

# Special Council Meeting

Minutes for Tuesday 4 June 2019

## UNCONFIRMED



**city of  
kalamunda**

## INDEX

<b>1. Official Opening .....</b>	<b>3</b>
<b>2. Attendance, Apologies and Leave of Absence Previously Approved .....</b>	<b>3</b>
<b>3. Public Question Time.....</b>	<b>4</b>
<b>4. Petitions/Deputations .....</b>	<b>4</b>
<b>5. Announcements by the Member Presiding Without Discussion.....</b>	<b>4</b>
<b>6. Matters for Which the Meeting may be Closed .....</b>	<b>4</b>
<b>7. Disclosure of Interest.....</b>	<b>4</b>
<b>8. Reports to Council .....</b>	<b>5</b>
<b>8.1. Development Services Reports .....</b>	<b>5</b>
8.1.1. Review of Forrestfield High Wycombe Stage 1 Industrial Area Development.....	5
<b>9. Meeting Closed to the Public.....</b>	<b>6</b>
<b>10. Closure.....</b>	<b>7</b>

**1. Official Opening**

The Presiding Member opened the meeting at 7.00pm and welcomed Councillors, Staff and Members of the Public Gallery.

**2. Attendance, Apologies and Leave of Absence Previously Approved**

**Councillors**

**South East Ward**

John Giardina - (Mayor) (Presiding Member)

Michael Fernie

Geoff Stallard

**South West Ward**

Lesley Boyd

Allan Morton

**North West Ward**

Sara Lohmeyer

Dylan O'Connor

**North Ward**

Cameron Blair

Kathy Ritchie

Margaret Thomas

**Members of Staff**

**Chief Executive Officer**

Rhonda Hardy

**Executive Team**

Jamie Patterson - Acting Director Corporate Services

Brett Jackson - Director Asset Services

Peter Varelis - Director Development Services

Simon Di Rosso - General Counsel & Executive Advisor

**Management Team**

Andrew Fowler-Tutt - Manager Approval Services

**Administration Support**

Donna McPherson - Executive Assistant to the CEO

**Members of the Public 3**

**Members of the Press Nil.**

**Apologies**

Cr Brooke O'Donnell

Gary Ticehurst - Director Corporate Services

**Leave of Absence Previously Approved**

Cr David Almond – Leave of Absence

### **3. Public Question Time**

*A period of not less than 15 minutes is provided to allow questions from the gallery on matters relating to the functions of this meeting. For the purposes of Minuting, these questions and answers will be summarised.*

3.1 Nil.

### **4. Petitions/Deputations**

4.1 A deputation was presented by Mr Peter Coxon regarding 8.1.1 Review of Forrestfield High Wycombe Stage 1 Industrial Area Development.

### **5. Announcements by the Member Presiding Without Discussion**

5.1 Nil.

### **6. Matters for Which the Meeting may be Closed**

6.1 Item 8.1.1. Review of Forrestfield High Wycombe Stage 1 Industrial Area Development  
Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."*  
Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (d) - "legal advice obtained, or which may be obtained, by the local government which relates to a matter to be discussed."*  
Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (e) - "matter that if disclosed, would reveal - (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person; - where the trade secret or information is held by, or is about a person other than the local government"*

### **7. Disclosure of Interest**

#### **7.1. Disclosure of Financial and Proximity Interests**

a. Members must disclose the nature of their interest in matter to be discussed at the meeting. (Section 5.56 of the *Local Government Act 1995*.)

b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Section 5.70 of the *Local Government Act 1995*.)

7.1.1 Nil.

#### **7.2. Disclosure of Interest Affecting Impartiality**

a. Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee had given or will give advice.

7.2.1 Nil.

**8. Reports to Council**

**8.1. Development Services Reports**

**8.1.1. Review of Forrestfield High Wycombe Stage 1 Industrial Area Development**

Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (c) - "a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting."*

Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (d) - "legal advice obtained, or which may be obtained, by the local government which relates to a matter to be discussed."*

Reason for Confidentiality: *Local Government Act 1995 (WA) Section 5.23 (2) (e) - "matter that if disclosed, would reveal - (i) a trade secret; (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person; - where the trade secret or information is held by, or is about a person other than the local government"*

***Declaration of financial / conflict of interests to be recorded prior to dealing with each item.***

Previous Items	SCM 62/2015, OCM 198/2016, OCM 185/2017, OCM 30/2018, SCM 230/2018
Directorate	Development Services
Business Unit	Strategic Planning
File Reference	PG-STU-028
Applicant	City of Kalamunda
Owner	Coxon Group of Companies (Carrooda Pty Ltd and Sansom Nominees Pty Ltd), MEM Properties Pty Ltd
Attachments	Nil

**RESOLVED SCM 127/2019**

That the City of Kalamunda defer Item 8.1.1 Review of Forrestfield High Wycombe Stage 1 Industrial Area Development until Tuesday 30 July 2019 to seek further advice and give further consideration to the matter.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Sara Lohmeyer**

Vote: **CARRIED UNANIMOUSLY (10/0)**

**9. Meeting Closed to the Public**

9.1 RESOLVED SCM 124/2019

That the meeting close to the public for consideration of Confidential Item 8.1.1 Review of Forrestfield High Wycombe Stage 1 Industrial Area Development.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Cameron Blair**

Vote: **CARRIED UNANIMOUSLY (10/0)**

The meeting closed to the public at 7.05pm.

9.2 RESOLVED SCM 125/2019

That the meeting open to the public to allow a deputation by Mr Peter Coxon to be heard in relation to Confidential Item 8.1.1 Review of Forrestfield High Wycombe Stage 1 Industrial Area Development.

Moved: **Cr Dylan O'Connor**

Seconded: **Cr Sarah Lohmeyer**

Vote: **CARRIED UNANIMOUSLY (10/0)**

The meeting opened to the public at 7.07pm. Three members of the public were in attendance.

9.3 RESOLVED SCM 126/2019

That the meeting close to the public for consideration of Confidential Item 8.1.1 Review of Forrestfield High Wycombe Stage 1 Industrial Area Development.

Moved: **Cr Alan Morton**

Seconded: **Cr Lesley Boyd**

Vote: **CARRIED UNANIMOUSLY (10/0)**

The meeting closed to the public at 7.20pm. All members of the public gallery left the Council Chambers.

9.4 RESOLVED SCM 128/2019

That the meeting open to the public following consideration of Confidential Item 8.1.1 Review of Forrestfield High Wycombe Stage 1 Industrial Area Development.

Moved: **Cr Margaret Thomas**

Seconded: **Cr Cameron Blair**

Vote: **CARRIED UNANIMOUSLY (10/0)**

The meeting opened to the public at 7.27pm. Three members of the public returned to the Council Chambers. The Presiding Member read the resolution of Council aloud.

**10. Closure**

There being no further business, the Presiding Member declared the Meeting closed at 7.28pm.

I confirm these Minutes to be a true and accurate record of the proceedings of this Council.

Signed: \_\_\_\_\_  
Presiding Member

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 2019.