

**NOTES**

**OF THE**

**AGENDA BRIEFING FORUM**

**HELD ON**

**7 DECEMBER 2010**

**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 21 December 2010.**

**DISTRIBUTED: 10 December 2010**

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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 December 2010 commencing at 6.30pm.

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## AGENDA BRIEFING FORUM BRIEFING NOTES

### 1. PRESENT

His Worship the Mayor, Russell Aubrey

#### COUNCILLORS

Cr M Reynolds (Deputy Mayor)  
Cr N Pazolli, Cr P Reidy  
Cr T Ceniviva, Cr A Nicholson  
Cr G Wieland  
Cr C Halton, Cr B Kinnell  
Cr N Foxton  
Cr C Robartson,

#### WARD

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

### 2. IN ATTENDANCE

Dr S Silcox  
Mr M Tieleman  
Mr J Christie  
Ms C Young  
Mr S Cope  
Mr L Hitchcock  
Mr P Prendergast

Mr J Cameron (until 7.43pm)  
Mr I Davis (until 7.51pm)  
Mr P Kellick (until 8.15pm)  
Ms A Templeton (until 9.27pm)  
Mr T Cahoon (until 9.30pm)  
Mr C Taylor (until 9.30pm)  
Mr J Clark

Ms J Paparella  
Ms C Mitchell

Chief Executive Officer  
Director Corporate Services  
Director Technical Services  
Director Community Development  
Director Urban Planning  
Executive Manager Legal Services  
Manager Planning and Development Services  
Executive Engineer  
Manager Parks and Environment  
Manager Asset Management  
Planning Services Coordinator  
Manager Health and Lifestyle Services  
A/Recreation Services Coordinator  
Governance and Compliance Program Manager  
A/Business Support Officer  
Minute Secretary

There was one person from the Media in attendance and four people present in the public gallery at the commencement of the Agenda Briefing Forum.

**3. APOLOGIES AND APPROVED LEAVE OF ABSENCE****3.1 APOLOGIES**

Mr B Taylor                      Manager Information, Technology and Support

**3.2 APPROVED LEAVE OF ABSENCE**

Cr R Subramaniam              Bull Creek/Leeming  
Cr J Barton                        Bicton/Attadale

**4. QUESTION TIME**

Nil

**5. DISCLOSURES OF INTEREST**

Nil

**6. APPLICATIONS FOR NEW LEAVES OF ABSENCE**

Nil

**7. DEPUTATIONS**

**P10/3181**      Ms Emma de Jager a Planning Consultant with Cardno (WA) Pty  
                    Ltd on behalf of Hans and Amanda Schutte of 28 Kintail Road,  
                    Applecross

**8. 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 chairperson 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 (1) 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.**

**9. AGENDA ITEMS FOR PRESENTATION**

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>P10/3182</b>	<p><b>Proposed Two Storey Residence on Strata Lot 2 (24a) Sweetman Street, Ardross</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Peter Prendergast – Manager Planning &amp; Development Services</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>P10/3179</b>	<p><b>Amendment No. 57 to Community Planning Scheme No. 5 – Rezoning of the Southern Portion of Lot 50 (2) and Lot 109 (4 &amp; 4a) North Lake Road, Alfred Cove from ‘Living Area Precinct AC1 – Alfred Cove’ to ‘Commercial Centre Frame HF - Hislop’</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Amanda Templeton – Planning Services Coordinator</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>P10/3180</b>	<p><b>Proposed Amendment No. 60 to Community Planning Scheme No. 5 – Deletion of the Precinct Development Provisions for Two Storey (or more) Developments on Battle-Axe Lots</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Peter Prendergast – Manager Planning &amp; Development Services</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item or officer recommendation.</p>

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>T10/3173</b>	<p><b>Infrastructure Management Implications – Murdoch Activity Centre</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> John Christie – Director Technical Services</p> <p><b>NOTES FROM FORUM</b> The Director Technical Services will clarify and advise by memo on any exemptions for parking that may apply to City of Melville facilities in the Murdoch Activity Centre. General discussion took place regarding the item and officer recommendation.</p>

At 7.22pm Mr I Davis left the meeting and returned at 7.24pm.  
At 7.26pm Ms A Templeton left the meeting and returned at 7.28pm.  
At 7.38pm Cr Pazolli left the meeting and returned at 7.40pm.

At 7.43pm Mr J Cameron left the meeting.

