendments, as detailed in the attached Budget Amendment Reports for April 2023.**

C23/43 City of Melville Complaints Management

Deputations	Nil
Officer Presentation	At 8:43pm Ms C Newman was available to respond to questions on the matter.
Disclosure of Interest	Nil.
Notes from Forum	No Discussion took place regarding the item and officer recommendation.

SUMMARY

- At the Annual General Meeting of Electors held on Monday, 6 February 2023, a motion presented by the community and supported by the meeting, requesting that the Council develop and implement Complaints and Investigations Policies and Procedures.
- The motion was considered at the 21 February 2023 Council Meeting where the motion was noted and that a future report to be presented to the Council by June 2023, considering the options for the development of a policies and procedures for the management and investigation of complaints by the Council.
- This report provides information on the City's current policy and process for managing complaints and the Council's role in setting direction and for complaint management and undertaking investigations within legislative requirements.

OFFICER RECOMMENDATION

That the Council note the information contained in this report in relation to the City’s approach to complaint management and investigations.

Community Development

CD23/3 Melville Bowling Club Proposal

This item has been brought forward in the agenda – see page 13.

Environment and Infrastructure

E23/7 Amendment to Climate Emergency Declaration

Deputations	Nil
Officer Presentation	At 8:43pm Mr M McCarthy was available to respond to questions on the matter.
Disclosure of Interest	Nil.
Notes from Forum	No Discussion took place regarding the item and officer recommendation.

SUMMARY

- At the Ordinary Meeting of Council held 21 June 2021, the Council declared a Climate emergency and, in part, committed to “the reduction of carbon emissions caused by the operations of the City of Melville to net zero by December 2030”.
- The City has been undertaking comprehensive Carbon accounting investigations for all of its emissions and has concluded that it will be unable to meet the organisation’s true “net zero” definition within the December 2030 timeframe.
- This report seeks Council endorsement to amend its Climate Emergency Declaration to replace the words “net zero by December 2030” with “carbon neutral by December 2030”.

OFFICER RECOMMENDATION

That the Council endorse an amendment to its Climate Emergency Declaration to commit to “the reduction of the carbon emissions caused by the Operations of the City of Melville to carbon neutral by December 2030.” rather than net zero by December 2030

At 8:43pm, Mr P Malony entered the meeting electronically.

E23/8 Review of Verge Waste Collections

Deputations	Nil
Officer Presentation	At 8:44pm Mr M McCarthy was available to respond to questions on the matter, which concluded at 8:54pm.
Disclosure of Interest	Nil.
Notes from Forum	<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 on the Elected Members Portal:</p> <ul style="list-style-type: none">• Cost of additional bulk verge collection, after the first free one.

SUMMARY

- The City engaged MRA Consulting Group to assist with a review of the bulk and green waste verge collection services.
- The aim of the review is to improve this collection service and align it with a safer and best practice verge waste collection system.
- This will be achieved by recovering more recyclable materials while reducing waste to landfill, improving the amenity of the City and increasing customer service satisfaction by allowing residents to book a service at a date convenient to them.
- The Officers recommendation is for Council to support the proposed changes to the verge collection methodology from a scheduled collection to a pre-booked collection of one bulk verge and two garden organic collections per year to be introduced in January 2024.

OFFICER RECOMMENDATION

That the Council supports the proposed changes to the verge collection methodology from a scheduled collection to a pre-booked collection of one bulk waste and two garden organics collection service to commence in 2024.

At 8:44pm, Ms T Hardmeier returned to the meeting.

At 8:54pm, Mr P Malony electronically disconnected from the meeting.

E23/9 Melville Bird Sanctuary Boundaries

This item has been brought forward in the agenda – see page 16.

Urban Planning**UP23/13 Review of Local Planning Policy 1.2 - Design Review Panels**

Deputations	Nil
Officer Presentation	At 8:54pm Mr P Varelis was available to respond to questions on the matter, which concluded at 8:56pm.
Disclosure of Interest	Nil.
Notes from Forum	General Discussion took place regarding the item and officer recommendation.

SUMMARY

1. At the February 2023 Ordinary Council Meeting (OMC), Elected Members resolved to endorse changes to Local Planning Policy 1.2 – Design Review Panel (LPP1.2) for public comment.
2. The LPP1.2 was advertised between 23 March and 14 April 2023. No comments were received.
3. The City of Melville (City) gave notice of the proposed changes to the Department of Planning Lands and Heritage (DPLH) as required by the Planning and Development (Local Planning Schemes) Regulations 2015.
4. The DPLH has provided advice that aspects of proposed LPP1.2 are inconsistent with State Planning Policy 7.0 and has recommended the Council does not proceed with the adoption.
5. It's recommended that Council adopt the recommended changes presented in December 2022.

OFFICER RECOMMENDATION

That Council adopts Local Planning Policy 1.2 Design Review Panel as modified and notification of this is made public in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

UP23/14 Additions to the City's Local Heritage Survey

This item has been brought forward in the agenda – see page 14.

12 MOTIONS WITH PREVIOUS NOTICE

15.1 Motion with Notice - Public Open Space Investigation

This item has been brought forward in the agenda – see page 16.

13 MOTIONS WITHOUT PREVIOUS NOTICE (APPROVAL BY ABSOLUTE MAJORITY)

Nil.

14 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC

Nil

15 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC

At 8:56pm, Cr J Spanbroek left the meeting.

At 8:58pm, Cr J Spanbroek returned to the meeting.

16 CLOSURE

At 8:58pm the Mayor advised Elected Members that a late call up item in relation to DAP-2023-3 No's 82A and 82B Macleod Road, Applecross will be distributed on Friday, 16 June 2023.

There being no further business to discuss, the Presiding Member declared the meeting closed at 9:00pm.