



## **AGENDA**

### **PROPERTY AND INVESTMENT ASSETS COMMITTEE MEETING**

**This meeting is not open to the public. All recommendations of these committees are referred to council.**

**COUNCIL CHAMBERS  
241 ROKEBY ROAD, SUBIACO**

**THURSDAY 5 NOVEMBER 2020**

**COMMENCEMENT: 11.30AM**

No responsibility whatsoever is implied or accepted by the City for any act, omission or statement or intimation occurring during committee meetings.

The City disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by any member or officer of the city during the course of any meeting is not intended to be and is not taken as notice of approval from the city.

The City of Subiaco wishes to advise that any plans or documents contained within this agenda may be subject to copyright law provisions (*Copyright Act 1968*, as amended) and that the express permission of the copyright owner(s) should be sought prior to their reproduction.

Members of the public should note that no action should be taken on any item discussed at a committee meeting prior to written advice on the resolution of council being received.

**Agendas and minutes are available on the City's website [www.subiaco.wa.gov.au](http://www.subiaco.wa.gov.au)**



## **Property and Investment Assets Committee Terms of Reference**

### **Establishment**

---

The Property and Investment Assets Committee is established by the City of Subiaco under Section 5.8 of the *Local Government Act 1995*.

### **Objective**

---

The objective of the Committee is to advise Council on matters within the scope of the Committee's duties and responsibilities.

### **Areas of responsibility**

---

To provide advice and recommendations to the Council in relation to:

1. The City's policy on land asset classification, use of proceeds from land assets and augmentation of the asset base.
2. Investment proposals and appropriate risk levels that the City is willing to assume.
3. Investment decisions having regard to the City's role as:
  - a local government;
  - a custodian of community assets;
  - an investor; and,
  - a developer or commercial property owner.
4. Proposals for investment, redevelopment and/or disposal of assets.
5. The influences on and of the City's Strategic Financial Plan in respect to property and investment asset cash flows and strategies.
6. Strategic direction of the Investment Portfolio. The economic and social impact of ownership on property and investment assets taking into consideration other policies of the City of Subiaco such as the Economic Development Strategy and the Transport, Assets and Parking Strategy.

### **Membership**

---

The Committee consists of five (5) Elected Members unless otherwise determined by Council.

### **Meetings**

---

The Committee meets once each quarter or as required.

### **Delegated Authority**

---

There are no powers delegated to this Committee.

### **Reporting**

---

Recommendations from this Committee will be referred to Council for consideration

### **Term**

---

Appointment is for two years or until the next ordinary local government election day (whichever happens first).

## CONTENTS

<b>1.</b>	<b>DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS .....</b>	<b>1</b>
<b>2.</b>	<b>ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE.....</b>	<b>1</b>
<b>3.</b>	<b>OBSERVERS TO THE MEETING .....</b>	<b>1</b>
<b>4.</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS.....</b>	<b>1</b>
<b>5.</b>	<b>DISCLOSURE OF INTEREST.....</b>	<b>1</b>
<b>6.</b>	<b>OFFICER REPORTS.....</b>	<b>1</b>
<b>7.</b>	<b>MEETING CLOSED TO PUBLIC .....</b>	<b>2</b>
7.1	100 Chisholm Crescent, Kewdale WA.....	2
7.2	55 Salvado Road, Subiaco WA .....	2
7.3	33 Bishop Street, Jolimont WA.....	2
7.4	Unit 2, 23 Bishop Street, Jolimont WA .....	2
7.5	39 Bishop Street, Jolimont WA.....	2
7.6	25 Bishop Street, Jolimont WA.....	2
7.7	19 Bishop Street, Jolimont WA.....	2
	Presentation – Various Updates by Officers .....	2
<b>8.</b>	<b>CLOSURE OF MEETING .....</b>	<b>2</b>

**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS****2. ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**Committee Members:

Mayor Penny Taylor	Mayor (Presiding Member)
Cr Lynette Jennings	Councillor (Deputy Presiding Member)
Cr Jodi Mansfield	Councillor
Cr David McMullen	Councillor
Cr Murray Rowe	Councillor

Officers:

Cliff Frewing	Acting Chief Executive Officer
Scott Hawkins	Director Corporate Services
Joel Guest	Manager Commercial Services & Property
Alice Kavanagh	Coordinator Land & Property
Libby Walker	Personal Assistant, Minute Taker

ApologiesLeave of Absence

Cr Murray Rowe	Councillor
----------------	------------

**3. OBSERVERS TO THE MEETING****4. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

That the minutes of the Property Investment Acquisition Committee meeting held on 5 March 2020 be confirmed as a true and correct record.

