

NOTES

OF THE

AGENDA BRIEFING FORUM

HELD ON

6 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 20 September 2011.

DISTRIBUTED: 9 September 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, 6 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 J Barton
Cr C Halton,
Cr N Foxton, Cr M Reynolds
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
Ms E Kania
Mr M Tieleman
Ms C Young
Mr S Cope
Mr P Kellick
Mr J Radaich
Mr P Prendergast

Ms A Templeton (until 9.01pm)
Mr H Shigeyoshi (until 9.01pm)
Mr G Ponton (until 9.01pm)
Mr B Taylor

Mr J Clark
Ms S Tranchita

Chief Executive Officer
A/ Executive Manager Legal Services Mr
Director Corporate Services
Director Community Development
Director Urban Planning
A/Director Technical Services
A/Executive Engineer
Manager Planning and Development
Services
Planning Services Coordinator
Senior Planning Officer
Manager Strategic Urban Planning
Manager Information, Technology
Support
Governance and Compliance Manager
Minute Secretary

There was one person from the Media in attendance and seven 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 Ward

3.2 APPROVED LEAVE OF ABSENCE

Nil.

4. QUESTION TIME

4.1 Mr S Pavlovich, Booragoon

Question 1

The Ramble front yards and verges on say 10% are like third world countries. Very sad.

Response

As an organisation we simply do not have the capacity to maintain residential verges and it would be fair to say that most, if not all local governments, are in a similar position where it is expected that residential verges are the responsibility of residents to upkeep. Unless the verge is a fire hazard or presents as a risk in terms of sightlines when exiting from driveways the City does not have any mechanism that can compel residents to maintain verges. The City believes it is a matter of personal pride and in most instances residents do elect to maintain the verge as part of their property.

Question 2

You are quick to increase rates, why not turn on later and turn off earlier. They are on in daylight.

[It is understood that Mr Pavlovich is referring to street lighting.]

Response

Street lighting in the City of Melville is all night lighting triggered by photo sensitive cells. The street lighting energises in the evening as soon as the natural light level drops below a minimum level. It then de-energises in the morning when the natural light level reaches the minimum level. They are designed to effectively be off during daylight hours. All night street lighting is an integral component of community safety and security. The benefits of this to the community outweigh the cost savings in switching the street lights on for a shorter period. It also creates logistic difficulties for Western Power to manage.

Mr J Backhouse, BictonQuestion 1

Regarding the Western Power owned land in Bicton recently announced to be surplus and for sale. What is the City of Melville processes and key milestones in order to acquire this land.

Response

The City of Melville has carried out preliminary meetings with Western Power and these discussions are continuing at this point in time. Timeframe and milestones will be subject to the success or otherwise of the negotiations.

Question 2

Regarding Western Power owned land in Bicton, recently announced to be surplus and for sale. Please advise the status of the City of Melville's negotiations to acquire this land for the purpose of public open space.

Response

The Chief Executive Officer advised that Initial discussions with Western Power were positive however subsequent negotiations have become more challenging. When and if a formal of agreement is reached with Western Power, an Officer report will be prepared for formal consideration by the Council,

Question 3

Regarding the property owned by Western Power in Bicton recently announced as surplus and for sale. What is the expected timeframe to conclude negotiations for purchase of this land for public open space?

Response

The City of Melville is not certain how long the negotiation process will be though we will endeavour to get the best outcome for the residents of the City of Melville.

5. DISCLOSURES OF INTEREST

P11/3242- Cr Halton – Code of Conduct

6. DEPUTATIONS

P11/3240 Mr S Bruce – Adjoining Neighbour
P11/3240 Mr & Mrs Neilsen – Owners of the Property

Deputation without Agenda Item

Mr John Backhouse – Elected representative for Save Bicton Park Community Action group

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.

At 6.40pm His Worship the Mayor requested that item P11/3240 be brought forward for discussion.

At 7.08pm Mr Shigeyoshi and Mr Kellick left the meeting and returned at 7.10pm.

<p>P11/3240</p>	<p>Proposed Departure from Approved Plans by Removing the Privacy Screening and Allowing The Opening in the Wall to the Outdoor Active Habitable Space (Alfresco) at No 37 Roberts Road, Attadale</p>
	<p>OFFICER PRESENTATION Peter Prendergast - Manager Planning and Development Services</p> <p>DEPUTATION PRESENTATION/S</p> <p>From 6.42pm until 6.56pm a deputation was heard from Mr S Bruce – Adjoining Neighbour to 37 Roberts Road, Attadale. From 7.00pm until 7.05pm a deputation was heard from Mr & Mrs Neilsen – Owners of 37 Roberts Road, Attadale.</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that photographs from the alfresco area at 37 Roberts Road to establish any viewing into the bedroom windows at 39 Roberts Road be provided. These photographs were available and would be sent by email to Elected Members. Elected Members requested that Officers seek to arrange mediation between the applicant and objector to identify a resolution to the matter. If mediation is successful an alternative Reject and Replace motion or an Amendment to the Officer Recommendation is to be prepared for consideration at the Council meeting. General Discussion also took place regarding the item and officer recommendation.</p>

From 7.48pm until 7.56pm a deputation was heard from Mr J Backhouse – Elected representative for Save Bicton Park Community Action Group.

