



City of  
**Melville**

## **NOTES**

### **AGENDA BRIEFING FORUM**

**6:30pm, Tuesday, 12 March 2024**

Held in the Council Chambers, Melville Civic  
Centre, 10 Almondbury Road, Booragoon

The City of Melville acknowledges the Bibbulmun people as the Traditional Owners and custodians of the lands on which the City stands today and pays its respect to the Whadjuk people, and Elders both past, present and emerging.

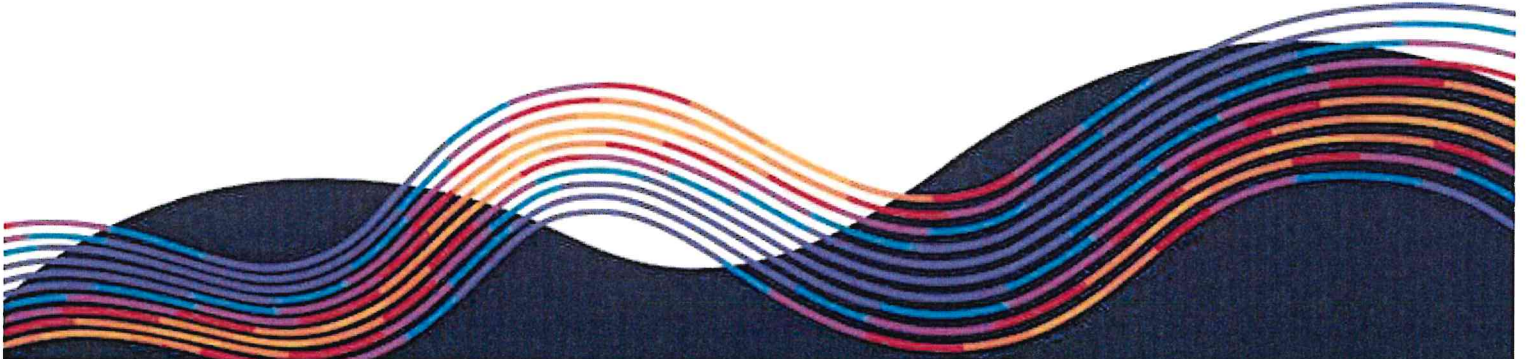
**Minutes to be confirmed at the next Ordinary Council Meeting**

These minutes are hereby confirmed as true and accurate

Mayor K Mair

Date

19/03/2024



## Our Vision

Engaging with our diverse community to achieve an inclusive, vibrant and sustainable future.

## Our Mission

To provide good governance and quality services for the City of Melville community.

## Our Values

### Excellence

Striving for the best possible outcomes

### Participation

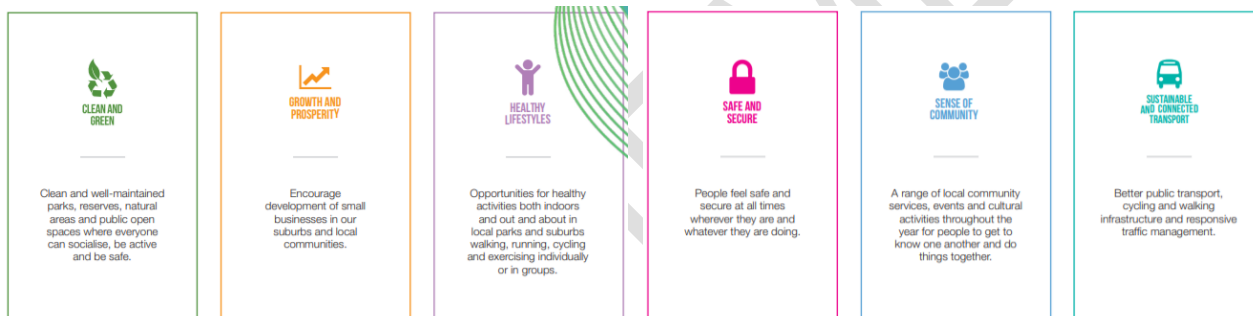
Involving, collaborating and partnering

### Integrity

Acting with honesty, openness and with good intent

### Caring

Demonstrating empathy, kindness and genuine concern



## Making A Deputation

A deputation is a verbal presentation by one or more members of the public on a matter to be considered at the Council meeting. Deputations are made at the relevant Agenda Briefing Forum, held one week prior to the Ordinary Meeting of Council.

