

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 7 OCTOBER 2014
COMMENCED AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
2ND FLOOR IN THE COUNCIL CHAMBERS
10 ALMONDBURY ROAD, BOORAGOON**

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday 7 October 2014 commenced 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 Ned Fimmano, A/Governance & Compliance Program Manager, read aloud the Disclaimer and the Purpose of the Agenda Briefing Forum and then His Worship the Mayor advised that the meeting was being recorded for minute taking purposes and read aloud the following Affirmation of Civic Duty and Responsibility.

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.

AGENDA BRIEFING FORUM BRIEFING NOTES

2. PRESENT

His Worship the Mayor, Russell Aubrey

COUNCILLORS

Cr N Foxtton, Cr M Reynolds
Cr N Pazolli, Cr C Schuster
Cr J Barton, Cr S Taylor-Rees
Cr D Macphail
Cr R Hill, Cr P Phelan
Cr R Willis, Cr C Robartson

WARD

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

3. IN ATTENDANCE

Staff in Attendance:

Dr S Silcox
Mr M Tieleman

Chief Executive Officer
Director Corporate Services

Mr J Bird
Mr S Cope
Mr L Hitchcock
Mr T Cahoon
Mr M Spencer (until 8.02pm)
Mr P Kellick (until 8.28pm)
Mr B McInnes (until 8.02pm)
Ms A Leith (until 8.02pm)
Mr A Donaghey (until 8.02pm)
Mr N Fimmano
Ms R Davis

A/Director Technical Services
Director Strategic Urban Planning
Executive Manager Legal Services
Manager Health and Lifestyle Services
Senior Strategic Urban Planner
Manager Asset Management
Waste Services Coordinator
A/Manager Statutory Planning
A/Planning Services Coordinator
A/Governance and Compliance Program Manager
Minute Secretary

At the commencement of the meeting there were 2 members of the public and no members from the Press in the Public Gallery.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Nil

4.2 APPROVED LEAVE OF ABSENCE

Cr Rebecca Aubrey

4.3 APPLICATIONS FOR NEW LEAVES OF ABSENCE

Nil

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

Nil

7. DISCLOSURE OF INTEREST

8.

CD14/8062 – Cr N Foxtton – Interest under the Code of Conduct
M14/5000 – Cr C Schuster – Interest under the Code of Conduct

9. DEPUTATIONS

Nil

10. PETITION

Nil

11. IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

12. REQUEST OF ITEMS BROUGHT FORWARD

Nil

13. REPORTS BY THE CHIEF EXECUTIVE OFFICER

Nil

14. 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) A deputation shall not exceed three (3) persons, only two of whom may address the meeting.
- (b) Notice of a request for Deputation including the name, office and contact details of members of the deputation **MUST** be forwarded to the Chief Executive Officer at least forty eight (48) hours prior to the meeting.
- (c) An outline of the points to be made in addressing the Council, Agenda Briefing Forum or Committee must be submitted in writing forty eight (48) hours prior to the meeting.
- (d) The representatives on the deputation must be met in the foyer of the Civic Centre by a Council Officer.
- (e) 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.
- (f) The deputation period, including time allowed for questions and answers from Members of the Committee, should not exceed fifteen (15) minutes. To allow adequate time for questions and answers, it is suggested the deputation address should last no longer than ten (10) minutes.
- (g) The individual or group will be advised in writing of the decision of the Council.
- (h) 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.

QUESTION TIME

Question Time will be limited to fifteen (15) minutes and be the first item of Business immediately following Apologies at the commencement of the meeting. Questions must relate to the ordinary business of the City of Melville or function of the Agenda Briefing Forum. A question must be submitted in writing and placed in the Question Tray prior to the commencement of the meeting.

- (a) The Presiding Member may, with absolute discretion, accept or reject the question, or determine that any complex questions requiring research, be answered in writing.
- (b) The Mayor may nominate a Member or Officer to answer the questions.
- (c) No debate or discussion will be permitted on any question or answer
- (d) In addition to question time during the meeting, the Mayor or Elected Members may make themselves available after the meeting to meet members of the public to answer any questions.

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.

15. AGENDA ITEMS FOR PRESENTATION

At 6.40pm Mr M Tieleman left the meeting and returned at 6.42pm.

The report P14/3549 - Three Storey Multiple Dwelling Development with Undercroft Car Park at Lot 898 (No. 18B) Tweeddale Road, Applecross was withdrawn from the Agenda at the request of the applicant. .

P14/3551	Retrospective Planning Application for Signage at Lot 340 (No. 248) Leach Highway, Myaree
	<p>OFFICER PRESENTATION Amanda Leith – A/Manager Statutory 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 officer recommendation.</p>

P14/3552	Retrospective Planning Application for the Installation of a Sea Container at Lot 2 (No. 12B) Malsbury Street, Bicton
	<p>OFFICER PRESENTATION Amanda Leith – A/Manager Statutory 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 officer recommendation.</p>

At 6.48pm Cr Pazolli left the meeting and returned at 6.51pm.

