

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 6 JUNE 2017
COMMENCING AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
2ND FLOOR IN THE COUNCIL CHAMBERS
10 ALMONDBURY ROAD, BOORAGOON**

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DISTRIBUTED: 9 June 2017

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon, on Tuesday 6 June 2017, 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

His Worship the Mayor Russell Aubrey

COUNCILLORS

Cr R Aubrey, Cr D Macphail
Cr N Pazolli,
Cr C Schuster (From 7.12pm)
Cr G Wieland
Cr M Woodall, Cr C Robartson
Cr N Foxton, Cr T Barling
Cr P Phelan

WARD

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

3. IN ATTENDANCE

Dr S Silcox
Mr M Tieleman
Ms C Young
Mr J Christie
Mr S Cope
Mr L Hitchcock
Mr G Ponton (Until 9.43pm)
Mr B Taylor (From 10.00pm)
Mr M Doyle (Until 8.43pm)
Mr P de Lang (Until 8.43pm)
Mr W Nicholls (From 10.00pm)

Chief Executive Officer
Director Corporate Services
Director Community Development
Director Technical Services
Director Urban Planning
Executive Manager Legal Services
Manager Strategic Urban Planning
Manager Financial Services
A/Manager Healthy Melville
Healthy Melville Coordinator
Senior Management Accountant

Ms D Whyte (From 10.00pm) Accounting Services Coordinator
Ms K Bennett (Until 10.04pm) Coordinator Neighbourhood Development
Mr J Clark Governance and Compliance Program Manager
Mr N Fimmano Governance and Property Officer

At the commencement of the meeting there were 20 members of the public and no members from the Press in the Public Gallery.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Cr C Schuster – for late arrival.

4.2 APPROVED LEAVE OF ABSENCE

Cr J Barton – Bicton/Attadale 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

6.1 City of Melville Residents and Ratepayers Association

Question

Tompkins Park Concept Plan

Why hasn't Council sought an independent expert's review of the Administration's recommendations given the Mayor and most Councillors do not have adequate, if any at all, project management/engineering, commercial and/or financial analysis expertise in order to undertake an informed, impartial and unbiased assessment of the detail, or lack of it, in those recommendations? Or is it a case that most Councillors will accept the recommendations at face value?

Response

The Council has a broad range of experiences which include engineering, project management, financial management, commercial law and town planning.

6.1 City of Melville Residents and Ratepayers Association - continued

The Council also has confidence in the professional process undertaken as reported to it by the Administration and the ongoing information and recommendations put to the Council in the report.

6. DISCLOSURE OF INTEREST

Nil

7. DEPUTATIONS

Item CD17/8098 – Tompkins Park Concept Plan

- Mr D Maynier and Mr G Gear
- City of Melville Residents and Ratepayers Association (Inc.)
Speaker - Mr G Crawford (President) accompanied by Mr N Grey and Mr A Syed.

8. 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 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 6.30 pm 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 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.

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.

9. AGENDA ITEMS FOR PRESENTATION

At 6.36pm the Mayor requested that item CD17/8098 be brought forward for discussion.

Cr Schuster entered the meeting at 7:12pm

Cr Woodall left the meeting at 7.29pm and returned at 7.32pm.

Cr Phelan left the meeting at 8.38pm and returned at 8.42pm

CD17/8098	Tompkins Park Concept Plan
	<p>OFFICER PRESENTATION Christine Young – Director Community Development in Conjunction with Mr M Doyle, A/Manager Healthy Melville and Mr P de Lang, Coordinator Healthy Melville.</p> <p>DEPUTATION PRESENTATION/S</p> <ul style="list-style-type: none"> • From 6.38pm to 7.05pm - Mr D Maynier and Mr G Gear • From 7.06pm to 7.22pm - Mr G Crawford (President), Mr N Grey and Mr A Syed from the City of Melville Residents and Ratepayers Association (Inc.) <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that the cost of the lift for the building be provided to Elected Members as a confidential Item.</p> <p>Elected Members also requested that the following information be provided via the Elected Members Bulletin:</p> <ol style="list-style-type: none"> 1. The actual details of the floor areas 2. The percentage of the \$9.4 million that is kept as a contingency for construction and planning. 3. Clarification on the subsidy levels mentioned in the report relating to building insurance, DEFES levy, Council rates not levied and building renewal replacement costs. 4. Who owns or operates the current commercial gymnasium in the leased area and who is the beneficial owner of the current lease. <p>General discussion took place regarding the item and the officer recommendation.</p>

