

**NOTES  
OF THE  
AGENDA BRIEFING FORUM  
HELD ON  
6 MARCH 2012  
COMMENCED AT 6.30PM  
AT THE MELVILLE CIVIC CENTRE  
2<sup>ND</sup> FLOOR IN THE COUNCIL CHAMBERS  
10 ALMONDBURY ROAD, BOORAGOON**

**PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:**

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity who has an application before the City must obtain, and should only rely on, written notice of the City's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the City on the operation of written law, or the performance of a function by the City, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the City. Any advice on a matter of law, or anything sought to be relied upon as representation by the City should be sought in writing and should make clear the purpose of the request.

**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 March 2012.**

**DISTRIBUTED: 9 March 2012**

# CONTENTS PAGE

	Item Description	Page Number
<b>URBAN PLANNING</b>		
<b>P12/3292</b>	Three-Storey with Undercroft Mixed-Use Development at Lot 278 (164) Riseley Street, Booragoon	6
<b>P12/3290</b>	Re-Naming of a Portion of Davis Road, Attadale	6
<b>P12/3293</b>	Naming of the Spit off Point Walter as 'Point Walter Spit' – 1 Honour Avenue, Bicton	7
<b>P12/3294</b>	Final Approval of Amendment No. 65 to Community Planning Scheme No. 5 – Exempt Incidental Development	7
<b>P12/3295</b>	Disposal of Lot 145 (No. 35) St Michael Terrace, Mount Pleasant	8
<b>TECHNICAL SERVICES</b>		
Nil		
<b>COMMUNITY DEVELOPMENT</b>		
Nil		
<b>MANAGEMENT SERVICES</b>		
<b>M12/5216</b>	City of Melville Chief Executive Officer Performance Review	8
<b>CORPORATE SERVICES</b>		
<b>C12/5000</b>	Common Seal Register	9
<b>C12/5218</b>	Review of Governance Committee Charter	9
<b>C12/6000</b>	Investment Statements	10
<b>C12/6001</b>	Schedule of Accounts January 2012	10
<b>C12/6002</b>	Financial Statements January 2012	11
<b>C12/6046</b>	Mid Year Budget Review	11



Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 6 March 2012 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 D Macphail  
Cr C Robartson, Cr R Willis  
Cr B Kinnell, Cr R Hill  
Cr N Foxton, Cr M Reynolds  
Cr Barton, Cr S Taylor – Rees

#### **WARD**

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

### **2. IN ATTENDANCE**

Dr S Silcox  
Mr M Tieleman  
Mrs C Young  
Mr S Cope  
Mr J Christie  
Mr P Prendergast

Mr B Taylor

Mr L Hitchcock  
Mr H Shigeyoshi (until 7.56pm)  
Mr G Ponton (until 8.16pm)  
Mrs K Johnson  
Mr W Nicholls (from 7.40pm)  
Mr T Cahoon  
Mr J Clark

Ms S Tranchita

Chief Executive Officer  
Director Corporate Services  
Director Community Development  
Director Urban Planning  
Director Technical Services  
Manager Planning and Development  
Services  
Manager Information Technology and  
Support  
Executive Manager Legal Services  
A/ Planning Services Coordinator  
Manager Strategic Urban Planning  
Executive Organisational Development  
A/Senior Management Accountant  
Manager Health and Lifestyle Service  
Governance and Compliance Program  
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

Nil

#### 3.2 APPROVED LEAVE OF ABSENCE

Nil

### 4. QUESTION TIME

Ms C Kranz, on behalf of Save Bicton Park Community Action Group.

RE: Acquisition of Western Power Owned Site Bicton.

#### Question

*At the Council meeting on 8/12/11 it was stated that negotiations were likely to conclude in February 2012. Would you please advise the current position with regards to negotiations with Western Power?*

#### Response

Negotiations with Western Power in relation to the land in Murray Road, Bicton are ongoing and are yet to be concluded. The Council will consider a report on this matter at the March 2012 meeting.

The City's Chief Executive Officer has been seeking an urgent meeting with the Minister for Energy in relation to this matter and is yet to receive a response advising of a date and time for this meeting

### 5. DISCLOSURES OF INTEREST

**M12/5216** – Dr S Silcox – Interest under Code of conduct

### 6. DEPUTATIONS

**P12/3292** – Mr Giles Harden Jones – Architect of Lot 278 Riseley Street Boorgoon  
**P12/3292** - Ms Pauline Pietersen and Mrs Claire Buckingham – both residents adjoining Lot 278 Riseley Street Booragoon

### 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 as 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.**

**AGENDA ITEMS FOR PRESENTATION**

At 7.30pm Councillor Reidy left the meeting and returned at 7.36pm.

<p><b>P12/3292</b></p>	<p><b>Three Storey Mixed use Development at Lot 278 (164) Riseley Street, Booragoon</b></p>
	<p><b>OFFICER PRESENTATION</b> Hideyuki Shigeyoshi – A/ Planning Services Coordinator</p> <p><b>DEPUTATION PRESENTATION/S</b> From 6.38pm until 6.40pm a deputation was heard from Mr Giles Harden Jones – Architect of the building and speaking on behalf of the owner. From 6.42pm until 6.53pm a deputation was heard from Ms Pauline Pietersen and Ms Claire Buckingham – both residents adjoining Lot 278 Riseley Street Booragoon.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected members requested further information relating to the Architectural Advisory Committee meeting minutes; Traffic Statement Report; and, a copy of submission letters received. Elected Member also requested that officers will advise a means of ensuring that landscaping maintenance becomes an enforceable condition of approval. This information will be provided to Elected Members by Memorandum prior to the Ordinary Meeting of Council. General discussion also took place regarding the item and officer recommendation.</p>

At 7.31pm Cr Pazolli moved, seconded Cr Nicholson -

**That Standing Orders be suspended allowing members of the public permission to speak from the gallery.**

At 7.34pm due to an equality of votes, the Mayor cast a second vote as required by Section 5.21 (3) of the Local Government Act 1995.

