

**NOTES OF THE  
AGENDA BRIEFING FORUM  
HELD ON  
TUESDAY 29 NOVEMBER 2016  
COMMENCING AT 6.30PM  
AT THE MELVILLE CIVIC CENTRE  
2<sup>ND</sup> FLOOR IN THE COUNCIL CHAMBERS  
10 ALMONDBURY ROAD, BOORAGOON**

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**DISTRIBUTED: 2 DECEMBER 2016**

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon, on Tuesday 29 November 2016 commencing at 6.30pm.

## 1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6.30pm. Mr J Clark, Governance and Compliance Program Manager, 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 Standing Orders to ensure the efficient, effective and orderly decision making within this forum.

## 2. PRESENT

### **COUNCILLORS**

Cr R Aubrey(Deputy Mayor)  
Cr D Macphail  
Cr N Pazolli, Cr Schuster  
Cr J Barton, Cr G Wieland  
Cr C Robartson  
Cr P Phelan,  
Cr N Foxton, Cr T Barling

### **WARD**

City  
City  
Applecross/Mount Pleasant  
Bicton/ Attadale  
Bull Creek/Leeming  
Palmyra/Melville/Willagee  
University

## 3. IN ATTENDANCE

Dr S Silcox  
Mr M Tieleman  
Mr J Christie  
Mr S Cope  
Ms C Young  
Mr L Hitchcock  
Mr G Ponton (Until 8.52pm)  
Mr P Prendergast (Until 8.52pm)  
Mr T Capabianco (Until 9.00pm)  
Mr T Cahoon (Until 8.38pm)  
Mr M Spencer (Until 7.28pm)  
Mr P de Lang (Until 8.38pm)  
Mr G Blakey (Until 9.00pm)  
Mr J Clark  
Mr N Fimmano

Chief Executive Officer  
Director Corporate Services  
Director Technical Services  
Director Urban Planning  
Director Community Development  
Executive Manager Legal Services  
Manager Strategic Urban Planning  
Manager Statutory Planning  
Manager Building & Environmental Health Services  
Manager Health & Leisure Services  
Senior Strategic Urban Planner  
Healthy Melville Coordinator - Leisure Planning  
Coordinator Environmental Health  
Governance and Compliance Program Manager  
Governance and Property Officer

At the commencement of the meeting there were 11 members from the public and no members from the Press in the Public Gallery.

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

**4.1 APOLOGIES**

Cr L O'Malley - Palmyra/Melville/Willagee

**4.2 APPROVED LEAVE OF ABSENCE**

His Worship the Mayor Russell Aubrey  
Cr M Woodall – Bull Creek/Leeming 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

**6. QUESTION TIME**

Due to the late receipt of questions from the Melville Residents and Ratepayers Association that were submitted outside of Council Policy timeframes, the questions were taken on notice and the Presiding Member advised that the answers would be provided via mail.

**7. DISCLOSURE OF INTEREST**

NIL

**8. DEPUTATIONS**

Item P16/3729 - Mr J Wheeler on behalf of the owner of 8 Ullapool Road, Applecross.  
Item CD16/8093 - Mr A Castley on behalf of the Applecross Cricket Club.  
Item CD16/8093 – Mr Drew Gaynor and Mr Phil Rohrlach on behalf of the Applecross Junior Football Club.

**9. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil

**10. BUSINESS**

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## **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 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, Standing Orders 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 City's Code of Conduct 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. Copies will be made available to the libraries and the Internet for interested members of the public. 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 Program Manager. If approved the G&CPM 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) 20 hardcopies of the presentation will be required if a copy of the presentation is to be distributed to Elected Members and staff.
- (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.

## **QUESTION TIME**

Question Time will be limited to fifteen (15) minutes and be the first item of Business immediately following Apologies at the commencement of the meeting. Questions must relate to the ordinary business on the Agenda of the Agenda Briefing Forum. A question must be submitted in writing by 10am on the day **before** the start of the Agenda Briefing Forum. Should the preceding day be a public holiday, questions must be received by 10am on the day of the Agenda Briefing Forum.

If a person asking a question is not present in the Council Chamber when the question is read, the question will be taken on notice and be answered in writing.

A summary of any questions (except those rejected) and a summary of the response will be recorded in the Notes of the Agenda Briefing Forum.

- (a) The Presiding Member may, with absolute discretion, accept or reject the question, or determine that any complex questions requiring research, be answered in writing.
- (b) The Mayor may nominate a Member or Officer to answer the questions.
- (c) No debate or discussion will be permitted on any question or answer
- (d) In addition to question time during the meeting, the Mayor or Elected Members may make themselves available after the meeting to meet members of the public to answer any questions.

