

**NOTES
OF THE
AGENDA BRIEFING FORUM
HELD ON
27 SEPTEMBER 2011
COMMENCED AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
2ND 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 11 October 2011.

DISTRIBUTED: 30 September 2011

CONTENTS PAGE

	Item Description	Page Number
URBAN PLANNING		
P11/3251	Amendment to Planning Approval to Allow an Increased Number of Students and Staff At 1/12 Hayden Court, Myaree	6
P11/3252	Proposed Two-Storey Single House At Lot 1 (13A) Matheson Road, Applecross	6
P11/3253	Finalisation of Amendment No. 47 to Community Planning Scheme No. 5 – Modification of The Myaree Mixed Business Frame and Precinct by Addition of New Zones, Precincts, Development Requirements, Definitions and Modification To the Use Class Table	7
P11/3254	Proposed Amendment No 65 to Community Planning Scheme No 5 – Exempt Incidental Development	7
P11/3255	Final Adoption of Urban Planning Policies (Stage 5) – Highly Reflective Roofing and Energy Efficiency	8
TECHNICAL SERVICES		
Nil		
COMMUNITY DEVELOPMENT		
Nil		
MANAGEMENT SERVICES		
M11/5194	City of Melville Annual Report 2010-2011	8
CORPORATE SERVICES		
C11/5195	Supply of Amenity Tree Pruning for a Three Year Term with Option Period (CO15/11)	9
C11/5000	Common Seal Register	9
C11/6000	Investment Statements August 2011	10
C11/6001	Schedule of Accounts August 2011	10
C11/6002	Financial Statements August 2011	11



Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 27 September 2011 commencing at 6:30pm.

AGENDA BRIEFING FORUM BRIEFING NOTES

1. PRESENT

His Worship the Mayor - Russell Aubrey

COUNCILLORS

Cr N Pazolli, Cr P Reidy
Cr E Nicholson, Cr A Ceniviva
Cr G Wieland
Cr C Halton
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

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 J Clark	Governance and Compliance Manager
Mr L Hitchcock	Executive Manager Legal Services
Mr P Prendergast	Manager Planning and Development Services
Ms N Wright (From 7.52pm until 8.04pm)	A/Executive Manager Organisational Development
Mr I Davis (until 8.08pm)	Manager Parks and Environment
Ms A Templeton (until 7.54pm)	Planning Services Coordinator
Mr H Shigeyoshi (until 7.54pm)	Senior Planning Officer
Ms S Tranchita	Minute Secretary

There was no people from the Media in attendance 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 J Barton Bicton/Attadale Ward

3.2 APPROVED LEAVE OF ABSENCE

Cr M Reynolds University Ward
Cr B Kinnell Palmyra/Melville/Willagee Ward

4. QUESTION TIME

Nil

5. DISCLOSURES OF INTEREST

P11/3251 Cr Foxton – Financial Interest
P11/3253 Cr Robartson – Financial Interest
P11/3253 Cr Cenivia - Financial Interest

6. DEPUTATIONS

P11/3252 – Mr Andrew Gizariotis - Speaking on Behalf of the owners of the property

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

P11/3251	Amendment to Planning Approval to Allow an Increased Number of Students and Staff At 1/12 Hayden Court, Myaree
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Planning and Development Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Cr Foxton - Financial interest Cr Foxton was requested to stay and respond to questions by Elected Members on this item and did not participate in the discussion.</p> <p>NOTES FROM FORUM General Discussion took place regarding the item and officer recommendation.</p>

P11/3252	Proposed Two-Storey Single House At Lot 1 (13A) Matheson Road, Applecross
	<p>OFFICER PRESENTATION Hide Shigeyoshi – Senior Planning Officer</p> <p>DEPUTATION PRESENTATION/S From 6.58pm until 7.05pm a deputation was heard from Mr Gizariotis – Speaker on behalf of the Owners of the Property.</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested information regarding the proposed total floor area of the two storey house. This information will be provided to Elected Members in a Memorandum and in the Elected Members Bulletin. General Discussion also took place regarding the item and officer recommendation.</p>

At 7.21pm Cr Ceniviva and Cr Robartson having declared a Financial Interest in the item P11/3253 left the meeting.

<p>P11/3253</p>	<p>Finalisation of Amendment No. 47 To Community Planning Scheme No 5 – Modification of the Myaree Mixed Business Frame and Precinct by Addition of New Zones, Precincts, Development Requirements, Definitions and Modification To the Use Class Table</p>
	<p>OFFICER PRESENTATION Hide Shigeyoshi – Senior Planning Officer</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Cr Ceniviva – Financial Interest Cr Robartson – Financial Interest</p> <p>NOTES FROM FORUM Elected Members requested further information regarding – what was the proposed zoning of the Western Power substation land (176 Kitchener Road, Booragoon) under the previous Amendment map. This information will be provided to the Elected Members in a Memorandum and in the Elected Members Bulletin. General Discussion also took place regarding the item and officer recommendation.</p>

At 7.43pm Cr Ceniviva and Cr Robartson returned to the meeting.

<p>P11/3254</p>	<p>Proposed Amendment No. 65 To Community Planning Scheme No. 5 – Exempt Incidental Development</p>
	<p>OFFICER PRESENTATION Amanda Templeton – Planning Services Coordinator</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM General Discussion took place regarding the item and officer recommendation.</p>

At 7.44pm Cr Pazolli left the meeting and returned at 7.47pm.

P11/3255	Final Adoption of Urban Planning Policies (Stage 5) – Highly Reflective Roofing And Energy Efficiency
	<p>OFFICER PRESENTATION Amanda Templeton – Planning Services Coordinator</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested information that the 80 and 290 degree angles in the proposed Highly Reflective Roofing policy be reviewed to check they are correct. This information will be provided to Elected Members in the Elected Members Bulletin. General Discussion also took place regarding the item and officer recommendation.</p>

At 7.52pm Ms Wright entered into the meeting.

At 7.54pm Mr Shigeyoshi and Ms Templeton left the meeting.

M11/5194	City of Melville Annual Report 2010-2011
	<p>OFFICER PRESENTATION Natasha Wright – Acting Executive Manager Organisational Development</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

At 8.02pm Cr Wieland left the meeting and returned at 8.04pm.

At 8.04pm Ms Wright left the meeting.

C11/5195	Supply of Amenity Tree Pruning for a Three Year Term with Option Period (CO15/11)
	<p>OFFICER PRESENTATION – IF REQUESTED Ian Davis – Manager Parks and Environment</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

At 8.08pm Mr Davis left the meeting.

C11/5000	Common Seal Register
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman - Director Corporate Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C11/6000	Investment Statements August 2011
	<p>OFFICER PRESENTATION– IF REQUESTED Marten Tieleman - Director Corporate Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C11/6001	Schedule of Accounts August 2011
	<p>OFFICER PRESENTATION– IF REQUESTED Marten Tieleman - Director Corporate Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p>

C11/6002	Financial Statements August 2011
	<p data-bbox="395 297 1011 360">OFFICER PRESENTATION– IF REQUESTED Marten Tieleman - Director Corporate Services</p> <p data-bbox="395 398 785 461">DEPUTATION PRESENTATION/S Nil</p> <p data-bbox="395 499 730 562">DISCLOSURE OF INTEREST Nil</p> <p data-bbox="395 600 1406 696">NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p>

8. CLOSURE

There being no further business, His Worship the Mayor closed the Agenda Briefing Forum at 8.09 pm.