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>T10/3174</b>	<p><b>Request to Increase the Budget for the Number of Street Trees Planted</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Ian Davis - Manager Parks and Environment</p> <p><b>NOTES FROM FORUM</b> Elected Members requested further information relating to the exact number of trees that were funded and replaced as a result of development. This information will be provided at the Ordinary Meeting of Council. General discussion took place regarding the item and officer recommendation</p>

At 7.51pm Mr I Davis left the meeting.

At 8.11pm Cr Reidy left the meeting and returned at 8.13pm.

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>T10/3183</b>	<p><b>Confirmation of Major Capital Projects 2011-2014</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Paul Kellick – Manager Asset Management</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

At 8.15pm Mr P Kellick left the meeting.

**CONFIDENTIAL ITEM**

At 8.15pm Cr Pazolli requested that confidential item P10/3181 be moved forward in the Agenda. At 8.15pm the Mayor brought the item forward.

At 8.15pm Cr Pazolli moved, seconded Cr Wieland.

**That in accordance with section 5.23 (d) of the Local Government Act 1995 the discussion regarding Item P10/3181 - Reconsideration of Proposed Development for the Erection of a Four Storey Five Unit 'Multiple Dwelling' Complex Plus Undercroft on Lot 2 (15) Tweeddale Road, Applecross be discussed confidentially behind closed doors.**

At 8.15pm the Mayor submitted the motion, which was declared.

**CARRIED (11/0)**

At 8.15pm Mr T Cahoon and Mr C Taylor left the meeting.

At 8.31pm Cr Reynolds left the meeting and returned at 8.33pm.

At 8.35pm Cr Kinnell left the meeting and returned at 8.37pm.

At 8.52pm Mr M Tieleman left the meeting and returned at 8.59pm.

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
P10/3181	<p><b>Reconsideration of Proposed Development for the Erection of a Four Storey Five Unit 'Multiple Dwelling' Complex Plus Undercroft on Lot 2 (15) Tweeddale Road, Applecross</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> From 8.56pm to 9.19pm a deputation was heard from Ms Emma de Jager a Planning Consultant with Cardno (WA) Pty Ltd on behalf of Hans and Amanda Schutte of 28 Kintail Road, Applecross</p> <p><b>OFFICER PRESENTATION</b> Amanda Templeton – Planning Services Coordinator</p> <p><b>NOTES FROM FORUM</b> The CEO indicated that the Director Urban Planning would review the proposed percentage increase in plot ratio on the proposed development and report back to Council by memo prior to the Council meeting. General discussion took place regarding the item and officer recommendation.</p>

At 9.22pm Cr Reidy moved, seconded Cr Weiland.

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

At 9.22pm the Mayor submitted the motion, which was declared

**CARRIED (11/0)**

At 9.23pm Mr T Cahoon and Mr C Taylor returned to the meeting.  
 At 9.27pm the Agenda reverted back to its normal order.  
 At 9.27pm Ms A Templeton left the meeting.  
 At 9.28pm Mr L Hitchcock left the meeting and returned at 9.31pm.  
 At 9.28pm Cr Nicholson left the meeting and returned at 9.30pm.  
 At 9.28pm Dr S Silcox left the meeting and returned at 9.31pm

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C10/8035</b>	<p><b>Point Walter Golf Course Fees and Charges</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Todd Cahoon – Manager Health and Lifestyle Services</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item or officer recommendation.</p>

At 9.30pm Mr T Cahoon left the meeting.  
 At 9.30pm Mr C Taylor left the meeting.

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C10/5133</b>	<p><b>Adoption of the Proposed City of Melville Local Government Property Local Law</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> No discussion took place regarding the item or officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C10/5150	<p><b>Council Meeting Cycle</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 officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C10/5151	<p><b>Election of Representative to the Museums and Local History Services Advisory Committee</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 officer recommendation.</p>

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C10/5000</b>	<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</b> Marten Tieleman - Director Corporate Services</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item or officer recommendation.</p>

At 9.36pm Mr S Cope left the meeting and returned at 9.38pm.

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C10/6000</b>	<p><b>Investment Statements October 2010</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Marten Tieleman - Director Corporate Services</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C10/6001</b>	<p><b>Schedule of Accounts October 2010</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> No discussion took place regarding the item or officer recommendation.</p>

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C10/6002</b>	<p><b>Financial Statements October 2010</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> No discussion took place regarding the item or officer recommendation.</p>

## **9. CLOSURE**

There being no further business, His Worship the Mayor closed the Agenda Briefing Forum at 9.40pm.