

**NOTES**

**OF THE**

**AGENDA BRIEFING FORUM**

**HELD ON**

**3 MAY**

**COMMENCED 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 17 May 2011.**

**DISTRIBUTED: 6 May 2011**

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre,  
10 Almondbury Road, Booragoon on Tuesday, 3 May 2011 commencing at 6:30pm.

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## AGENDA BRIEFING FORUM BRIEFING NOTES

### 1. PRESENT

Cr M Reynolds (Presiding Member ) (Deputy Mayor) University

#### COUNCILLORS

Cr N Pazolli,  
Cr T Ceniviva, Cr E Nicholson  
Cr J Barton  
Cr B Kinnell  
Cr N Foxtan  
Cr C Robartson, Cr R Subramaniam

#### WARD

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

### 2. IN ATTENDANCE

Mr J Christie		A/Chief Executive Officer
Mr S Cope	(until 8.51pm)	Director Urban Planning
Mr B Taylor	(until 8.51pm)	A/Director Corporate Services
Ms B Dawkins	(until 8.51pm)	A/Director Community Development
Mr L Bosworth	(until 8.51pm)	A/Director Technical Services
Mr L Hitchcock		Executive Manager Legal Services
Mr H Shigeyoshi	(until 7.52pm)	Senior Planning Officer
Ms A Templeton	(until 8.51pm)	A/Manager Planning and Development Services
Mr B Kelly	(until 8.21pm)	Environmental Programs Coordinator
Mr G Ponton	(until 8.07pm)	Manager Strategic Urban Planning
Mr J Cameron	(until 8.21pm)	Executive Engineer Design
Mr K Yeoh	(until 8.51pm)	Senior Financial Accountant
Ms D Whyte	(until 8.51pm)	Senior Management Accountant
Mr J Clark		Governance and Compliance Program Manager
Ms J Paparella	(until 8.51pm)	Business Support Officer
Ms S Tranchita	(until 8.51pm)	Minute Secretary

There was one person from the Media in attendance and no people present in the public gallery at the commencement of the Agenda Briefing Forum.

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

His Worship the Mayor,	Russell Aubrey
Cr G Wieland	Bicton/Attadale
Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development

**3.2 APPROVED LEAVE OF ABSENCE**

Cr P Reidy	Applecross – Mount Pleasant Ward
Cr C Halton	Palmyra – Melville – Willagee Ward

**4. QUESTION TIME**

Nil

**5. DISCLOSURES OF INTEREST**

**P11/3210** - Cr Robartson - Financial Interest

**6. DEPUTATIONS**

Nil

**7. BUSINESS**

Nil

## **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.**

**8. AGENDA ITEMS FOR PRESENTATION**

At 6.35pm the Presiding Member requested that confidential item M11/5175 be moved to the end of the Agenda to be discussed behind closed doors, if required.

<b>Item No.</b>	<b>Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment</b>
<b>P11/3208</b>	<p><b>Second Storey Addition to the Existing Single Storey Dwelling At 89B Harris Street, Bicton</b></p> <p><b>OFFICER PRESENTATION</b> Hideyuki Shigeyoshi- Senior Planning Officer</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected members requested additional information in relation to</p> <ul style="list-style-type: none"> <li>• Overlooking / privacy setbacks complying with the objectors property</li> <li>• The impact of overshadowing</li> <li>• What is the setback relative to the southern upper floor wall</li> <li>• The difference between the battle-axe, survey-strata and strata lots</li> <li>• The criteria for referral of 'major applications' to EMIS</li> </ul> <p>This information will be distributed through the Elected Members Bulletin prior to the Ordinary Meeting of Council. General discussion also took place regarding this item and the officer recommendation.</p>

<b>Item No.</b>	<b>Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment</b>
<b>P11/3209</b>	<p><b>Home Occupation (Child Family Care Centre) on Lot 531 (30) Morphett Crescent, Bateman</b></p> <p><b>OFFICER PRESENTATION</b> Hideyuki Shigeyoshi- Senior Planning Officer</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 7.07pm Cr Robartson having declared a Financial interest in item P11/3210 left the meeting whilst Council voted on his request to stay and discuss.

At 7.07pm Cr Foxton Seconded Cr Ceniviva -

**THAT IN ACCORDANCE WITH SECTION 5.68 (1) OF THE LOCAL GOVERNMENT ACT 1995 CR ROBERTSON BE ALLOWED TO STAY AND DISCUSS.**

At 7.07pm the Presiding Member submitted the motion, which was declared  
**CARRIED (6/2)**

At 7.08 Cr Robartson returned to the meeting.

