



— *City of* —  
***Melville***

**NOTES**

**OF THE**

**AGENDA BRIEFING FORUM**

**HELD ON**

**14 OCTOBER 2008**

**COMMENCED AT 6.30PM**

**AT THE MELVILLE CIVIC CENTRE**

**2<sup>ND</sup> FLOOR IN THE SWAN ROOM**

**10 ALMONDBURY ROAD, BOORAGOON**

**DISTRIBUTED: 17 October 2008**

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— City of —  
**Melville**

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Notes of the Agenda Briefing Forum held in the Swan Room, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 14 October 2008 commencing at 6.30pm.

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## AGENDA BRIEFING FORUM BRIEFING NOTES

### 1. PRESENT

R A Aubrey	Mayor
Cr H Everett JP (Presiding Member)	Applecross/Mount Pleasant
Cr N Pazoli	Applecross/Mount Pleasant
Cr A Ceniviva, Cr D Macphail	City
Cr R Subramaniam, Cr C W Robartson	Bull Creek/Leeming
Cr Phelan, Cr C M Halton	Palmyra/Melville/Willagee
Cr L M Reynolds	University
Cr M J Barton, Cr G Wieland	Bicton/Attadale

### 2. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Customer & Corporate Services
Mr C McClure	Director Urban Planning
Mr J Christie	Director Technical Services
Ms C Young	Director Strategic Community Development
Mr T Cahoon	Manager Health & Lifestyle Services
Ms L Hartill	A/Manager Community Development
Ms H Kataraski	Cultural Development Officer
Mr B Taylor	Manager Information, Technology & Corporate Support
Mr D Vinicombe	Manager Planning & Development
Ms C Rourke	Minute Secretary

There was 1 person from the Media and there were 17 people present in the public gallery at the commencement of the Agenda Briefing Forum.

### **3. APOLOGIES AND APPROVED LEAVE OF ABSENCE**

Cr J R Bennett

University

### **4. QUESTION TIME**

#### **4.1 Mr Richard Pike, Willagee**

##### Question 1

*“My wife and I have been residents and ratepayers living in Willagee for 17 years. Our home, 27 Moorhouse Street, backs on to Lot 9 (241) Leach Highway.*

*In a letter forwarded to the Council we expressed a number of concerns, yet to be addressed. What guarantee might we have that these matters will be sympathetically and sensitively addressed and answered by those proposing this development, and who presumably will be living a long way from it?*

*As it is more than likely that the proposal will proceed with, may we know as far as it is possible to be known at this stage, the approximate time in the future when we may expect to hear the first rumblings of machinery let loose to shake the foundations of our properties?”*

Mr David Vinicombe, Manager Planning and Development Services, advised that he was unable to specifically identify Mr Pike’s submission but confirmed that each of the points raised in submissions received were addressed in the submissions table presented in Item P08/5027 – Final Approval Amendment No. 41 to Community Planning Scheme No. 5 by amending the density coding of Lot 100 (109) North Lake Road and Lot 9 (241 Leach Highway, Willagee from ‘R20’ to ‘R60’ and amending Schedule 3 to include ‘Medical Centre’, ‘Office’, and ‘Restaurant’. Mr Vinicombe said he could discuss these issues in more detail with Mr Pike after the meeting.

Mr Vinicombe also advised that if an amendment goes through, the two properties owned by Council will have to be tendered and further matters need to be addressed ie. Preparation of a business plan, design plans and details, inclusive of a Traffic Study, for Development and Building Applications, and that these would more than likely not take place within the next two years.

Dr Shayne Silcox, Chief Executive Officer, also advised that the development would be guided by the Local Government Act and Legislation and consideration of these items are done professionally and with extensive research and analysis.

## **4.2 Ms Hendro Prantono, Applecross**

### Question 1

*“Why have the concerns of the adjoining southern neighbour been dismissed considering that the southern setback and percentage of overshadowing is non-compliant?”*

Mr David Vinicombe, Manager Planning & Development Services, advised that Residential Planning Codes provide for variations through consideration of performance criteria. In relation to the Southern Setback performance criteria had been met. All matters in terms of shadowing, privacy and ventilation had been addressed in the report as these would be discussed in detail in the presentation of the item.