Mr M Doyle left the meeting at 8.43pm and did not return.

Mr P de Lang left the meeting at 8.43pm and did not return.

At 8.43pm the meeting was adjourned

At 8.54pm the meeting resumed

P17/3755	Amendment 6 to Local Planning Scheme 6 to Zone A Portion of Lot 4252 Murdoch Drive, Murdoch to Service Commercial
	<p>OFFICER PRESENTATION Gavin Ponton – Manager Strategic Urban Planning</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM General discussion took place regarding the item and the officer recommendation.</p>

*Cr Schuster left the meeting at 9.01pm and returned at 9.23pm.
Cr Woodall left the meeting at 9.21pm and returned at 9.42pm.*

P17/3756	Investigation of Council Motion Regarding Multiple Dwellings
	<p>OFFICER PRESENTATION Steve Cope – Director Urban Planning</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that the following information be provided in the Elected Members Bulletin: 1. The attendees and notes from the Special Elected Members Information Session held on 19 May 2015. 2. The Links to the maps referred to in report P17/3756. 3. Clarification on whether other Local Governments use Policy to control multi dwelling proposals.</p> <p>General discussion took place regarding the item and the officer recommendation.</p>

Mr Ponton left the meeting at 9.43pm and did not return.

CD17/8097	City of Melville Reconciliation Action Plan 2017-2018
	<p>OFFICER PRESENTATION Kellie Bennett – Coordinator Neighbourhood Development</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that clarification be included in the Elected Members Bulletin on what is the Commercial Relationship that has been developed with Aboriginal and/or Torres Strait Islander businesses.</p> <p>General discussion took place regarding the item and the officer recommendation.</p>

Ms K Bennett left the meeting at 10.04pm and did not return.

M17/5552	New Graffiti Vandalism Act 2016 - Delegation
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Program Manager</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM General discussion took place regarding the item and the officer recommendation.</p>

M17/5562	Delegates to the Western Australian Local Government Association Annual General Meeting
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Program Manager</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM</p> <p>The following Councillors will be attending the Annual General Meeting of the Western Australian Local Government Association.:</p> <p>Cr Macphail – Voting Delegate Cr Barling – Voting Delegate Cr Aubrey – Proxy Delegate 1 Cr Robartson – Proxy Delegate 2 Cr Phelan</p> <p>General discussion took place regarding the item and the officer recommendation.</p>

M17/5000	Common Seal Register
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Program Manager</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM</p> <p>General discussion took place regarding the item and the officer recommendation.</p>

C17/5562	Policy Review – Corporate Services
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and the officer recommendation.</p>

C17/6000	Investment Statements for April 2017
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM General discussion took place regarding the item and the officer recommendation.</p>

C17/6001	Schedule of Accounts Paid April 2017
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM General discussion took place regarding the item and the officer recommendation.</p>

C17/6002	Statements of Financial Activity for April 2017
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and the officer recommendation.</p>

10. SPECIAL MEETING OF THE COUNCIL 22 JUNE 2017

C17/6111	Consideration and Adoption of the 2017-2018 Budget
	<p>OFFICER PRESENTATION Bruce Taylor – Manager Financial Services in conjunction with Wayne Nicholls – Senior Management Accountant</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and the officer recommendation.</p>

11. CLOSURE

There being no further business to discuss, the meeting closed at 10.20pm.