



— City of —
Melville

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
3 MARCH 2009
COMMENCING AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
10 ALMONDBURY ROAD, BOORAGOON
2ND FLOOR IN THE SWAN ROOM**

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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 17 March 2009.

DISTRIBUTED: 6 March 2009

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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, 3 March 2009 commencing at 6.30pm.

AGENDA BRIEFING FORUM BRIEFING NOTES

1. PRESENT

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

2. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development
Mr J Christie	Director Technical Services
Ms K Johnson	A/Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Ms K Davis	Manager Strategic Planning
Mr D Vinicombe	Manager Planning & Development Services
Mr B Taylor	Manager Information & Corporate Support
Mr J Clark	Governance and Compliance Program Manager
Ms C Rourke	Minute Secretary

There was one person from the Media and six 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 Barton

Bicton/Attadale

3.2 APPROVED LEAVE OF ABSENCE

Nil

4. QUESTION TIME

Nil

5. DISCLOSURE OF INTEREST

- **P09/3064** City of Melville Local Commercial Strategy and Melville City Centre

6. DEPUTATIONS

- **P09/3059** Mr & Mrs D Williams, 2A First Street, Bicton (applicants for a home occupation)
- **P09/3059** Mrs N Reader, Melville

7. BUSINESS

PROCEDURE FOR AGENDA BRIEFING FORUMS

PRINCIPLES

The Agenda Briefing Forum which occurs one week 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 the Deputy Mayor or in his/her absence the immediate past serving Deputy Mayor. In the absence of both, 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.

8. BUSINESS

8.1 RECOMMENDATIONS TO COUNCIL ARISING FROM THE MINUTES OF THE FINANCIAL MANAGEMENT, AUDIT, RISK & COMPLIANCE COMMITTEE MEETING – 24 FEBRUARY 2009.

Reports presented by the Presiding Member of the Financial Management, Audit, Risk & Compliance Committee

1. **C09/5048** – Insurance Claims Activity Report
2. **C09/5051** – Compliance Audit Return
3. **C09/6019** – Half Yearly Budget Review
4. **C09/6020** – Accounting Policy Review
5. **C09/6021** – Short Term Borrowing Facility

8.2. AGENDA ITEMS FOR PRESENTATION

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
P09/3058	<p>Two Storey Single House on Lot 60 (7b) Braunton Street, Bicton</p> <p>OFFICER PRESENTATION Mr D Vinicombe, Manager Planning and Development Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
P09/3059	<p>Home Occupation of Lawn Mowing on Lot 91 (2a) First Street, Bicton</p> <p>OFFICER PRESENTATION Mr D Vinicombe, Manager Planning and Development Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Mr D Miller – Applicants in support of the application for a home occupation. Mrs N Reader – Presented on behalf of concerned residents.</p> <p>NOTES FROM FORUM An additional 43 photographs provided by Mrs N Reader were circulated to Elected Members.</p> <p>Mr D Vinicombe, Manager Planning and Development Services, advised that he would draft an alternative resolution to reject the Officer Recommendation and replace it with a refusal motion. Mr Vinicombe will circulate the reject and replace motion to Elected Members prior to the Ordinary Meeting of Council to be held on Tuesday, 17 March 2009.</p> <p>Ms C Young, Director Community Development, to advise Elected Members, on the Local Laws pertaining to the acceptability of parking of caravans and boats in residential driveways prior to the Ordinary Meeting of Council to be held on Tuesday, 17 March 2009.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
P09/3060	<p>Final Approval for Amendment No. 55 to Community Planning Scheme No. 5 – Home Occupation Provisions and Definition of Nuisance</p> <p>OFFICER PRESENTATION Mr D Vinicombe, Manager Planning and Development Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
P09/3062	<p>Proposed Pedestrian Accessway (PAW) Closure between August Court and Lochee Way, Bull Creek</p> <p>OFFICER PRESENTATION Mr D Vinicombe, Manager Planning and Development Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM Discussion took place regarding attachment: <i>3062_Initial submission_Feb 09</i> which appears in the Agenda for the Ordinary Meeting of Council to be held on 17 March 2009 outlining an incident that occurred in the accessway on 25 July 2008. Elected Members requested further information be provided to them prior to the Ordinary Meeting of Council, to be held on Tuesday 17th March 2009, on what action was recorded by City of Melville's Community Safety & Security service regarding the incident.</p> <p>Mr D Vinicombe, Manager Planning & Development Services, to investigate whether or not Council can close the PAW by fencing and to review the timeframe and process required to undertake the closure. Elected Members will be notified of the outcome prior to the Council meeting to be held on Tuesday, 17 March 2009.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
P09/3063	<p>Proposed Changes to R20 Transitional Requirements for Residential Grouped Dwelling Development under the Residential Design Codes</p> <p>OFFICER PRESENTATION Mr D Vinicombe, Manager Planning and Development Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM Mr D Vinicombe, Manager Planning and Development Services will, prior to the Council meeting, provide Elected Members with larger copies of the aerial views of the suburbs displayed in the Agenda Briefing Forum presentation.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
P09/3064	<p>City of Melville Local Commercial Strategy and Melville City Centre</p> <p>OFFICER PRESENTATION Ms K Davis – Manager Strategic Planning</p> <p>DISCLOSURE OF INTEREST His Worship the Mayor – Mr R Aubrey (Proximity Interest in Accordance with the Act (s 5.60B)</p> <p>His worship the Mayor did not participate in the discussion on this item.</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM Elected Members requested that a brief, succinct paper to be put together by City of Melville Officers for Local Parliamentary Members outlining the issues and impacts on electorates, and an overview of the City of Melville’s argument advising why the approach outlined in the report has been taken.</p> <p>It was suggested the Officer’s Recommendation could be amended by inserting an additional point (point 5) which recommends that City of Melville advise WALGA of all issues relating to this item on a regular basis. It would be up to an Elected Member to move such an amendment at the Ordinary Meeting of the Council, if they thought it an appropriate amendment.</p> <p>General discussion took place regarding the item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/5000	<p>Common Seal</p> <p>OFFICER PRESENTATION Mr B Taylor, Manager Information & Corporate Support</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM No discussion took place regarding this item or officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/6000	<p>Investment Statements – January 2009</p> <p>OFFICER PRESENTATION Mr M Tieleman, Director Corporate Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM No discussion took place regarding this item or officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/6001	<p>Schedule of Accounts – January 2009</p> <p>OFFICER PRESENTATION Mr M Tieleman, Director Corporate Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM No discussion took place regarding this item or officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/6002	Financial Statements – January 2009 OFFICER PRESENTATION Mr M Tieleman, Director Corporate Services DISCLOSURE OF INTEREST Nil DEPUTATION PRESENTATION Nil NOTES FROM FORUM No discussion took place regarding this item or officer recommendation.

Please click on this link to access the: [Agenda for the Ordinary Meeting of Council](#) to be held on Tuesday, 17 March 2009.

9. CLOSURE

There being no further business, the Presiding Member declared the forum closed at 9.31pm.