Information on making a deputation is available on the City's website. [Request to make a Deputation.](#)

## Public Question Time

You can ask a question at a Council meeting during Public Question Time. Information on how to ask a question can be found on the City's website. [Public Question Time.](#)

Complex questions or those related to matters on the agenda and requiring a response at the meeting are "questions on notice" and should be submitted in writing, by the close of business the Tuesday prior to the meeting.

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## **Audio Recording/ Access to Recording**

In accordance with the Council Policy CP- 088 Creation, Access and Retention of Audio Recordings of the Public Meetings this meeting is electronically recorded. All recordings are retained as part of the City's records in accordance with the State Records Act 2000 and the General Disposal Authority for Local Government Records. The Audio recording may be accessed at [www.melvillecity.com.au/agendas](http://www.melvillecity.com.au/agendas).

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## **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 present deputations in respect to matters on the Council Agenda at this Forum, prior to matters being formally deliberated upon at the next Ordinary Council Meeting.

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CONFIRMED

**1****OFFICIAL OPENING**

The Presiding Member welcomed those in attendance to the meeting, officially declared the meeting open at 6:30pm and invited Cr S Hong to read the Acknowledgement of Country and advised those present of the Purpose of the Agenda Briefing Forum, the Disclaimer, the Affirmation of Civic Duty and Responsibility and the Audio Recording Advice.

**2 ATTENDANCE AND APOLOGIES****In Attendance**

K Mair

Mayor

Councillors

Cr T Fitzgerald (from 6:32pm)

Cr J Edinger

Cr G Barber

Cr N Robins

Cr J Spanbroek

Cr K Wheatland

Cr M Woodall

Cr S Hong

Cr S Green (from 6:31pm)

Cr T Lee

WardPalmyra - Melville - Willagee Ward (*electronic attendance*)Bicton - Attadale - Alfred Cove Ward (*electronic attendance*)Bicton - Attadale - Alfred Cove Ward (*electronic attendance*)

Bateman - Kardinya - Murdoch Ward

Bull Creek - Leeming Ward (*electronic attendance*)

Palmyra - Melville - Willagee Ward

Bull Creek - Leeming Ward

Bateman - Kardinya - Murdoch Ward

Central Ward

Central Ward

**Officers**

Ms G Bowman

Chief Executive Officer

Mr M McCarthy

Director Environment &amp; Infrastructure

Mr P Varelis

Director Planning

Mr P Deague (*until 7:37pm*)

Senior Executive Support Officer

Ms D Whyte

Acting Director Corporate Services

Mr L Reid (*until 7:37pm*)

Manager Cultural Services

Mr B Ashwood (*until 7:50pm*)

Acting Manager Statutory Planning

Ms C Newman

Head of Governance

Mr S Curulli

Senior Governance Officer

Ms M Smith Poulton

Governance Officer

At the commencement of the meeting:

Public Gallery 0

Electronic 5

Press 0

**Apologies**

Cr D Lim Applecross - Mount Pleasant Ward

**On Approved Leave of Absence**

Nil

**Not in Attendance**

Cr C Ross Applecross - Mount Pleasant Ward

At 6:31pm Cr Green entered the meeting.

CONFIRMED

### **3 DECLARATIONS BY MEMBERS**

#### **3.1 Declarations by Members who have not read and given due consideration to all matters contained in the business papers presented before the Meeting**

- Cr Spanbroek advised she has not read the agenda in its entirety.

#### **3.2 Declarations by Members who have received and not read the Elected Members Bulletin**

- Nil.

### **4 ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)**

#### **Approved Deputations**

Nil.

#### **Approved Written Submission**

Nil.

At 6:32pm Cr Fitzgerald entered the meeting electronically.

### **5 DISCLOSURE OF INTEREST**

#### **5.1 Financial or Proximity Interests**

Under sections 5.60A and/or 5.60B of the *Local Government Act 1995*

Nil.

