



— City of —  
**Melville**

**NOTES  
OF THE  
AGENDA BRIEFING FORUM  
HELD ON  
1 DECEMBER 2009  
COMMENCING AT 6.30PM  
AT THE MELVILLE CIVIC CENTRE  
2<sup>ND</sup> FLOOR IN THE COUNCIL CHAMBERS  
10 ALMONDBURY ROAD, BOORAGOON**

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**Please note: The Agenda for the Agenda Briefing Forum should be read in conjunction with the [Agenda for the Ordinary Meeting of Council](#) to be held on 15 December 2009.**

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**Melville**

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 1 December 2009 commencing at 6.30pm.

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## AGENDA BRIEFING FORUM BRIEFING NOTES

### 1. PRESENT

R A Aubrey (Presiding Member)	Mayor
Cr P Reidy, Cr N Pazolli	Applecross/Mount Pleasant
Cr A Ceniviva	City
Cr A Nicholson (until 9.21pm)	City
Cr R Subramaniam, Cr C W Robartson	Bull Creek/Leeming
Cr J Barton	Bicton/Attadale
Cr N Foxtton	University

### 2. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development
Mr S Cope	Director Urban Planning
Mr J Christie	Director Technical Services
Mr L Hitchcock	Executive Manager Legal Services
Mr J Clark	Governance and Compliance Program Manager
Mr M Spencer (until 10.16pm)	Senior Strategic Urban Planner
Mr I Davis	Manager Parks & Environment
Mr S Stevenson (until 9.31pm)	A/Recreation Services Coordinator
Mr T Cahoon (until 10.16pm)	Manager Health & Lifestyle Service
Mr J Burton	Health Services Coordinator
Mr D Vinicombe (until 9.21pm)	Manager Planning & Development
Ms K Davis (until 10.16pm)	Manager Strategic Planning
Mr B Taylor	Manager, Information, Technology Services
Ms J Paparella	Minute Secretary

There was 1 member from the Media in attendance and 11 people present in the public gallery at the commencement of the Agenda Briefing Forum.

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

#### **3.1 APOLOGIES**

Cr B Kinnell; Palmyra/Melville/Willagee

#### **3.2 APPROVED LEAVE OF ABSENCE**

Cr C M Halton Palmyra/Melville/Willagee  
Cr L M Reynolds University  
Cr G Wieland Bicton/Attadale

### **4. QUESTION TIME**

#### **4.1 Mr H Epstein, Bicton**

##### Question 1

*Why does the C.E.O want another Liquor Store in the area when we already have eight stores between Petra Street and Stock Road?*

The Chief Executive Officer responded by saying the City of Melville must process applications if received it is not a case of whether I want or do not want a liquor store it is more a matter that a valid application has been forwarded and it must be assessed on planning grounds. In relation to the eight liquor stores market competition is not a valid planning ground and the City must abide by competitive neutrality principals.

##### Question 2

*How come the C.E.O can overrule the Liquor License Board as he stated in the Herald paper?*

The Chief Executive Officer responded by saying that If that is the statement in the Herald newspaper that is incorrect, I can not overrule the Liquor Licensing Board, I do not have those powers.

##### Question 3

*The C.E.O also stated in the Herald paper there were only twenty five objections he didn't say how difficult it was to get people to object and the notice was only on one place on the door entrance next to the laundry.*

The Chief Executive Officer responded by saying the City uses standard processes in relation to consultation and the processing of comments from the community whether they be objections or agreement to any proposal put forward.

##### Question 4

*My wife and I managed the laundry there was a great deal of vandalism broken windows and break ins.*

The Chief Executive Officer responded by saying as this is a statement I'm not in a position to answer. However if you wish to formally contact me details of anti social behaviour or criminal activity in the area, I'll be happy to pass this information onto the local police and our security patrols for their information and consideration.

Question 5

*How is Council going to control the congestion of shopping trolleys and the amount of traffic congestion and rubbish which blows on people's property? It will be unsafe for normal shopping families, the car park is a disgrace full of pot holes.*

The Chief Executive Officer responded by saying the car park is private property and I have no ability to instruct the private owner on the maintenance of their private asset. If you have issues then you will need to contact the owners of the property directly and state your views.

**5. DISCLOSURES OF INTEREST**

Nil

**6. DEPUTATIONS**

**Item: P09/3105 -** Three-Storey Single Dwelling on Lot 2 (37) Duncraig Road, Applecross

**Presenter:** Mr L & Mrs C Rowe – Owners 4 Nisbet Road, Applecross

**Item: P09/3106 -** Change of use to Liquor Store (Dan Murphy's) on Lot 210 (378) Canning Highway, Bicton

**Presenter:** Mr A Pollard – Woolworths Limited (Property Manager)  
Mr I Pearce - Area Manager Dan Murphy's Western Australia  
Mr Garry Doyle – Architect Ken Patterson Architects

## **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.**

**7. AGENDA ITEMS FOR PRESENTATION**

Deputations were presented on Item P09/3105 – Three-Storey Single Dwelling on Lot 2 (37) Duncraig Road, Applecross and Item P09/3106 – Change of use to Liquor Store (Dan Murphy’s) on Lot 210 (378) Canning Highway Bicton, therefore they were brought forward in the Agenda.