At 7.34pm the Mayor submitted the motion which was declared.

**LOST (6/7)**

At 7.36pm Cr Reidy returned to the meeting.

At 7.38pm Cr Pazolli and Cr Nicholson left the meeting.



At 7.40pm Mr Nicholls entered the meeting.  
At 7.40pm Dr Silcox left the meeting.

<b>P12/3290</b>	<b>Re- Naming of a Portion of Davis Road, Attadale</b>
	<p><b>OFFICER PRESENTATION</b> Peter Prendergast – Manager Planning and Development</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

At 7.41pm Cr Pazolli and Dr Silcox returned to the meeting.  
At 7.42pm Cr Nicholson returned to the meeting.

<b>P12/3293</b>	<b>Naming of the Spit off Point Walter as “Point Walter Spit” 1 Honour Avenue, Bicton</b>
	<p><b>OFFICER PRESENTATION</b> Hideyuki Shigeyoshi – A/ Planning Services Coordinator</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members queried Officer’s whether any consideration has been given with regard to names linked with the traditional owners of the land. Officer’s to provide further information by Memorandum to Elected Members prior to Ordinary Meeting of Council. General discussion also took place regarding the item and officer recommendation.</p>

At 7.54pm Mr Tieleman left the meeting.

<b>P12/3294</b>	<p><b>Final Approval of Amendment No 65, to Community Planning Scheme No 5 Exempt Incidental Development</b></p> <p><b>OFFICER PRESENTATION</b> Peter Prendergast – Manager Planning and Development</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>
-----------------	---

At 7.56pm Mr Prendergast, Mr Shigeyoshi and Mrs Johnson left the meeting.

At 7.57pm Cr Reynolds left the meeting.

At 7.58pm Mr Prendergast and Mr Tieleman returned to the meeting.

At 7.59pm Mrs Johnson returned to the meeting.

At 8.00pm Cr Reynolds returned to the meeting.

At 8.08pm Mr Hitchcock left the meeting and returned at 8.13pm.

<b>P12/3295</b>	<p><b>Disposal of Lot 145 (No 35) St Michael Terrace, Mount Pleasant</b></p> <p><b>OFFICER PRESENTATION</b> Gavin Ponton - Manager Strategic Urban Planning</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Mr Ponton advised of some typographical errors in the officer report. Corrections will be presented to be tabled at the March Ordinary Meeting of Council. General discussion also took place regarding the item and officer recommendation.</p>
-----------------	--

At 8.16pm Dr Silcox having declared an interest in the item M12/5216 left the meeting.

At 8.16pm Mr Ponton, Mrs Young, and Mr Cahoon left the meeting.

At 8.20pm Mrs Young and Mr Cahoon returned to the meeting.

<b>M12/5216</b>	<b>City of Melville Chief Executive Officer Performance Review</b>
	<p><b>OFFICER PRESENTATION</b> Kylie Johnson - Executive Manager Organisational Development</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Dr S Silcox – Interest under Code of Conduct</p> <p><b>NOTES FROM FORUM</b> Elected Members advised of a change to Responsible Officer in stage two points four to six to the Chief Executive Officer Performance Review Proposed Dates and Review Process Map. This amendment will be provided to the Elected Members in the Elected Members Bulletin. General discussion also took place regarding the item and officer recommendation.</p>

At 8.28pm Mrs Johnson left the meeting.

At 8.29pm Dr Silcox returned to the meeting.

<b>C12/5000</b>	<b>Common Seal Register</b>
	<p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

<b>C12/5218</b>	<b>Review of Governance Committee Charter</b>
	<p><b>OFFICER PRESENTATION</b> Jeff Clark – Governance and Compliance Program Manager</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested that tracking of changes between the old and new Governance Charter be provided. 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>

<b>C12/6000</b>	<b>Investment Statements</b>
	<p><b>OFFICER PRESENTATION– IF REQUESTED</b> Marten Tieleman – Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

<b>C12/6001</b>	<b>Schedule of Accounts January 2012</b>
	<p><b>OFFICER PRESENTATION– IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C12/6002</b>	<b>Financial Statements January 2012</b>
	<p><b>OFFICER PRESENTATION– IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and officer recommendation.</p>

<b>C12/6046</b>	<b>Mid Year Budget Review</b>
	<b>OFFICER PRESENTATION</b> Wayne Nicholls – A/Senior Management Accountant
	<b>DEPUTATION PRESENTATION/S</b> Nil
	<b>DISCLOSURE OF INTEREST</b> Nil
	<b>NOTES FROM FORUM</b> Elected Members requested further information regarding the recycling of synthetic turf at the end of its life. This information will be provided to Elected Members in the Elected Members Bulletin General discussion also 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 9.45pm.