At 7.39pm Mr Dawkins left the meeting and returned at 7.42pm.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
P11/3210	<p><b>Stage Four Review of Urban Planning Policies</b></p> <p><b>OFFICER PRESENTATION</b> Amanda Templeton – A/Manager Planning and Development Services</p> <p><b>DISCLOSURE OF FINANCIAL INTEREST</b> Cr Robartson- Resident of RAAFA</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested further information regarding:</p> <ul style="list-style-type: none"> <li>• The re-wording of Clause 4.2, of the Street Numbering Policy relating to third party appeal rights and no right of veto.</li> <li>• The current expenditure, frequency of meetings and the proposed budget for the operation of the Panel under the Architectural and Urban Design Advisory Panel Policy was also requested.</li> <li>• Review of the draft policy with regard to the proposed size of home occupation signage, the size of real estate signage and the exemption of signage displayed on vehicles with regard to the proposed Outdoor Advertisement and Signage policy.</li> </ul> <p>This information will be distributed through the Elected Members Bulletin prior to the Ordinary Meeting of Council. General discussion also took place regarding this item and officer recommendation.</p>

At 7.49pm Cr Pazolli left the meeting and returned at 7.52pm  
 At 7.49pm Cr Nicholson left the meeting and returned at 7.56pm  
 At 7.52pm Mr Shigeyoshi left the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
P11/3211	<p><b>Preparation of Local Planning Scheme No. 6 for the City of Melville</b></p> <p><b>OFFICER PRESENTATION</b> Gavin Ponton – Manager Strategic Urban Planning</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 the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
T11/3204	<p><b>Intersection of Riseley Street and Kearns Crescent, Ardross</b></p> <p><b>OFFICER PRESENTATION</b> John Cameron - Executive Engineer Design</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested further information regarding the proposed time frame of completion of the Riseley Street and Kearns Crescent Precinct Centre Study. This information will be distributed through the Elected Members Bulletin prior to the Ordinary Meeting of Council. General discussion also took place regarding this item and the officer recommendation.</p>

At 8.07pm Mr G Ponton left the meeting

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
T11/3206	<p><b>In Principle Support of the Draft Priority Plan for Investment in the Swan Canning Catchment</b></p> <p><b>OFFICER PRESENTATION</b> Ben Kelly – Environmental Programs Coordinator</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 the officer recommendation</p>

At 8.21pm Mr B Kelly left the meeting

At 8.21pm Mr J Cameron left the meeting

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
C11/5000	<p><b>Common Seal Register</b></p> <p><b>OFFICER PRESENTATION– IF REQUESTED</b> Bruce Taylor – A/Director Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding this item and officer recommendation</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
C11/6000	<p><b>Investment Statements March 2011</b></p> <p><b>OFFICER PRESENTATION– IF REQUESTED</b> Bruce Taylor – A/Director Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding this item and officer recommendation</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
C11/6001	<p><b>Schedule of Accounts March 2011</b></p> <p><b>OFFICER PRESENTATION– IF REQUESTED</b> Bruce Taylor – A/Director Corporate Services Kris Yeoh - Senior Financial Accountant</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested further information regarding the payment of accounts to Western Power, and why it is not Synergy and requested information relating to what was the net transfer to reserves for the 2009/10 financial year. This information will be distributed through the Elected Members Bulletin prior to the Ordinary Meeting of Council. General discussion also took place regarding this item and the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
C11/6002	<p><b>Financial Statements March 2011</b></p> <p><b>OFFICER PRESENTATION– IF REQUESTED</b> Bruce Taylor – A/Director Corporate Services Mr Yeoh - Senior Financial Accountant</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 the officer recommendation</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
C11/6041	<p><b>Annual Review- Schedule of Fees and Charges</b></p> <p><b>OFFICER PRESENTATION– IF REQUESTED</b> Debbie Whyte- Senior Management Accountant</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested further information regarding the lease fee that the Home and Community Care and Meals on Wheels Contractor will be paying as of 1 July 2011. This information will be distributed through the Elected Members Bulletin prior to the Ordinary Meeting of Council. General discussion also took place regarding this item and the officer recommendation.</p>

**CONFIDENTIAL ITEM**

At 8.51pm Moved Cr Robartson seconded Cr Kinnell-

**That The Meeting Be Closed To The Public To Permit Discussion Of The Confidential Attachments In Relation To Item: M11/5175 City Of Melville Chief Executive Officer Performance Review Covered Under Section 5.23 (H) Of The Local Government Act 1995.**

At 8.51pm the Presiding Member submitted the motion which was declared

**CARRIED (9/0)**

At 8.51pm Ms J Paparella, Ms S Tranchita, Mr B Taylor, Mr L Bosworth, Mr S Cope, Ms A Templeton and Mr B Dawkins left the meeting.

At 9.08pm, Moved Cr Pazolli Seconded Cr Nicholson -

**That Standing Orders be suspended to allow open discussion on item M11/5175.**

At 8.51pm The Presiding Member submitted the motion, which was declared.

**LOST (3/6)**

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
M11/5175	<p><b>City Of Melville – Chief Executive Officer Performance Review</b></p> <p><b>OFFICER PRESENTATION</b> Louis Hitchcock - Executive Manager Legal Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> A copy of the Executive Manager Legal Services (EMLS) report on the Review of Issues of the Governance Committee Meeting of 14 April 2011 was requested and will be provided to Elected Members. The EMLS was requested to provide a time and date that a letter from Anne Lake Consultancy was received by the City. General discussion also took place regarding this item and the officer recommendation</p>

At 9.29pm, Moved Cr Ceniviva Seconded Cr Subramaniam -

**That the Council proceed to the next business.**

At 9.29pm The Presiding Member submitted the motion which was declared.

**CARRIED (6/3)**

At 9.33pm Moved Cr Foxtan Seconded Cr Kinnell -

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

At 9.34pm the Presiding Member submitted the motion, which was declared.

**CARRIED (9/0)**

No members of the public and media returned to the meeting.

## **8. CLOSURE**

There being no further business, The Presiding Member closed the Agenda Briefing Forum at 9.35pm.