

**NOTES  
OF THE  
AGENDA BRIEFING FORUM  
HELD ON  
6 NOVEMBER 2012  
COMMENCING 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 November 2012.**

**DISTRIBUTED: 9 November 2012**

# TABLE OF CONTENTS

	Item Description	Page Number
<b>URBAN PLANNING</b>		
<b>P12/3348</b>	Change of Use to Liquor Store and Additions and Alterations to the Existing Building on Lot 210 (378) Canning Highway, Bicton	5
<b>P12/3349</b>	Retrospective Approval to Increase the Height of an Approved Boundary Wall at Lot 801 (13) Moreing Road, Attadale	4
<b>P12/3350</b>	Change of Use from Shop to Use Not Listed (Small Bar) and Alterations to the Existing Shopfront on Lot 1 (901A) Canning Highway, Applecross	5
<b>P12/3352</b>	Adoption of Provision of Public Art in Development Proposals Policy for Advertising	6
<b>P12/3354</b>	Dedication of Private Road (Hopgood Street, Melville) and Private Right-of-Way in Front of 6 and 6A Hopgood Street, Melville as Public Road	7
<b>TECHNICAL SERVICES9</b>		
<b>T12/3346</b>	Petition Lighting in Ric Vosper Park Reddington Way and the Public Access Way Between Reddington Way and Bateman Road, Brentwood	7
<b>COMMUNITY DEVELOPMENT</b>		
Nil		
<b>MANAGEMENT SERVICES</b>		
<b>M12/5258</b>	Adoption of the City of Melville Corporate Plan 2012–2016	8
<b>CORPORATE SERVICES</b>		
<b>C12/5256</b>	City of Melville Local Government Elections 2013	8
<b>C12/5257</b>	Council Meeting Cycle	9
<b>C12/5000</b>	Common Seal Register	9
<b>C12/6000</b>	Investment Statements	10
<b>C12/6001</b>	Schedule of Accounts September 2012	10
<b>C12/6002</b>	Financial Statements September 2012	11



Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 6 November 2012 commencing at 6.30pm.

---

## AGENDA BRIEFING FORUM BRIEFING NOTES

### 1. PRESENT

His Worship the Mayor, Russell Aubrey

#### COUNCILLORS

Cr D Macphail (Deputy Mayor)  
Cr N Pazolli, Cr P Reidy  
Cr A Nicholson  
Cr S Taylor-Rees  
Cr R Hill  
Cr M Reynolds, Cr N Foxtan  
Cr C Robartson, Cr R Willis

#### WARD

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

### 2. IN ATTENDANCE

Dr S Silcox  
Mr M Tieleman  
Mrs C Young  
Mr S Cope  
Mr J Christie  
Mr L Hitchcock  
Mrs K Johnson (from 8.09pm until 8.33pm)

Mr B Taylor  
Mr W Schaefer (until 8.20pm)  
Mr P Prendergast (until 8.18pm)  
Mrs A Templeton (until 8.18pm)  
Mr J Clark  
Miss S Tranchita

Chief Executive Officer  
Director Corporate Services  
Director Community Development  
Director Urban Planning  
Director Technical Services  
Executive Manager Legal Services  
Executive Manager Organisational  
Development  
Manager Information, Technology & Support  
Strategic Urban Planner  
Manager Planning and Development Services  
Planning Services Coordinator  
Governance and Compliance Manager  
Minute Secretary

At the commencement of the meeting there were three members of the public and one member from the Press in the Public Gallery.

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

Cr R Kinnell – Palmyra/Melville/Willagee Ward  
Cr J Barton – Bicton/Attadale Ward

**3.2 APPROVED LEAVE OF ABSENCE**

Nil

**4. QUESTION TIME**

At the Agenda Briefing Forum held on 6 November 2012 Mr J Gianfrancesco of Bicton submitted five questions relating to Dan Murphy's Liquor store. At the meeting the questions were taken on notice. A response in writing will be provided to Mr J Gianfrancesco from Mr S Cope, Director Urban Planning and the details contained in that response will be included in the Minutes of the Ordinary Meeting of Council to be held on 20 November 2012.

**5. DISCLOSURES OF INTEREST**

**P12/3348** – Cr Pazolli – Financial Interest  
**P12/3348** – Cr Nicholson – Financial Interest  
**C12/5256** – Mr J Clark – Financial Interest  
**C12/6001** – Mr M Tieleman – Financial Interest

**6. DEPUTATIONS**

**P12/3349** – Ms M Taliangis - Speaking on Behalf of The Owners (Her Parents) 15A Moreing Road, Attadale

**7. BUSINESS**

## DISCLOSURE OF FINANCIAL INTERESTS LOCAL GOVERNMENT ACT 1995

### Members' interests in matters to be discussed at meetings to be disclosed

**S.5.65** 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**

At 6.44pm His Worship the Mayor requested that Item P12/3349 – be brought forward for discussion.