#### **5.2 Disclosure of Interest That May Cause a Conflict**

Under *22 Local Government (Model Code of Conduct) Regulations 2021* or a City of Melville (Code of Conduct)

Nil.

## **6 PUBLIC QUESTION TIME**

At 6:33pm the Presiding Member opened Public Question Time.

### **6.1 Questions Received with Notice**

Nil.

### **6.2 Questions Received at the Meeting**

Nil.

### **6.3 Questions Taken on Notice at Previous Meeting**

This item is detailed in the agenda for the Ordinary Meeting of Council to be held on Tuesday, 19 March 2024.

At 6:33pm the Presiding Member closed Public Question Time.

## **7 AWARDS AND PRESENTATIONS**

This item will be dealt with at the Ordinary Meeting of Council to be held on Tuesday, 12 March 2024.

## **8 APPLICATIONS FOR NEW LEAVE OF ABSENCE**

This item will be dealt with at the Ordinary Meeting of Council to be held on Tuesday, 12 March 2024.

## **9 CONFIRMATION OF MINUTES**

This item will be dealt with at the Ordinary Meeting of Council to be held on Tuesday, 12 March 2024.

**10 NEW BUSINESS OF AN URGENT NATURE**

Nil.

**11 IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED**

Nil.

**12 PETITIONS**

This item will be dealt with at the Ordinary Meeting of Council to be held on Tuesday, 12 March 2024.

At 6:35pm, the Presiding Member advised that in relation to item 12.1 Petition – Esplanade Park an additional 441 signatures of residents of the City of Melville and 20 non-residents have been received on Monday, 11 March 2024, and will be dealt with in conjunction with the petitions previously received.

**13 REPORTS****13.1 Reports from Committees**

Nil

**13.2 Reports of the Chief Executive Officer****Management Services**

Nil.

**Corporate Services****C24/114 Investment Statements for January 2024**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 6:36pm Ms D Whyte, Acting Director Corporate Services was available to answer questions on the matter
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report presents the investment statements for the period ending 31 January 2024 for the Council's information and noting.

**OFFICER RECOMMENDATION**

**That the Council notes the Investment Report for the period ending 31 January 2024.**

**C24/115 Schedule of Accounts Paid for January 2024**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 6:36pm Ms D Whyte, Acting Director Corporate Services was available to answer questions on the matter
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report presents the details of payments made under delegated authority to suppliers for the period of January 2024 and recommends that the Schedule of Accounts Paid be noted.

**OFFICER RECOMMENDATION**

**That the Council notes the Schedule of Accounts paid for the period January 2024 as approved by the Director Corporate Services in accordance with delegated authority DA-035, and detailed in the attachments to this report - Payment Details January 2024 (Attachment 1) and Card Payment Details January 2024 (Attachment 2).**

**C24/116      Statements of Financial Activity for January 2024**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 6:37pm Ms D Whyte, Acting Director Corporate Services was available to answer questions on the matter.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	No Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report presents:

- The Statements of Financial Activity by Nature or Type and Rate Setting Statement by Program and Nature or Type, for the period ending 31 January 2024 and recommends that they be noted by the Council.
- The variances for the month of 31 January 2024 and recommends that they be noted by the Council.

**OFFICER RECOMMENDATION**

**That the Council notes the Rate Setting Statement and Statements of Financial Activity for the month ending 31 January 2024 as detailed in the following attachments:**

- **Statement Nature Type January 2024 (Attachment 1)**
- **Rate Setting Program January 2024 (Attachment 2)**
- **Rates Setting Nature Type January 2024 (Attachment 3)**
- **Net Working Capital January 2024 (Attachment 4)**
- **Reconciliation Net Working Capital January 2024 (Attachment 5)**
- **Notes Rate Setting Statement January 2024 (Attachment 6)**
- **Summary Rate Debtors January 2024 (Attachment 7)**
- **Rates Collections Graph January 2024 (Attachment 8)**
- **General Debtors Aged 90 Days January 2024 (Attachment 9)**

**C24/117 Common Seal March 2024**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 6:37pm Ms C Newman, Head of Governance responded to questions which concluded at 6:38pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

**SUMMARY**

This report details the documents to which the City of Melville Common Seal has been applied for the period from Thursday, 25 January 2024 up to and including Tuesday, 20 February 2024 for the Council's noting. This is a standing report to the Council.

