

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 7 APRIL 2015
COMMENCING AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
2ND FLOOR IN THE COUNCIL CHAMBERS
10 ALMONDBURY ROAD, BOORAGOON**

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the City must obtain, and should only rely on, written notice of the City's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the City on the operation of written law, or the performance of a function by the City, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the City. Any advice on a matter of law, or anything sought to be relied upon as representation by the City should be sought in writing and should make clear the purpose of the request.

DISTRIBUTED: 10 APRIL 2015

CONTENTS PAGE

	Item Description	Page Number
URBAN PLANNING		
P15/3621	Change of Use from Storage with Incidental Office to Motor Vehicle Repair (Retrospective) at Unit 3/4 Parkinson Lane, Kardinya	6
P15/3622	Change of Use from Storage with Incidental Office to Use Not Listed: Recording Studio (Retrospective) at Unit 1/4 Parkinson Lane, Kardinya	6
P15/3624	Retaining Wall (Retrospective) at Lot 87 (No.35) The Ramble, Booragoon	7
P15/3625	Change of Use from Light Industrial to Use Not Listed: Garden Centre (Retrospective) at Unit 4/496 Marmion Street, Booragoon	7
P15/3626	Garage, Patio and Gazebo (Retrospective) at Unit 7/370 372 Canning Highway, Bicton	8
TECHNICAL SERVICES		
Nil		
COMMUNITY DEVELOPMENT		
Nil		
MANAGEMENT SERVICES		
M15/5000	Common Seal Register	8
M15/5415	City of Melville Local Government Elections 2015	9
M15/5416	Extraordinary Election	9
CORPORATE SERVICES		
C15/6000	Investment Statements for February 2015	10
C15/6001	Schedule of Accounts Paid for February 2015	10
C15/6002	Statements of Financial Activity for February 2015	11



Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon, on Tuesday 7 April 2015, 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 J Clark, Governance and Compliance Program Manager, read aloud the Disclaimer and the Purpose of the Agenda Briefing Forum and then the Deputy 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

COUNCILLORS

Cr N Foxton (Deputy Mayor)
Cr M Reynolds
Cr C Schuster
Cr J Barton
Cr R Aubrey
Cr P Phelan
Cr R Willis, Cr C Robartson

WARD

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

3. IN ATTENDANCE

Mr M Tieleman	A/Chief Executive Officer
Mr P Kellick	A/Director Technical Services
Mr T Cahoon	A/Director Community Development
Mr G Ponton	A/Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Mr P Prendergast (Until 6.46pm)	Manager Statutory Planning
Mr J Clark	Governance and Compliance Program Manager
Mr N Fimmano	Governance and Property Officer
Ms R Davis	Minute Secretary

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

4. APOLOGIES

4.1 APOLOGIES

Dr Shayne Silcox

4.2 APPROVED LEAVE OF ABSENCE

Mayor Aubrey
Cr Taylor Rees – Bicton/Attadale Ward
Cr Macphail – City Ward
Cr Pazolli – Applecross/Mt Pleasant Ward

**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

Nil

8. DEPUTATIONS

Nil

9. PETITION

Nil

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

Nil

11 REQUEST OF ITEMS BROUGHT FORWARD

Nil

12 REPORTS BY THE CHIEF EXECUTIVE OFFICER

Nil

13 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.

14. AGENDA ITEMS FOR PRESENTATION

P15/3621	Change of Use from Storage with Incidental Office to Motor Vehicle Repair (Retrospective) at Unit 3/4 Parkinson Lane, Kardinya
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning</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>

P15/3622	Change of Use from Storage with Incidental Office to Use Not Listed: Recording Studio (Retrospective) at Unit 1/4 Parkinson Lane, Kardinya
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning</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>

P15/3624	Retaining Wall (Retrospective) at Lot 87 (No.35) The Ramble, Booragoon
	<p>OFFICER PRESENTATION Peter Prendergast – 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>

P15/3625	Change of Use from Light Industrial to Use Not Listed: Garden Centre (Retrospective) At Unit 4/496 Marmion Street, Booragoon
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning</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>

P15/3626	Garage, Patio and Gazebo (Retrospective) at Unit 7 /370-372 Canning Highway, Bicton
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning</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>

At 6.46pm Mr Prendergast left the meeting.

M15/5000	Common Seal Register
	<p>OFFICER PRESENTATION Jeff Clark – Governance and 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>

M15/5415	City of Melville Local Government Elections 2015
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – 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>

M15/5416	Extraordinary Election
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance & Compliance Program Manager</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>

C15/6000	Investment Statements for February 2015
	<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>

C15/6001	Schedule of Accounts Paid for February 2015
	<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 General discussion took place regarding the item and officer recommendation.</p>

C15/6002	Statements of Financial Activity for February 2015
	OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate Services
	DEPUTATION PRESENTATION/S Nil
	DISCLOSURE OF INTEREST Nil
	NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.

15. CLOSURE

There being no further business, The Presiding Member declared the Forum closed at 6.48pm.