



City of Canning

Unconfirmed Minutes Special Council Meeting

24 January 2018

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**UNCONFIRMED MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY, 24 JANUARY 2018**

**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS /
DISCLAIMER**

The Mayor declared the meeting open at 7.43pm, welcomed attendees, and then read aloud the acknowledgement of Country:

"We would seek to acknowledge the Wajuk (Wudjyuk) people, the traditional owners of the land. We would also like to pay our respect to Elders, both past and present."

The Mayor then read the City's disclaimer in relation to the recording of Meetings, as follows:

"I would ask that everyone present this evening to please turn off all electronic devices (mobile phones, iPads, and Tablets), for the duration of this Meeting.

This Council Meeting is being recorded, and people can listen to deliberations of public Agenda Items via the City's website.

Council Meetings are public meetings, and any information you provide will be recorded and may be publicly accessible.

The Council Chambers are not a Parliament, and parliamentary privilege does not apply.

Council Members, Staff and the general public risk being held personally liable if their comments are defamatory, or breach any duty of confidentiality.

Statements made during Council Meetings are solely those of the person making them.

Nothing expressed at a Council Meeting can be attributed to the City unless it is adopted by a resolution of Council.

The confirmed Minutes of a Council Meeting are the official record of that Council Meeting.

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Cr Kunze entered the Council Chambers at 7.44pm.

2. ATTENDANCE

Cr P Ng	Mayor
Cr C Cunningham, Deputy Mayor	Beeloo
Cr G Barry	Mason
Cr M Hall	Nicholson
Cr P Hall	Bannister
Cr L Holland	Beeliar
Cr J Jacobs	Mason
Cr B Kunze (<i>From 7.44pm</i>)	Bannister
Cr Y Ponnuthurai	Beeliar
Cr T Porter	Nicholson
Cr S Saberi	Beeloo

STAFF

Mr A Kyron	Chief Executive Officer
Mr G Adams	Director Canning Community and Commercial
Mr G Bride	Director Sustainable Development
Mr W Bow	Director Canning Environment
Ms K Bateman	Executive Manager Governance Canning
Mrs L Gyomorei	Supervisor Governance and Compliance

Members of the Public

There were no members of the public or press in attendance.

Staff Members in Public Gallery

Ms S McQuade	Executive Manager Enriching Canning
Mr S Leeson	Executive Manager Business Canning
Ms S Brown	Executive Manager Public Relations and Marketing
Mr E Britts	Executive Manager Strategic Planning
Mr W Baston	Manager Land Utilisation
Mrs J Greene	Chief Innovation Officer

2.1 Apologies

Nil.

2.2 Approved Leave of Absence

Nil.

Mayor

Dated

3. DISCLOSURE OF INTERESTS

3.1 Declarations of Interest (Financial/Direct/Indirect) and Proximity

Nil.

3.2 Declarations of Impartiality

Nil.

4. QUESTION TIME FOR PUBLIC

Nil.

5. RECEIVING OF PETITIONS, PRESENTATIONS AND DEPUTATIONS

Nil.

Purpose of Special Council Meeting

The Mayor advised that the purpose of this Special Meeting was to provide Council with the opportunity to consider revocation of the Procedural Motion of 19 December 2017, which resolved to adjourn debate on *Report SD-029-17 – Bentley Regeneration Project – Proposal by State government in Relation to Reserves Managed by the City, and Future Collaboration Arrangements*, until the Ordinary Council Meeting of 20 February 2018.

REVOCATION MOTION

MOVED Cr Holland, SECONDED Cr P Hall, that:

- 1. The Procedural Motion adopted by Council in relation to Report SD-029-17 at the Ordinary Meeting of 19 December 2017, be revoked for the reasons detailed in Report SD-001-18.***
- 2. That debate on the ‘Bentley Regeneration Project Proposal by State Government in Relation to Reserves Managed by the City and Future Collaboration Arrangements’, resume at this Special Council Meeting of 24 January 2018.***

Debate on the revocation motion ensued. The Mayor then put the motion.

MOTION LOST (5/6)

For: Mayor Ng, Crs M Hall, P Hall, Holland, Kunze
Against: Deputy Mayor Cunningham, Crs Barry, Jacobs
Ponnuthurai, Porter, Saberi

6. **REPORTS**

7. **CONFIDENTIAL REPORTS**

In accordance with Section 4.16 of the Standing Orders, the Chief Executive Officer is of the opinion that the reports listed below is of a confidential nature. This report has been kept confidential until Council has the opportunity to resolve that all relevant documents should remain confidential and be dealt with behind closed doors.

