

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 6 SEPTEMBER 2016
COMMENCING AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
2ND FLOOR IN THE COUNCIL CHAMBERS
10 ALMONDBURY ROAD, BOORAGOON**

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DISTRIBUTED: 9 SEPTEMBER 2016

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon, on Tuesday 6 September 2016 commencing at 6.30pm.

1. OFFICIAL OPENING

The Presiding Member will cause the purpose of Agenda Briefing Forum to be read aloud by an Officer.

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 make submissions or present deputations in respect to matters on the draft Council Agenda at this Forum, prior to matters being formally deliberated upon at the next Ordinary Council Meeting.

The Presiding Member will cause the following Affirmation of Civic Duty and Responsibility to be read aloud by an Elected Member.

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.

2. PRESENT

His Worship the Mayor Russell Aubrey

COUNCILLORS

Cr N Pazolli, Cr Schuster
Cr J Barton, Cr G Wieland
Cr M Woodall Cr C Robartson
Cr R Aubrey, Cr D Macphail
Cr P Phelan
Cr N Foxton, Cr T Barling

WARD

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

3. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Ms M Tieleman	Director Corporate Services
Mr J Christie	Director Technical Services
Ms C Young	Director Community Development
Mr S Cope	Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Ms K Johnson (Until 7.16pm)	Executive Manager Organisational Development
Mr M Spencer (Until 6.48pm)	Strategic Urban Planner
Mr P Prendergast (Until 8.09pm)	Manager Statutory Planning
Mr J Bird (Until 7.06pm)	Manager Parks and Environment

Ms L Hartill (Until 7.44pm)
Ms A Hill (Until 7.06pm)
Ms J Ahola (Until 7.16pm)
Ms C Newman
Mr N Fimmano

Manager Neighbourhood Development
Special Projects Officer
Landscape Architect Coordinator
A/Governance and Compliance Program Manager
Governance and Property Officer

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

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Cr L O'Malley Palmyra/Melville/Willagee

4.2 APPROVED LEAVE 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

7. DISCLOSURE OF INTEREST

Item P16/3716 – Cr Robartson - Amendment 1 to Local Planning Scheme No. 6 to Make Administrative Changes – Interest under the Code of Conduct.

8. DEPUTATIONS

Nil

9. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

10. 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 6.30pm 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 deputation must relate to a report on the meeting agenda.

- (a) Notice of a request for deputation must be in writing and include the name, office and contact details of members of the deputation and be forwarded to the Chief Executive Officer, by either **Mail** at Locked Bag 1, Booragoon WA 6954, **Email** at deputations@melville.wa.gov.au or **Fax** on 9364 0285 by 9.00am on the Monday prior to the meeting.
- (b) The request should be received at least two working days before the meeting and a response will be given by the Governance and Compliance Program Manager. If approved the G&CPM will respond to the email and include as attachments the "Guidelines and Protocols" document and the "purpose of the Agenda Briefing Forum".
- (c) A deputation may comprise a maximum of three people of which only two may speak.
- (d) An outline of the points to be made in addressing the Council, Agenda Briefing Forum or the Committee must be submitted in writing by 9.00am on Monday prior to the meeting.
- (e) The person/s requesting the deputation will be required to advise the main points they wish to make in a given time of 10 minutes (dot points are fine).
- (f) The representatives of the deputation will be met in the Council Chamber of the Civic Centre by a Council Officer 10 minutes prior to the commencement of the meeting.
- (g) 20 hardcopies of the presentation will be required if a copy of the presentation is to be distributed to Elected Members and staff.
- (h) 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.
- (i) The deputation period, including the time allowed for the questions and answers from Members of the Committee, should not exceed 15 minutes, of which 10 minutes is for the presentation and five minutes is for question time, unless the Council grants an extension of time.
- (j) 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.

11. AGENDA ITEMS FOR PRESENTATION

P16/3716	Amendment 1 To Local Planning Scheme No. 6 To Make Administrative Changes
	<p>OFFICER PRESENTATION Martin Spencer - Strategic Urban Planner</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Cr Robartson – Interest under the Code of Conduct</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

At 6.48pm Mr Spencer left the meeting.

P16/3718	Review of Planning Policies
	<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 Elected Members requested that Officers ascertain if other related Council Policies make reference to CPS5 in order that they can be amended accordingly.</p> <p>Elected Members also requested that dot point three of the recommendation be amended to reflect what is meant by “Modifying references to other Council policies where appropriate”</p> <p>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>

T16/3720	Urban Forest and Green Space Policy
	<p>OFFICER PRESENTATION Jeff Bird - Manager Parks and Environment in conjunction with Anne Hill Special Projects Officer</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that the following amendments be made to the Policy:</p> <ol style="list-style-type: none"> 1. Policy Objective 5 be reworded to read “To ensure that the urban forest and green spaces that are integral to the City’s sense of place are not compromised in areas of increased residential density”. 2. That there is a separation of urban forest for public land and green space for private land. <p>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>

At 7.06pm Mr Bird and Ms Hill left the meeting.

CD16/8086	Adoption of Strategic Community Plan and Corporate Business Plan
	<p>OFFICER PRESENTATION Leanne Hartill – Manager Neighbourhood Development in conjunction with Kylie Johnson – Executive Manager Organisational Development.</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 7.16pm Ms Johnson and Ms Ahola left the meeting.

At 7.17pm Cr Woodall left the meeting and returned at 7.21pm.

CD16/8087	Complaints Management Policy
	<p>OFFICER PRESENTATION Leanne Hartill – Manager Neighbourhood Development</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that the following amendments be made to the Policy:</p> <ol style="list-style-type: none"> 1. That the last sentence under Policy Scope be shown as dot point five. 2. That appropriate links to the Customer Service Charter and the Customer Services Charter for Contractors be included in the policy. 3. Include in the External Review section on page 3 that the level of information provided to the City by these agencies, and that which it can report to others is constrained by the various laws and policies governing those agencies. <p>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>

At 7.44pm Ms Hartill left the meeting.

At 8.04pm Dr Silcox left the meeting and returned at 8.06pm.

M16/5498	Review Of Delegated Authority – DA-020 Planning and Related Matters - Update
	<p>OFFICER PRESENTATION – IF REQUESTED Louis Hitchcock – Executive Manager Legal Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that they be provided with the following information: 1. The figures provided at the recent EMIS regarding the number of Development Applications dealt with by Council during the past 12 months that required an Absolute Majority or Special Majority decision of Council. 2. The number of DAU call up to Council during the past 12-18 Months. 3. How many Gaming Permits have been issued in the City in last five years 4. The definition used for relevant planning matter be circulated to Elected Members.</p> <p>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>

At 8.09pm Mr Prendergast left the meeting.

At 8.00pm Cr Schuster left the meeting and returned at 8.12pm.

M16/5499	Adoption of The Proposed City of Melville Parking Local Law 2016
	<p>OFFICER PRESENTATION – IF REQUESTED Corrine Newman – A/Governance and 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>

M16/5504	Appointment of External Member of Financial Management, Audit, Risk and Compliance Committee
	<p>OFFICER PRESENTATION – IF REQUESTED Corrine Newman – A/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>

M16/5000	Common Seal Register
	<p>OFFICER PRESENTATION – IF REQUESTED Corrine Newman – A/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>

C16/6000	Investment Statements for July 2016
	<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>

C16/6001	Schedule of Accounts Paid for July 2016
	<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>

C16/6002	Statements of Financial Activity for July 2016
	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.

12. CLOSURE

There being no further business to discuss, the Mayor closed the Agenda Briefing Forum at 8.13pm.