At 7.50pm Ms Templeton left the meeting and returned at 7.52pm

At 7.53pm Cr Reidy left the meeting and returned at 7.54pm

His Worship the Mayor suggested that the meeting adjourn for a comfort break.

At 8.07pm Cr Reynolds moved, seconded Cr Wieland -

That the meeting be adjourned for a comfort break

At 8.07pm the Mayor submitted the motion which was declared

CARRIED (12/0)

At 8.17pm the meeting recommenced. Cr Wieland was not in attendance.

8. AGENDA ITEMS FOR PRESENTATION FROM THE FINANCIAL MANAGEMENT, AUDIT, RISK & COMPLIANCE (FMARC) COMMITTEE 22 AUGUST 2011

At 8.18pm the meeting reverted back to normal order of the agenda

	Discussions with the City's Investment Advisors - Denison Financial Advisory
	<p>OFFICER PRESENTATION Presiding Member FMARC Committee</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item or the Committee Recommendation.</p>

9. AGENDA ITEMS FOR PRESENTATION

At 8.20 Cr Wieland returned to the meeting.

P11/3242	Change of Use to Small Bar at Lot 18 (360) Marmion Street Melville
	<p>OFFICER PRESENTATION Peter Prendergast - Manager Planning and Development Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Cr Halton - Code of Conduct</p> <p>NOTES FROM FORUM Elected members requested a copy of the objections which are to be made available to Councillors by appointment. Elected members also requested a copy of the Noise Report be made available to them by email. General Discussion also took place regarding the item and officer recommendation.</p>

P11/3243	Three Storey Single House at Lot 89 (11) Canning Beach Road Applecross
	<p>OFFICER PRESENTATION Hide Shigeyoshi - Senior Planning Officer</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>

P11/3244	Corpus Christi College Master Plan – 50 Murdoch Drive Murdoch
	<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 No discussion took place regarding the item and officer recommendation.</p>

P11/3246	Final Adoption of Urban Planning Policies (Stage 4)
	<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>

P11/3247	Final Adoption of Urban Planning Policies (Stage 5) - Precinct and Local Area Policies
	<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>

P11/3248	Final Adoption of Urban Planning Policies (Stage 5) - Residential Development Policy
	<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 No discussion took place regarding the item and officer recommendation.</p>

P11/3249	Final Adoption of Urban Planning Policies (Stage 5) - Car Parking (Non Residential) Policy
	<p>OFFICER PRESENTATION Gavin Ponton – Manager Strategic Urban Planning</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM</p> <p>Elected Members enquired whether there are any reports that could be made available to support the statement in the report which states that on-street parking or verge parking increases traffic safety.</p> <p>Elected Members requested the preparation of a map showing the 400m and 800m radius around high frequency transport routes and indicating non residential land uses and/or zonings.</p> <p>Elected Members requested that this policy be referred for discussion and presentation at the Elected Member Information Session to be held prior to the meeting on 13 September 2011.</p> <p>General discussion also took place regarding the item and officer recommendation.</p>

P11/3250	Amendment No 61 To Community Planning Scheme No 5 – Deletion of Clause 5.6: Home Occupations and Inclusion of Home Office, Home Occupation and Home Business as Land Use Classes
	<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 No discussion took place regarding the item and officer recommendation.</p>

T11/3238	Roads to Recovery Grant Programme Funding - Continuance Beyond June 2014
	<p>OFFICER PRESENTATION Paul Kellick - A/Director Technical Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that the Officer confirm if any Roads to recovery Grant Funding has ever been returned due to work not being completed. This information is to be provided to Elected Members in the Elected Members Bulletin. General discussion also took place regarding the item and officer recommendation.</p>

At 9.01 Mr Shigeyoshi, Mr Ponton and Ms Templeton left the meeting
At 9.10pm Cr Halton left the meeting and returned at 9.13pm

T11/3239	Roe Highway Extension Preferred Concept Design for the Melville Bypass
	<p>OFFICER PRESENTATION John Radaich - A/ Manager Engineering Design</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested to view The Environmental Review Report of the extension of the Roe Highway and the impact it will have on the wetlands and surrounding environment (inhabitants). This report can be viewed via a link to be provided in the Elected Members Bulletin. General discussion also took place regarding the item and officer recommendation.</p>

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 July 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 July 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 July 2011
	OFFICER PRESENTATION– IF REQUESTED Marten Tieleman - Director Corporate Services
	DEPUTATION PRESENTATION/S Nil
	DISCLOSURE OF INTEREST Nil
	NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.

8. CLOSURE

There being no further business, His Worship the Mayor closed the Agenda Briefing Forum at 9.22pm.