Mr Vinicombe advised that major changes to do with the issue of overshadowing had been addressed in his report and he would provide an overview in his presentation of item P08/3050 – Two storey single house with undercroft on Lot 501 (35A) Canning Beach Road, Applecross.

### Question 2

*“I have on many occasions proven that the development adversely affects my property, however, all my concerns have been upheld – why?”*

Mr David Vinicombe, Manager Planning & Development Services, responded by saying that all concerns regarding adverse impact were addressed in the final report and that overshadowing had been brought in to compliance with the performance criteria of the R-Codes. The application has been further advanced and modified to address the performance criteria relative to the initial Development Advisory Unit report - U08/0238 dated 9 September 2008.

### Question 3

*“The unlawful fill that is indicated and mentioned in the report as being removed, this is not correct. Why has no research has been made to determine that this is the case”*

Mr David Vinicombe, Manager Planning & Development Services, confirmed that at the time, records indicate that most of the fill had been removed. He advised that this issue would be addressed in the report in more detail.

## **5. DISCLOSURES OF INTEREST**

. P08/5023 Cr G Wieland

## **DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995**

### **Members' interests in matters to be discussed at meetings to be disclosed**

S.5.65 (1) A member who as 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.**

**6. AGENDA ITEMS FOR PRESENTATION**

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
P08/3048	<p><b>Temporary High-Impact Telecommunications Tower Lot 2 &amp; 5 Queens Road, Mt Pleasant (REC) (Attachment)</b></p> <p><b>OFFICER PRESENTATION</b> David Vinicombe – Manager Planning and Development Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p> <p>Mr David Vinicombe, Manager Planning &amp; Development, to clarify for elected members the height of the temporary tower relative to the existing structure and comment on the emissions coverage. Mr Vinicombe will review the possibility of proposing a variation to Elected Members relative to provision of signage on the structure to advise the public of its temporary approval.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C08/3049	<p><b>Proposed Three Storey Mixed Use Development Lot 4 (30) Kintail Road, Applecross (SMREC) (Attachment)</b></p> <p><b>OFFICER PRESENTATION</b> David Vinicombe – Manager Planning &amp; Development Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p> <p>Mr David Vinicombe, Manager Planning &amp; Development Services offered to put further information together for Elected Members in regards to improving the energy rating of the proposed development and providing details of the petition.</p>

**At 7.05pm Mayor Aubrey left the meeting and returned at 7.07pm.**  
**At 7.11pm Cr Reynolds left the meeting.**

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C08/3050	<p><b>Two Storey Single House with Undercroft on Lot 501 (35a) Canning Beach Road, Applecross (REC) (Attachment)</b></p> <p><b>OFFICER PRESENTATION</b> David Vinicombe – Manager Planning &amp; Development Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p>

At 7.16pm Cr Reynolds returned to the meeting.

At 7.43pm Mayor Aubrey left the meeting and returned at 7.45pm.

At 7.45pm Cr Robartson left the meeting and returned at 7.50pm.

At 7.51pm Cr Pazolli and Ms Hannah Katarski, Community Development officer, left the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
P08/5027	<p><b>Final Approval Amendment 41 to Community Planning Scheme No. 5 Amending Coding of Lot 100 (109) North Lake Road and Lot 9 (241) Leach Highway, Willagee from 'R20' to 'R60' and Amending Scheme 3 to Include 'Medical Centre', 'Office' and 'Restaurant' (REC) (Attachment)</b></p> <p><b>OFFICER PRESENTATION</b> David Vinicombe – Manager Planning &amp; Development Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p> <p>David Vinicombe, Manager Planning &amp; Development Services will review the possibility of proposing a variation to Elected members regarding the number of restaurants on the site being limited to one with max seating at 80 people.</p>

At 7.55pm Cr Pazolli and Ms Hannah Katarski, Community development Officer, returned to the meeting.