**OFFICER RECOMMENDATION**

**That the Council notes the actions of Her Worship the Mayor and the Chief Executive Officer in executing the documents listed under the Common Seal of the City of Melville from Thursday, 25 January 2024 up to and including Tuesday, 20 February 2024 for the Council's noting.**

CONFIRMED

**C24/123 City of Melville Governance Framework and Governance Improvement Priority Projects**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 6:38pm Ms C Newman, Head of Governance responded to questions which concluded at 6:40pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

**SUMMARY**

- The Council adopted the Governance Improvement Plan 2023/2024 at the Ordinary Meeting of Council held 20 February 2024. With a key project within this plan being the development of a City of Melville Governance Framework.
- This report presents the inaugural City of Melville Governance Framework for consideration.
- Through the development of the Governance Framework a number of governance improvement projects have been identified with three key projects considered the priority for 2024/2025
- To seek council adoption of the City of Melville Governance Framework and identified Governance Priority Projects for 2024/2025.

**OFFICER RECOMMENDATION****That the Council:**

1. **Adopts the City of Melville Governance Framework 2024; and**
2. **Notes that the City of Melville Governance Framework will be formatted and styled prior to publication on the City's website; and**
3. **Notes that the City of Melville Governance Framework will be reviewed prior to the 2025 Local Government Election; and**
4. **Notes the Governance Priority Projects for 2024/2025 being:**
  - **Communications Agreement**
  - **Review of Committee Structure and Decision Making Pathway**
    - **Review and realignment of current Committee Terms of Reference/Charter**
    - **Consideration of inclusion of a Legislation and Policy Committee**
  - **Review of the City's Policy Structure/Framework****with progress on these projects being reported to the Governance Committee.**

**Community Development****CD24/12 Cultural Heart - Learning & Cultural Centre****Deputations** Nil.**Officer Presentation** At 6:40pm, Ms L Reid, Manager Cultural Services provided an [officer presentation](#), which concluded at 6:55pm.

At 6:55pm Ms L Reid, Manager Cultural Services responded to questions which concluded at 7:36pm.

**Disclosure of Interest** Nil**Notes from Forum** General Discussion took place regarding the item and officer recommendation.

At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:

- Provide a figure as to the specific amount of reserves needing to be used in order to recoup the costs of the project for the short-term.
- Provide the total monetary value within the property and reserve account.
- Provide advice as to whether a DA will be put forward to JDAP in regards to the detailed design, given the value of the development, and if it will still come to the Council for comment and input.
- Provide further information as to the types of materials used in six-star green buildings, and if they are satisfactory and fit for purpose.

**SUMMARY**

- The Melville City Centre Structure Plan presents an opportunity to create a multi-dimensional City Centre.
- The attached updated business case for the Library and Cultural Centre elevates this City Centre from a central, predominantly commercial, and residential area of the city into a rich, multi-dimensional civic and community precinct.
- The Library and Cultural Centre is to replace the existing Civic Square Library and support existing community infrastructure.
- The updates to the endorsed 2015 Council Business Case item reaffirm the growing need for this important cultural and community asset as the heart of the future civic and cultural precinct.
- The business case explores opportunities to maximise the social return on investment, consolidate facilities and services, as well as activation and sustainability of the future facility.
- The updated business case has reviewed current needs and proposed functions for the future facility that are socially, environmentally, and financial modelled to realise this transformational outcome.

**OFFICER RECOMMENDATION****That the Council:**

- 1. Endorse the updated Business Case for the Library and Cultural Centre; and**
- 2. Supports the inclusion of the proposed funding model, as outlined in the updated Business Case, for inclusion in the Long Term Financial Model and consideration in future budget proposals.**

At 7:34pm, Mr S Curulli left the meeting.

At 7:37pm, Mr S Curulli returned to the meeting.

At 7:37pm, Ms L Reid left the meeting and did not return.

At 7:37pm, Mr P Deague left the meeting and did not return.