RECOMMENDATION

That Council resolves, in accordance with section 5.23(2) of the *Local Government Act 1995* and/or Section 4.15(2) of the Standing Orders, that the following reports are confidential, for the reasons as shown.

SD-001-18 Bentley Regeneration Project - Proposal by State Government in Relation to Reserves Managed by the City and Future Collaboration Arrangements (Formerly Presented as Report SD-029-17 at the Ordinary Council Meeting of 19 December 2017)

This report contains information of a confidential nature in accordance with Section 5.23(2)(c) of the *Local Government Act 1995*, as it contains information relating to 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

7.1 Director Canning Sustainable Development

SD-001-18 Bentley Regeneration Project - Proposal by State Government in Relation to Reserves Managed by the City and Future Collaboration Arrangements (Formerly Presented as Report SD-029-17 at the Ordinary Council Meeting of 19 December 2017)

PROGRAM:	Canning Sustainable Development
SUB PROGRAM:	Liveable Canning
FILE REF:	Q18/13
REPORT DATE:	30 January 2018
REPORTING OFFICERS:	Guerlaine Bingwa - Senior Strategic Projects Planner Etienne Brits - Executive Manager Strategic Planning
RESPONSIBLE OFFICER:	Graeme Bride - Director Canning Sustainable Development

Strategic Plan Theme: LEAD - Accountable, responsible and forward-thinking administration.

Community Goal: Innovation, flexibility, and resilience.

Council Strategy: Collaborative relationships with stakeholders.

Authority/Discretion: **Executive:** The substantial direction setting and oversight role of the Council eg adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Attachments:

1. Bentley Regeneration Project - Resolution Table (D17/170586).
2. Letter - Bentley Regeneration Project - Minister for Transport; Planning; Lands and Minister for Housing; Veterans Issues; Youth (D17/136895). (*Confidential*)
3. Major Land Transaction - Lot 42 Queen Street and Southern Reserve Lands - Business Plan - Legal Advice (D17/174033). (*Confidential*)
4. Collated Correspondence Between City and State Government re Bentley Reserves (Reduced) (D17/178067). (*Large Attachments*) (*Confidential*)

***** CONFIDENTIAL TO MEMBERS ONLY *****

The Chief Executive Officer is of the opinion that this report contains information of a confidential nature in accordance with Section 5.23(2)(c) of the Local Government Act 1995, as it contains information relating to 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. In accordance with section 4.16 of the Standing Orders this report will be kept confidential until Council has the opportunity to resolve that this document should remain confidential and be dealt with behind Closed Doors.

OFFICER RECOMMENDATION

That Council:

1. Notes the Bentley Regeneration Project Structure Plan and Major Transaction Business Plan, originally envisaged using the proceeds from the redevelopment and sale of the Crown Reserve Lands described in this report to fund:
 - a) Higher quality public open space throughout the Structure Plan Area.
 - b) A multipurpose community facility hub, to replace the current community facilities.
 - c) Upgrades to the parks and streetscapes throughout the surrounding area.
2. Notes the position and offer detailed in the letter from the Minister for Transport; Planning; Lands; Heritage and the Minister for Housing; Veterans Issues; Youth, dated 14 September 2017.
3. Is willing to revoke the Management Orders of Reserves 27065, 27540, 32095 and 35021, Bentley (the Crown Reserve Lands), under Clause 50 of the Land Administration Act 1997.
4. Authorises the Chief Executive Officer to negotiate a Terms of Agreement with the State Government to revoke the Management Orders of the Crown Reserve Lands that provides for those matters identified in Paragraph 19 of this report.
5. Requests that a final Terms of Agreement be presented to Council at the earliest opportunity for consideration.
6. Authorises the Chief Executive Officer and Mayor to finalise the collaboration arrangement between the City of Canning and the Department of Communities, as identified in Paragraph 20 of this report, and subsequently sign a Collaboration Agreement on the Bentley Regeneration Project.

COUNCIL DECISION

As the revocation motion was lost, consideration of Report SD-001-18 – Bentley Regeneration Project – Proposal by State Government in Relation to Reserves Managed by the City and Future Collaboration Arrangements, will rest until the Ordinary Council Meeting of 20 February 2018.

8. CLOSURE

There being no further business, the Chair declared the Meeting closed at 8.24pm.