<b>P12/3349</b>	<b>Retrospective Approval to Increase the Height of an Approved Boundary Wall at Lot 801 (13) Moreing Road, Attadale</b>
	<p><b>OFFICER PRESENTATION</b> Amanda Templeton – Planning Services Coordinator</p> <p><b>DEPUTATION/PRESENTATION/S</b> From 6.44pm to 6.54pm a deputation was heard from Ms M Taliangis - speaking on behalf of the owners (her parents) 15A Moreing Road Attadale</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> Elected Members requested information regarding the percentage of overshadowing to the adjacent properties. Elected Members also requested an explanation as to why the boundary wall of the building needs to be increased in height. 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 7.16pm, having declared an interest in the item P12/3348 Change of Use to Liquor Store and Additions and Alterations to the Existing Building on Lot 210 (378) Canning Highway, Bicton, Cr Nicholson and Cr Pazolli left the meeting whilst the Council voted on their request to stay and observe.

At 7.18pm Cr Macphail moved, seconded Cr Taylor-Rees -

**That in accordance with Section 5.68 (1) of the Local Government Act 1995 Cr Nicholson and Cr Pazolli be allowed to stay and observe.**

At 7.18pm the Mayor submitted the motion, which was declared.

**CARRIED (9/0)**

At 7.20pm Cr Pazolli returned to the meeting.

<b>P12/3348</b>	<b>Change of Use to Liquor Store and Additions and Alterations to the Existing Building on Lot 210 (378) Canning Highway, Bicton</b>
	<p><b>OFFICER PRESENTATION</b> Peter Prendergast – Manager Planning and Development Services</p> <p><b>DEPUTATION/PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Cr Pazolli – Financial Interest Cr Nicholson – Financial Interest</p> <p><b>NOTES FROM FORUM</b> Elected Members requested confirmation on the following –</p> <ul style="list-style-type: none"> <li>• If there is any distinction or difference between opening hours for a general retail outlet vs liquor outlet under State legislation,</li> <li>• Was a new traffic report submitted with the application and if not, whether a new report should be requested.</li> <li>• Confirmation as to whether Council could restrict deliveries to small trucks (non-semi-trailers).</li> </ul> <p>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 7.42pm Cr Pazolli left the meeting and returned at 7.45pm.

<b>P12/3350</b>	<b>Change of Use from Shop to Use Not Listed (Small Bar) and Alterations to the Existing Shopfront on Lot 1 (901A) Canning Highway, Applecross</b>
	<p><b>OFFICER PRESENTATION</b> Peter Prendergast – Manager Planning and Development Services</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 a copy of the spreadsheet log regarding car parking variations granted approval within the Canning Bridge Vision area, also whether the City of Melville pick up waste from this location presently and requested they be advised of any existing problems. 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 7.58pm Cr Foxtton left the meeting and returned at 8.02pm.  
At 8.09pm Mrs Johnson entered the meeting.  
At 8.12pm Cr Reidy left the meeting and returned at 8.14pm.

<b>P12/3352</b>	<b>Adoption of Provision of Public Art in Development Proposals Policy for Advertising</b>
	<p><b>OFFICER PRESENTATION</b> Amanda Templeton – 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 requested that clause 10(j) be deleted from the Policy as it was a blank line. An estimation be provided on the total cost of artwork which would be generated by the policy. 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 8.18pm Mrs Templeton and Mr Prendergast left the meeting.

<b>P12/3354</b>	<b>Dedication of Private Road (Hopgood Street, Melville) and Private Right-of-Way in Front of 6 and 6A Hopgood Street, Melville as Public Road</b>
	<p><b>OFFICER PRESENTATION</b> William Schaefer – Strategic Urban Planner</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 8.20pm Mr Schaefer left the meeting.

<b>T12/3346</b>	<b>Petition Lighting in Ric Vosper Park Reddington Way and the Public Access Way Between Reddington Way and Bateman Road, Brentwood</b>
	<p><b>OFFICER PRESENTATION</b> John Christie – Director Technical Services</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 information on the following</p> <ul style="list-style-type: none"> <li>• Statistics of burglaries over the past three years for the actual locations of Madden Way, Rivett Way and Reddington Way and whether any person was hurt or assaulted.</li> <li>• The cost involved to install solar lights and whether the 7 x 30 watt LED lights comply with Australian Standards for lighting.</li> <li>• Confirmation on whether the estimate of on-going electricity costs is reflective of the LED technology based on 7 x 30 watts x 10 hours per day x 365 days per annum,</li> <li>• If the Council has installed any LED lights recently in any other parks, if so where, and how effective have they been.</li> </ul> <p>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>M12/5258</b>	<b>Adoption of the City of Melville Corporate Plan 2012–2016</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> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

At 8.33pm Mrs Johnson left the meeting.

<b>C12/5256</b>	<b>City of Melville Local Government Elections 2013</b>
	<p><b>OFFICER PRESENTATION</b> Bruce Taylor Manager Information Technology and Support</p> <p><b>DEPUTATION/PRESENTATION/S</b> Mr J Clark – Financial Interest</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>C12/5257</b>	<b>Council Meeting Cycle</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> No 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> Elected Members requested information as to whether the Deed of Licence between the City of Melville and Melville Athletics Club Inc was in relation to the use of Len Shearer Reserve. 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> No discussion took place regarding the item and officer recommendation.</p>

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

## **8. CLOSURE**

There being no further business, His Worship the Mayor declared the Forum closed at 8.36pm.