At 7:37pm, Cr K Wheatland left the meeting.

CONFIRMED

**Environment and Infrastructure****E24/34 Environment and Infrastructure Policy Review**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:38pm Mr M McCarthy, Environment and Infrastructure responded to questions which concluded at 7:41pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	<p>General Discussion took place regarding the item and officer recommendation.</p> <p>At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:</p> <ul style="list-style-type: none"><li>• Confirm the previous reporting structure for the Chief Sustainability Officer.</li><li>• Provide policy document that show the proposed changes.</li></ul>

**SUMMARY**

- The policies within the responsibility of the Environment and Infrastructure Services directorate have been reviewed and brought forward with amendments for consideration and adoption.
- Policies that are defined as Council Policy require the approval of the Council, whereas Operational Policies are approved by the Chief Executive Officer.
- It is recommended that the three policies as amended be approved.

**OFFICER RECOMMENDATION**

**That the Council approves the three Environment and Infrastructure Services policies as amended and contained in the following attachments:**

- **CP-057 Sustainability Policy**
- **CP-120 Climate Action Policy**
- **CP-036 Resource Recovery and Waste Minimisation Policy**

At 7:40pm Cr K Wheatland returned to the meeting.

## Urban Planning

### UP24/34 Neighbour Dispute Mediation Policy

**Deputations** Nil.

**Officer Presentation** At 7:43pm Mr B Ashwood, Acting Manager Statutory Planning provided an [officer presentation](#) which concluded at 7:44pm.

At 7:44pm, Mr B Ashwood responded to questions which concluded at 7:50pm

**Disclosure of Interest** Nil

**Notes from Forum** General Discussion took place regarding the item and officer recommendation.

At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:

- Provide advice on extending the community engagement timeframe for policy from 3 weeks to 4 weeks.

#### SUMMARY

- On 15 August 2023, Council passed a Notice of Motion requesting a report be prepared and presented back to the December 2023 OMC, on the benefits and implications of establishing a Neighbour Dispute Mediation Policy.
- The Notice of Motion sought for the investigation to include the following:
  - a. Policy purpose/statement.
  - b. Details of matters for consideration.
  - c. Governance considerations including an implementation framework, decisions, outcomes and reporting.
  - d. Include research on other established policies within a local government context.
- The investigation was undertaken and a report addressing the above was presented to Council on the 12 December 2023 (UP23/28).
- Council subsequently passed a resolution to prepare the Neighbour Mediation Council Policy in accordance with the recommendations outlined in the report.
- The draft policy is prepared and included in this report as Attachment 1.

#### OFFICER RECOMMENDATION

**That the Council requests the Chief Executive Officer to undertake a community engagement process for the Neighbour Dispute Mediation Policy (Attachment 1) with the report to come back to Council.**

At 7:49pm, Cr M Woodall left the meeting.

At 7:50pm, Mr B Ashwood left the meeting and did not return.

**UP24/35      Review of Delegation DA-103 Inspection and Copies of Building Information**

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	<p>At 7:50pm Mr P Varelis, Director Planning provided an <a href="#">officer presentation</a> which concluded at 7:53pm.</p> <p>At 7:53pm, Mr P Varelis, Director Planning responded to questions which concluded at 7:58pm.</p>
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	<p>General Discussion took place regarding the item and officer recommendation.</p> <p>At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:</p> <ul style="list-style-type: none"><li>• Provide advice on whether it is possible to remove all references to the FOI Act in the delegations process and presentation.</li></ul>

**SUMMARY**

1. As a permit authority, the City of Melville must keep a register of permits, building approval certificates and building orders, pursuant to *Section 128, Building Act 2011* (the Act).
2. The Act also describes what information is to be made available for the public to inspect and obtain copies of permits, building approval certificates in the register (*s.129, s.131, Building Act 2011*).
3. In particular, the documents referred to in this report are:
  - a. Building Permits
  - b. Demolition Permits
  - c. Occupancy Permit (commercial buildings only)
  - d. Building Approval Certificate (retrospective building approval)
  - e. Building Order (enforcement order).
4. The Act also places confidentiality requirements on the City (*s.146, Building Act 2011*) and provides that certain powers and duties can be delegated to a local government employee (the Chief Executive Officer).
5. The Council has delegated authority under DA-103 - Inspection and Copies of Building Information - to the Chief Executive Officer, who has sub-delegated the authority to various responsible officers.
1. The delegation was last reviewed in 20 June 2023 and a further notional to the "Conditions on Delegation/Sub Delegation" is required to clarify who may make application and be provided with a copy of a document contained in the Building Register.