## **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 Chief Executive Officer 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 Chief Executive Officer before a meeting then before the meeting -

- (a) the Chief Executive Officer is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) the person who is to preside at the meeting is to bring the notice to the attention of the persons who attend the meeting.

### **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.**

**11. AGENDA ITEMS FOR PRESENTATION**

At 6.39pm the Mayor requested that items P16/3729 and CD16/8093 be brought forward for discussion.

At 6.41pm Mr Hitchcock left the meeting and returned at 6.42pm

<b>P16/3729</b>	<b>Report on Review of H4 Areas of Kintail and Ogilvie Quarters In the Canning Bridge Activity Centre</b>
	<p><b>OFFICER PRESENTATION</b> Martin Spencer Senior Strategic Urban Planner and Gavin Ponton – Manager Strategic Urban Planning</p> <p><b>DEPUTATION PRESENTATION/S</b> From 6.41pm to 6.55pm a deputation was heard from Mr J Wheeler – On behalf of the owner of 8 Ullapool Road, Applecross</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 7.28pm Mr Spencer left the meeting.



At 7.29pm Cr Schuster left the meeting and returned at 7.35pm.  
 At 7.52pm Mr Hitchcock left the meeting and returned at 7.54pm  
 At 7.57pm Cr Macphail left the meeting and returned at 7.59pm  
 At 8.01pm Dr Silcox left the meeting and returned at 8.03pm  
 At 8.06pm Cr Phelan left the meeting and returned at 8.08pm

<b>CD16/8093</b>	<b>Shirley Strickland Reserve Concept Plan</b>
	<p><b>OFFICER PRESENTATION</b>          Todd Cahoon – Manager Healthy Melville and Peter De Lang - Healthy Melville Planning and Projects</p> <p><b>DEPUTATION PRESENTATION/S</b>          From 7.29pm to 7.47pm a deputation was heard from Mr Drew Gaynor and Mr Phil Rohrlach – On behalf of the Applecross Junior Football Club.</p> <p>From 7.29pm to 7.47pm a deputation was heard from Mr Angus Castley and Mr Ryan Carmody – On behalf of the Applecross Cricket Club</p> <p><b>DISCLOSURE OF INTEREST</b>          Nil</p> <p><b>NOTES FROM FORUM</b>          Elected Members requested that they be provided with the following information:</p> <ol style="list-style-type: none"> <li>1. A listing of projects currently allocated in the Community Facilities Reserve Account and the years that the projects commenced or will commence.</li> <li>2. A similar listing for the Land and Property Reserve Account if one is available.</li> <li>3. The difference in cost between 50 Lux Flood Lighting and 100 Lux Flood Lighting.</li> </ol> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation</p>

At 8.38pm Mr Cahoon and Mr de Lang left the meeting.

At 8.39pm Cr Schuster left the meeting and returned at 8.47pm.

At 8.44pm Cr Pazolli left the meeting and returned at 8.46pm

<b>P16/3732</b>	<b>Local Planning Policy 4.4 Murdoch Health and Knowledge Precinct</b>
	<p><b>OFFICER PRESENTATION</b> Peter Prendergast – Manager Statutory Planning and Gavin Ponton – Manager Strategic Urban Planning</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>

At 8.52pm Mr Prendergast and Mr Ponton left the meeting.

<b>P16/3733</b>	<b>Appointment of Authorised Officers Under Public Health Act 2016</b>
	<p><b>OFFICER PRESENTATION</b> Graeme Blakey - Coordinator Environmental Health and Tony Capobianco – Manager Building and Environmental Health Services</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>

At 9.00pm Mr Capobianco and Mr Blakey left the meeting.

<b>M16/5000</b>	<b>Common Seal Register</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Jeff Clark – Governance and Compliance Program Manager</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>C16/6107</b>	<b>Delegated Authority to Determine the Criteria and Accept Applications to Join Pre-Qualified Supplier Panels</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman – Director Corporate Services</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>C16/6000</b>	<b>Investment Statements for October 2016</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman – Director Corporate Services</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>C16/6001</b>	<b>Schedule of Accounts Paid for October 2016</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman – Director Corporate Services</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>C16/6002</b>	<b>Statements of Financial Activity for October 2016</b>
	<b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman – Director Corporate Services
	<b>DEPUTATION/PRESENTATION/S</b> Nil
	<b>DISCLOSURE OF INTEREST</b> Nil
	<b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.

**12. CLOSURE**

There being no further business to discuss, the Mayor closed the Agenda Briefing Forum at 9.02pm.