

**NOTES  
OF THE  
AGENDA BRIEFING FORUM  
HELD ON  
1 MAY 2012  
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 15 May 2012.**

**DISTRIBUTED: 4 May 2012**

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 1 May 2012 commencing at 6:30pm.

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## **AGENDA BRIEFING FORUM BRIEFING NOTES**

### **1. PRESENT**

His Worship the Mayor - Russell Aubrey

#### **COUNCILLORS**

Cr N Pazolli, Cr P Reidy  
Cr A Nicholson, Cr D Macphail  
Cr C Robartson, Cr R Willis  
Cr B Kinnell Cr R Hill  
Cr N Foxton Cr M Reynolds  
Cr J Barton, Cr S Taylor – Rees

#### **WARD**

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

### **2. IN ATTENDANCE**

Mr J Christie  
Mr M Tieleman  
Mrs L Hartill (Until 8.25pm)  
Mrs C Young (From 8.06pm)  
Mr S Cope  
Mrs E Kania  
Mr H Shigeyoshi  
Mr L Anderson  
Mr R De Silva  
Mr J Clark  
Mr B Taylor  
Ms S Tranchita

A/Chief Executive Officer  
Director Corporate Services  
A/Director Community Development  
Director Community Development  
Director Urban Planning  
A/Executive Manager Legal Services  
A/Planning Services Coordinator  
Senior Planning Officer  
Coordinator Social Sustainability  
Governance and Compliance Program Manager  
Manager Information Technology and Support  
Minute Secretary

There was one person 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**

Nil

**3.2 APPROVED LEAVE OF ABSENCE**

Nil

**4. QUESTION TIME**

Nil

**5. DISCLOSURES OF INTEREST**

Nil

**6. DEPUTATIONS**

**P12/3304** – Mr J Algeri from Algeri Planning and Appeals speaking on behalf of his client.

**P12/3307** – Mr J Wood and Mr J Young, Neighbours to the property of 18A Tweeddale Road.

**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.**

**8. AGENDA ITEMS FOR PRESENTATION**

<p><b>P12/3304</b></p>	<p><b>Final Adoption of Amendment No 62 to Community Planning Scheme No 5 - Rezoning of 44 Moolyeen Road and 26 Madden Way Brentwood from Living Area BT2 to Community Centre CCR Precinct</b></p>
	<p><b>OFFICER PRESENTATION</b> Hideyuki Shigeyoshi – A/Planning Services Coordinator</p> <p><b>DEPUTATION PRESENTATION/S</b> From 6.38pm until 6.41pm a deputation was heard from Mr J Algeri on behalf of his client.</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested copies of submissions received during the advertising period. This information will be provided to Elected Members in next weeks Elected Members Bulletin. General discussion also took place regarding the item and officer recommendation.</p>

<p><b>P12/3307</b></p>	<p><b>Three Storey Single Dwelling at Lot 899 (18A) Tweeddale Road Applecross</b></p>
	<p><b>OFFICER PRESENTATION</b> Hideyuki Shigeyoshi – A/Planning Services Coordinator</p> <p><b>DEPUTATION PRESENTATION/S</b> From 7.00pm until 7.05pm a deputation was heard from Mr J Wood and Mr J Young ,adjoining neighbours to property 18A Tweeddale Road, Applecross</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested a copy of the previous application for 18A Tweeddale Road which was approved under delegated authority. Elected Members also requested a site visit to view existing ground levels information on the plot ratio achieved at this moment This information will be provided to Elected Members in next weeks Elected Members Bulletin. General discussion also took place regarding the item and officer recommendation.</p>



At 7.15pm Mr Taylor left the meeting and returned at 7.34pm.  
At 7.43pm Cr Willis left the meeting and returned at 7.45pm.  
At 7.54pm Cr Nicholson left the meeting at returned at 7.58pm.

<b>P12/3308</b>	<b>Three Storey with Undercroft Multiple Dwelling at Lot 899 (18A) Tweeddale Road, Applecross</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> General discussion took place regarding the item and officer recommendation.</p>

<b>P12/3305</b>	<b>Amendment 64 to Community Planning Scheme No. 5 - Rezoning Lot 10 (94) Kitchener Road, Alfred Cove from Living area R20 to Living area R40</b>
	<p><b>OFFICER PRESENTATION</b> Lloyd Anderson – Senior Planning Officer</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>

At 8.02pm Cr Reidy left the meeting and returned at 8.05pm.

<b>P12/3306</b>	<b>Final Adoption of Amendment No. 66 to Community Planning Scheme No 5 - Rezoning of 88-96 Bawdan Street, Willagee from Living Area W1 to Community Centre BS Precinct</b>
	<p><b>OFFICER PRESENTATION</b> Lloyd Anderson – Senior Planning Officer</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>

At 8.06pm Mrs Young entered the meeting.

<b>CD12/8046</b>	<b>Strategic Community Plan Revision</b>
	<p><b>OFFICER PRESENTATION</b> Ray De Silva - Coordinator Social Sustainability</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 8.25pm Mrs Hartill and Mr De Silva left the meeting.

<b>C12/5230</b>	<b>Policy Review – Executive Manager Organisational Development</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> General discussion took place regarding the item and officer recommendation.</p>

<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>C12/6000</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> No discussion took place regarding the item and officer recommendation.</p>

<b>C12/6001</b>	<b>Schedule of Accounts March 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 March 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>

**CONFIDENTIAL ITEM**

At 8.34pm Cr Reidy moved, seconded Cr Reynolds –

**That the meeting be closed to the public to permit discussion on a confidential matter (Item P12/3303) which relates to Reconsideration of Two Storey Mixed Use Development with Basement Parking on Lot 1 (408) Canning Highway, Bicton covered under Section 5.23 (2) (d) of the Local Government Act 1995 relating to legal advice obtained or may be obtained which relates to this matter.**

At 8.34pm the Mayor submitted the motion, which was declared

**CARRIED (13/0)**

At 8.35pm Cr Nicolson left the meeting and returned at 8.35pm.  
At 8.35pm Cr Pazolli left the meeting and returned at 8.36pm.

<b>P12/3303</b>	<b>Confidential Item - Reconsideration of Two Storey Mixed Use Development with Basement parking on Lot 1 (408) Canning Highway Bicton</b>
	<p><b>OFFICER PRESENTATION</b> Lloyd Anderson – Senior Planning Officer</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 further information regarding the possibility of having additional landscaping and the removal of the incidental café within the Shop. Elected Members also requested to have an opportunity for mediation prior to the next council meeting. An update to Elected Members will be provided in next weeks Elected Members Bulletin. It was discussed that if Elected Members have any concerns, ideas or request possible amendments to the officer recommendation, they are to see Mr Steve Cope or Mr Louis Hitchcock. General discussion also took place regarding the item and officer recommendation.</p>

At 9.10pm Cr Reidy moved, Cr Kinnell seconded -

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

At 9.10pm the Mayor submitted the motion, which was declared

**CARRIED (13/0)**

**No members of the public returned to the meeting.**

## **8. CLOSURE**

There being no further business, His Worship the Mayor closed the Agenda Briefing Forum at 9.15pm.