At 8.11pm Cr Wieland, Cr Phelan, Cr Robartson and Cr Ceniviva left the meeting.  
 At 8.15pm Cr Robartson and Cr Ceniviva returned to the meeting.  
 At 8.16pm Cr Wieland returned to the meeting.  
 At 8.22pm, having declared an interest in item P08/5023, Cr Wieland left the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
P08/5023	<p><b>Dedication of Right of Way Loc 70, Diagram 5983 between Stock Road and Waddell Road, Bicton (REC)</b></p> <p><b>OFFICER PRESENTATION</b> Bruce Taylor – Manager Information &amp; Corporate Support</p> <p><b>DISCLOSURE OF INTEREST</b> Cr G Wieland</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p>

At 8.30pm Cr Macphail left the meeting.  
 At 8.30pm Cr Wieland returned to the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C08/5024	<p><b>Annual Report (REC) (Attachment)</b></p> <p><b>OFFICER PRESENTATION</b> Bruce Taylor – Manager Information &amp; Corporate Support</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p> <p>Chief Executive Officer advised that he will be sending out an amended report to Elected Members regarding his and Mayor's pages in the Annual Report.</p>

At 8.34pm Cr Macphail returned to the meeting.  
 At 8.45pm Cr Phelan returned to the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C08/5025	<p><b>Review of Policy PL-14-001 Annual Meeting of Electors (REC) (Attachment)</b></p> <p><b>OFFICER PRESENTATION</b> Bruce Taylor – Manager Information &amp; Corporate Support</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p>

At 8.44pm Mr Craig McClure, Director Urban Planning, left the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C08/5026	<p><b>Election of Representatives to Occasional, Advisory, Local Government and Community Committees (AMREC)</b></p> <p><b>OFFICER PRESENTATION</b> Bruce Taylor – Manager Information, Technology &amp; Corporate Support</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p> <p>Main Roads Metropolitan Regional Road Group Committee to be added to the list of Committees.</p>

At 8.46pm Mr Craig McClure, Director Urban Planning, returned to the meeting.

Item N/.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
<b>C08/8009</b>	<p><b>Community Sporting and Recreation Facilities Fund (REC)</b></p> <p><b>OFFICER PRESENTATION</b> Todd Cahoon – Manager Health &amp; Lifestyle Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation</p>

At 8.49pm Cr Subramaniam left the meeting.

At 8.51pm Cr Subramaniam returned to the meeting.

At 8.58pm Mr Marten Tieleman, Director Customer & Corporate Services left the meeting.

At 9.00pm Mr Marten Tieleman, Director Customer & Corporate Services returned to the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
<b>C08/8010</b>	<p><b>Public Art Policy (REC) (Attachment)</b></p> <p><b>OFFICER PRESENTATION</b> Hannah Katarski – Community Development Officer - Arts</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p>

At 9.15pm Mayor Aubrey left the meeting.

At 9.17pm Mayor Aubrey returned to the meeting.

At 9.24pm Mr Todd Cahoon, Manager Health & Lifestyle Services, Ms Leanne Hartill, Acting Manager Community Development and Ms Hannah Katarski, Community Development Officer, left the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C08/5000	<p><b>Common Seal</b></p> <p><b>OFFICER PRESENTATION</b> Marten Tieleman – Director Customer &amp; Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C08/6000	<p><b>Investment statements</b></p> <p><b>OFFICER PRESENTATION</b> Marten Tieleman – Director Customer &amp; Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C08/6001	<p><b>Schedule of Account</b></p> <p><b>OFFICER PRESENTATION</b> Marten Tieleman – Director Customer &amp; Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C08/6002	<p><b>Financial Statements</b></p> <p><b>OFFICER PRESENTATION</b> Marten Tieleman – Director Customer &amp; Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding this item and officer recommendation.</p>

## **7. CLOSURE**

There being no further business, the Presiding Member declared the forum closed at 9.32pm.