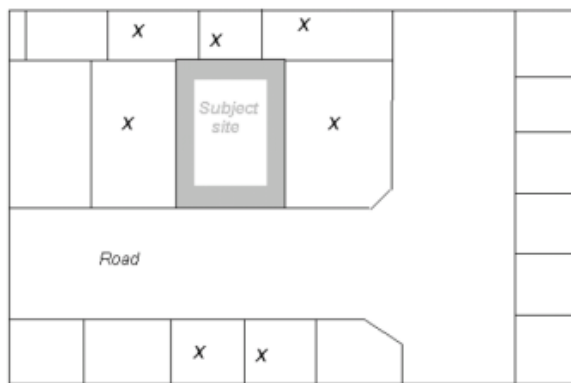
**OFFICER RECOMMENDATION**

**That the Council amend Delegation DA-103 - Inspection and Copies of Building Information - to include a Condition on Delegation / Sub Delegation to read as follows:**

**“The City may on application provide copies of a permit, building approval certificate, building order, or building records as described in Section 129 (2) of the Building Act 2011 to the following:**

- (a) the owner of the building or incidental structure to which the building record relates; or**
- (b) a person who has the written consent of the owner mentioned in paragraph (a), to inspect or received a copy of a building record relating to the owner, or**
- (c) a person or person(s) defined by Regulation 13 of the Building Regulations 2012, or**
- (d) a potentially affected property owner.**

**For the purposes of Point (d), a potentially affected property owner is defined as below:**



*Diagram 1 – Typical ‘potentially affected’ properties for a development located within the middle of a street block.*



*Diagram 2 – Typical ‘potentially affected’ properties for a development located within a corner property.*

At 7:52pm Cr M Woodall returned to the meeting

## 14 MOTIONS WITH PREVIOUS NOTICE

### 14.1 Notice of Motion - Tourism Plan

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 7:58pm Ms G Bowman, Chief Executive Officer responded to questions which concluded at 8:00pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

### 14.2 Notice of Motion - Trees for Bus Stops

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 8:00pm Mr M McCarthy, Director Environment and Infrastructure responded to questions which concluded at 8:12pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:

- Investigate the potential of increased of bus shelters within the City.
- Provide a summary of the trees planted in different wards throughout the City in the past three to four years.

### 14.3 Notice of Motion - Grants for Native Planted Verges

<b>Deputations</b>	Nil.
<b>Officer Presentation</b>	At 8:12pm Mr M McCarthy, Environment and Infrastructure responded to questions which concluded at 8:25pm.
<b>Disclosure of Interest</b>	Nil
<b>Notes from Forum</b>	General Discussion took place regarding the item and officer recommendation.

At the request of Elected Members, the CEO undertook to provide the following information on the Elected Members Portal:

- Provide advice on the impact on rates if every resident and ratepayer within the City of Melville was to take advantage of the proposed \$500 grant as detailed in this motion.

At 8:17pm, Ms M Smith Poulton left the meeting.

At 8:18pm, Ms M Smith Poulton returned to the meeting.

**15 MOTIONS WITHOUT PREVIOUS NOTICE (APPROVAL BY ABSOLUTE MAJORITY)**

Nil.

**16 MATTERS FOR WHICH MEETING WAS CLOSED TO THE PUBLIC**

Nil.

**17 DECISIONS MADE WHILE MEETING WAS CLOSED TO THE PUBLIC**

Nil.

**18 CLOSURE**

There being no further business to discuss, the Presiding Member confirmed Deputy Mayor Cr G Barber, Cr J Edinger, Cr J Spanbroek and Cr T Fitzgerald were still in attendance electronically and declared the meeting closed at 8:26pm.

CONFIRMED