**5. DISCLOSURE OF INTEREST****6. OFFICER REPORTS**

NIL

## **7. MEETING CLOSED TO PUBLIC**

### **PROCEDURAL MOTION (7.1(h) of the Meeting Procedures Local Law)**

**That the meeting be closed to the public pursuant to section 5.23(2)(c), (d), and (e)(iii) of the *Local Government Act 1995* while items 7.1, 7.2, 7.3, 7.4, 7.5, 7.6 and 7.7 are considered.**

#### Reasons:

- *Section 5.23(2)(c) provides that a meeting may be closed to deal with 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.*
- *Section 5.23(2)(d) provides that a meeting may be closed to deal with legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.*
- *Section 5.23(2)(e)(iii) provides that a meeting may be closed to deal with a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person.*
- *It is recommended that the meeting proceed behind closed doors to discuss the reports, which contain information in relation to property matters, agreements in relation to City property and information that relates to the business, commercial and financial interests of other persons.*

**7.1 100 CHISHOLM CRESCENT, KEWDALE WA**

**7.2 55 SALVADO ROAD, SUBIACO WA**

**7.3 33 BISHOP STREET, JOLIMONT WA**

**7.4 UNIT 2, 23 BISHOP STREET, JOLIMONT WA**

**7.5 39 BISHOP STREET, JOLIMONT WA**

**7.6 25 BISHOP STREET, JOLIMONT WA**

**7.7 19 BISHOP STREET, JOLIMONT WA**

### **PRESENTATION – VARIOUS UPDATES BY OFFICERS**

- Update on Property Matters

## **8. CLOSURE OF MEETING**



**WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE A COMMITTEE**

**NOTE: USE ONE FORM PER DECLARATION OF INTEREST FOR EACH MEETING**

I, \_\_\_\_\_ wish to declare an interest in the following item to be considered by \_\_\_\_\_ at its meeting to be held on \_\_\_\_\_ agenda Item \_\_\_\_\_

The type of interest I wish to declare is:

- Financial pursuant to Section 5.60A of the *Local Government Act 1995*
- Proximity pursuant to Section 5.60B of the *Local Government Act 1995*
- Indirect Financial pursuant to Section 5.61 of the *Local Government Act 1995*
- Impartiality pursuant to regulation 34C of the *Local Government (Administration) Regulations 1996* and the City's Code of Conduct.
- Impartiality pursuant to Regulation 11 of the *Local Government (Rules of Conduct) Regulations 2007 (ELECTED MEMBERS ONLY)*

The nature of my interest is

---

---

---

I understand that the above information will be recorded in the minutes of the meeting and recorded by the Chief Executive Officer in an appropriate register.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### **Financial interest (s.5.60A)**

For the purposes of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will, if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

### **Proximity interest (s.5.60B)**

- (1) For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns
  - (a) a proposed change to a planning scheme affecting land that adjoins the person's land;
  - (b) a proposed change to the zoning or use of land that adjoins the person's land; or
  - (c) a proposed development (as defined in section 5.63(5)) of land that adjoins the person's land.
- (2) In this section, land (*the proposal land*) adjoins a person's land if —
  - (a) the proposal land, not being a thoroughfare, has a common boundary with the person's land;
  - (b) the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
  - (c) the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3) In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

### **Indirect financial interests (s.5.61)**

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

### **Impartiality (Regulation11, Local Government (Rules of Conduct) Regulations 2007)**

- (1) In this regulation —  
**interest** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.
- (2) A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose the nature of the interest —
  - (a) in a written notice given to the CEO before the meeting; or
  - (b) at the meeting immediately before the matter is discussed.
- (3) Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4) Sub-regulation (2) does not apply if —
  - (a) a person who is a council member fails to disclose an interest because the person did not know he or she had an interest in the matter; or
  - (b) a person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
- (5) If, under sub-regulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then —
  - (a) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
  - (b) at the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure relates is discussed.
- (6) If —
  - (a) under sub-regulation (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
  - (b) under sub-regulation (5)(b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting,the nature of the interest is to be recorded in the minutes of the meeting.