P14/3553	Retrospective Planning Application for the Construction of a Deck and a Proposed Patio at Lot 16 (No. 13) Guy Place, Melville
	<p>OFFICER PRESENTATION Austin Donaghey – A/Planning Services Coordinator</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 officer recommendation.</p>

P14/3554	<p>Retrospective Planning Application for the Construction of a Retaining Wall and Site Works and Proposed Construction of an Outbuilding at Lot 634 (No. 10) Levey Rise, Winthrop</p>
	<p>OFFICER PRESENTATION Austin Donaghey – A/Planning Services Coordinator</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested the submission dates for all retrospective planning items be presented prior to the Ordinary Meeting of Council. This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

P14/3555	<p>Retrospective Planning Application for the Construction of a Mezzanine Level within an Existing Showroom at 17A/70-72 Norma Road, Booragoon</p>
	<p>OFFICER PRESENTATION Austin Donaghey – A/Planning Services Coordinator</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 officer recommendation.</p>

P14/3558	Retrospective Planning Application for Signage at Lot 654 (No. 45) Ardross Street, Applecross
	<p>OFFICER PRESENTATION Austin Donaghey – A/Planning Services Coordinator</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested to receive further clarification on whether Jacs have the approval to place signage on the city’s infrastructures namely waste bins, this information was taken on notice and will be provided in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

P14/3559	Initiation of New Council Policy: Waste and Recyclables Collection for Multiple Dwellings, Mixed Use Developments and Non-Residential Developments
	<p>OFFICER PRESENTATION Amanda Leith – A/Manager Statutory Planning</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested officers to check the Environmental Health Guide on the wording of Clause 5.4(b) this question was taken on notice and will be provided in the Elected Members Bulletin.</p> <p>General discussion also took place regarding the item and officer recommendation.</p>

P14/3560	Review of Council Policy - 056: Planning Process and Decision Making
	<p>OFFICER PRESENTATION Amanda Leith – A/Manager Statutory Planning</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested confirmation as to whether density would be considered a ‘relevant planning matter’ in the reporting of multiple dwelling applications to the Development Advisory Unit. This information will be provided in the Elected Members Bulletin.</p> <p>General discussion also took place regarding the item and officer recommendation</p>

P14/3505	CP-089: Local Planning Strategy Policy
	<p>OFFICER PRESENTATION Martin Spencer – Senior Strategic Urban Planning Steve Cope – Director 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 officer recommendation.</p>

At 8.02pm Mrs A Leith, Mr M Spencer and Mr A Donaghey left the meeting
 At 8.17pm Cr M Reynolds left the meeting and returned at 8.19pm
 At 8.26pm Cr D Macphail left the meeting and returned at 8.28pm.

T14/3543	Bulk Verge Side Collection Review
	<p>OFFICER PRESENTATION Paul Kellick – Manager Asset Management Brett McInnes – Waste Services Coordinator</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 officer recommendation.</p>

At 8.29pm Cr Schuster left the meeting and returned at 8.30pm.
 At 8.31pm Mr Tieleman left the meeting and returned at 8.32pm.
 At 8.36pm Cr Phelan left the meeting and returned at 8.39pm.
 At 9.01pm Cr Willis left the meeting and returned at 9.04pm.
 At 9.02pm Mr Bird left the meeting and returned at 9.04pm.

CD14/8062	Community Sporting and Recreation Facility Funding (Standard and Forward Planning Grants Round)
	<p>OFFICER PRESENTATION Todd Cahoon – Manager Health and Lifestyle Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Cr N Foxtan – Interest under the Code of Conduct</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

At 8.28pm Mr P Kellick and Mr B McInnes left the meeting.

M14/5000	Common Seal Register
	<p>OFFICER PRESENTATION – IF REQUESTED Ned Fimmano – A/Governance & Compliance Program Manager</p> <p>DEPUTATION PRESENTATION/S Cr Schuster – Interest under the Code of Conduct</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

M14/5385	Council Meeting Cycle
	<p>OFFICER PRESENTATION – IF REQUESTED Ned Fimmano – A/Governance & Compliance Program Manager</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 officer recommendation.</p>

C14/6000	Investment Statements for August 2014
	<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 officer recommendation.</p>

C14/6001	Schedule of Accounts Paid for August 2014
	<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 officer recommendation.</p>

C14/6002	Statements of Financial Activity for August 2014
	<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 Elected Members requested officers to check the variance report for 31 August 2014 and advise how the City managed to underspend the recreation and cultural budget by approximately \$1,000,000.</p> <p>This request was taken on notice and the relevant information will be provided in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

14. CLOSURE

There being no further business, The Presiding Member declared the Forum closed at 9.27pm.