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
P09/3105	<p><b>Three-Storey Single Dwelling on Lot 2 (37) Duncraig Road, Applecross</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> From 6.53pm to 7.14pm a deputation was heard from Mr L &amp; Mrs C Rowe – Owners 4 Nisbet Road Applecross</p> <p><b>OFFICER PRESENTATION</b> David Vinicombe - Manager Planning &amp; Development</p> <p><b>NOTES FROM FORUM</b></p> <ol style="list-style-type: none"> <li>1 Further information to be distributed to the Elected Members by Memorandum and advice in the Elected Members Bulletin relating to the of the outcome of discussions with the applicant re possible redesign to re-focus bulk towards the secondary frontage of Duncraig Road.</li> <li>2 A site meeting may be organized and will be advised to Elected Members.</li> <li>3 Comment will also be provided on:               <ol style="list-style-type: none"> <li>1 The bulk issue relative to the performance criteria of building elements requiring variation</li> <li>2 The water table relative to undercroft garage and building requirements</li> <li>3 The subdivision pattern and relative site plan variances.</li> </ol> </li> </ol>

At 8.05pm Cr Reidy left the meeting and returned at 8.08pm.  
At 8.05pm Cr Pazolli left the meeting and returned at 8.08pm.

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
P09/3106	<p><b>Change of use to Liquor Store (Dan Murphy's) on Lot 210 (378) Canning Highway, Bicton</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> From 8.05pm to 8.23pm a deputation was heard from Mr A Pollard – Woolworths Limited (Property Manager) Mr. I Pearce - Area Manager Dan Murphy's W/Australia, Mr. Garry Doyle – Architect Ken Patterson Architects</p> <p><b>OFFICER PRESENTATION</b> David Vinicombe - Manager Planning &amp; Development</p> <p><b>NOTES FROM FORUM</b> This item is subject to further information to be provided by the Executive Engineer in relation to traffic impact analysis for the proposal. Specifically, Engineering Services have been asked to provide comments by way of Memorandum or notification in the Elected Members Bulletin to Elected Members in regards to the following matters:</p> <p>Comment on the traffic volume analysis and expected traffic flow compared with when IGA was operating on the site.</p> <ul style="list-style-type: none"> <li>• Comment with regard to traffic movement into Murray Road for west bound traffic on the Highway, given the intersection is over the crest and not protected by median refuge islands/turning bays and whether there is a traffic issue at that point that needs to be addressed.</li> <li>• Comment in relation to the methodology used by the traffic engineering consultant relative to times of surveys, where they took place etc.</li> </ul>

After the deputations concluded the meeting followed the Agenda as presented.

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>P09/3104</b>	<p><b>Amendment No. 43 to Community Planning Scheme No. 5 by amending the Scheme Map and text from “Local Reserve – Public Purpose - Primary School” to “Local Reserve - local open space” and “Community Centre Precinct (CCR) with a density coding of residential R60”, Lot 300 (10) Archibald Street, Willagee</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> David Vinicombe - Manager Planning &amp; Development</p> <p><b>NOTES FROM FORUM</b> This item requires further advice to be provided by way of Memorandum or notification in the Elected Members Bulletin to Elected Members on alternative density proposals and the extent of aged person development to be provided. This is to include a report from Property Consultants on this matter.</p>

At 8.46pm M Tieleman left the meeting and returned at 8.52pm.

At 8.59pm J Christie left the meeting and returned at 9.03pm.

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C09/8027</b>	<p><b>\$20,000 Self Supporting Loan – Brentwood Booragoon Football Club</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Shaun Stevenson - A/Community Recreation Coordinator</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

At 9.21pm Cr Nicholson left the meeting.

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C09/9000	<p><b>Fees And Charges (Food Act 2008)</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> John Burton - Coordinator Environmental Health</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C09/5097	<p><b>Recommitted Item Policy Review</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION - IF REQUESTED</b> Jeff Clark - Governance &amp; Compliance Program Manager</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C09/5100	<p><b>Policy Review</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Jeff Clark - Governance &amp; Compliance Program Manager</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C09/5000	<p><b>Common Seal Register</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C09/6000	<p><b>Investment Statements October 2009</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION– IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C09/6001	<p><b>Schedule of Accounts October 2009</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C09/6002</b>	<p><b>Financial Statements October 2009</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

At 10.06pm Cr Barton moved, seconded Cr Ceniviva

**That the meeting be closed to the public to permit discussion on a confidential matter (Item P09/3103 which relates the Advertising of the Canning Bridge Rail Station Precinct Vision covered under Section 5.23 (2) (c) of the Local Government Act 1995.**

At 10.06pm the Mayor submitted the motion, which was declared

**CARRIED (8/0)**

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>P09/3103</b>	<p><b>Advertising of the Canning Bridge Rail Station Precinct Vision</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Martin Spencer - Senior Strategic Urban Planner</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation. The Map Long Term (10 years) Vision was distributed to Elected Members on Friday 4 December 2009.</p>

At 10.17pm Cr Subramaniam left the meeting and returned at 10.18pm.

At 10.17pm Mr D Scott from Pennington Scott entered the meeting.

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C028/08	<p><b>Supply &amp; Installation of Artesian Bores at Len Shearer &amp; Shirley Strickland Reserves</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>PRESENTATION</b> Don Scott - Pennington Scott (Consulting Hydrogeologist)</p> <p><b>OFFICER PRESENTATION</b> Ian Davis – Manager Parks &amp; Environment</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

At 10.56 Cr Robartson moved, seconded Cr Subramaniam.

**That the meeting come out from behind closed doors and the public be invited back into the meeting.**

At 10.57pm the Mayor submitted the motion, which was declared

**CARRIED (8/0)**

Please click on this link to access the: [Agenda for the Ordinary Meeting of Council](#) to be held on Tuesday, 15 December 2009.

## **8. CLOSURE**

There being no further business, the Presiding Member declared the Forum closed at 10.57pm.