

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 6 AUGUST 2013
COMMENCED AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
2ND FLOOR IN THE COUNCIL CHAMBERS
10 ALMONDBURY ROAD, BOORAGOON**

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DISTRIBUTED: 9 August 2013

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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 August 2013 commencing at 6.30pm.

1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6.30pm. Mr Jeff Clark, Governance & Compliance Program Manager, read aloud the Disclaimer that is on the front page of these notes and then His Worship the Mayor read aloud the following Affirmation of Civic Duty and Responsibility.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Elected Members and Officers of the City of Melville. We collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the City's Code of Conduct and Standing Orders to ensure the efficient, effective and orderly decision making within this forum.

AGENDA BRIEFING FORUM BRIEFING NOTES

2. PRESENT

His Worship the Mayor, Russell Aubrey

COUNCILLORS

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

WARD

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

3. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mrs C Young	Director Community Development
Mr M Tieleman	Director Corporate Services
Mr J Christie	Director Technical Services
Mr S Cope	Director Strategic Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Mr G Ponton (until 9.10pm)	Manager Strategic Urban Planning
Mr P Prendergast (until 8.21pm)	Manager Statutory Planning
Mrs A Templeton (until 8.21pm)	Planning Services Coordinator
Mr T Cahoon (until 9.25pm)	Manager Health and Lifestyle Services
Mr J Clark	Governance & Compliance Program Manager
Mr N Fimmano	Governance and Property Officer
Ms S Tranchita	Minute Secretary

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

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Cr J Barton – Attadale – Bicton Ward

4.2 APPROVED LEAVE OF ABSENCE

Nil

4.3 APPLICATIONS FOR NEW LEAVES OF ABSENCE

At 6.36pm Cr Macphail moved, seconded Cr Willis -

That the application for new leave of absence submitted by Cr Barton on 6 August 2013 be granted.

At 6.37pm the Mayor submitted the motion which was declared

CARRIED (12/0)

5. QUESTION TIME

Nil.

6. DISCLOSURE OF INTEREST

Nil.

7. DEPUTATIONS

P13/3413 – Mr D Lomma – Builder Designer of 50 Blackwall Reach Parade and Mr D Canci – Owner of 50 Blackwall Reach Parade

P13/3413 – Mr S McCaughey – Representing five neighbours of 50 Blackwall Reach Parade

8. BUSINESS

At 6.37 pm Cr Nicholson moved, seconded Cr Reynolds -

- **That Standing Orders Local Law Clause 9.5 be suspended allowing Elected Members permission to speak more than once and that Standing Orders Local Law 2003 Clause 9.1 second sentence “When invited, Members are to address the Council through the Presiding Member”, be set aside.**

CARRIED (12/0)

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 Presiding member 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 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.

9. AGENDA ITEMS FOR PRESENTATION

At 7.29pm Cr Kinnell left the meeting and returned at 7.34pm.
At 7.40pm Mr Cahoon left the meeting and returned at 7.43pm.
At 7.43pm Cr Pazolli left the meeting.

P13/3413	Three Storey (with Basement) Single House at Lot 30 (No. 50) Blackwall Reach Parade, Bicton
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning and Amanda Templeton – Planning Services Coordinator</p> <p>DEPUTATION PRESENTATION/S From 6.38pm to 6.48pm a deputation was heard from Mr D Lomma – Builder Designer of 50 Blackwall Reach Parade and Mr D Canci – Owner of 50 Blackwall Reach Parade. From 7.00pm to 7.07pm a deputation was heard from Mr S McCaughey – Representing five neighbours of 50 Blackwall Reach Parade.</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested further information to show more clearly which portion of the dwelling is over 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 7.45pm Cr Pazolli returned to the meeting.
At 7.45pm Cr Reidy left the meeting.
At 7.46pm Cr Nicholson left the meeting.
At 7.49pm Cr Macphail left the meeting.
At 7.49pm Cr Reidy returned to the meeting.
At 7.50pm Cr Nicholson returned to the meeting.
At 7.51pm Cr Macphail returned to the meeting.

P13/3412	Commercial Self-Storage Facility at Lot 1 (No. 22) Weatherburn Way, Kardinya
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning and 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 8.11pm Cr Taylor Rees left the meeting and returned at 8.14pm.

P13/3408	Amendment to Council Policy – CP- 078: Residential Development
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning and Amanda Templeton – Planning Services Coordinator</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members queried whether carports required planning approval and how the proposed Policy provisions will be applied. A question was taken on notice by the Director Urban Planning as to whether the proposed <i>Deemed to Comply</i> boundary walls in lower R-Codings is appropriate in light of proposed plot ratio for single dwellings. 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>

P13/3410	Proposed Closure of Pedestrian Access Way Adjacent to 24 Webber Street and 2 Truslove Close, Willagee
	<p>OFFICER PRESENTATION Peter Prendergast – Manager Statutory Planning and 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 8.21pm Mr Prendergast and Mrs Templeton left the meeting.

P13/3411	Final Adoption of Amendment No. 67 to Community Planning Scheme No. 5 – Zoning of The Mixed Use Precinct at Murdoch Activity Centre as “Development Zone” and Associated Amendments to the Scheme Text
	<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 General discussion took place regarding the item and officer recommendation.</p>

P13/3415	Murdoch Specialised Activity Centre Structure Plan
	<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 Elected Members requested additional information confirming the terminology used to describe the hierarchy of centres under the Directions 2013 and options available for assigning a designation to Murdoch. 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 8.49pm Cr Robartson left the meeting and returned at 8.50pm

At 9.04pm Cr Reynolds left the meeting and returned at 9.05pm

At 9.05pm Cr Pazolli left the meeting.

P13/3405	Expression of Interest Process for Strategic Properties owned by the City of Melville
	<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 General discussion also took place regarding the item and officer recommendation.</p>

At 9.10pm Cr Pazolli returned to the meeting.
 At 9.10pm Mr Ponton left the meeting.
 At 9.11pm Mr Hitchcock left the meeting.
 At 9.12pm Cr Foxtan left the meeting.
 At 9.13pm Mr Hitchcock returned to the meeting.
 At 9.15pm Cr Foxtan returned to the meeting.

CD13/8053	Mt Pleasant Bowling Club (Inc) Self Supporting Loan Condition Amendment
	<p>OFFICER PRESENTATION Todd Cahoon – Manager Health and Lifestyle Services</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>

CD13/8054	Changes to Community Safety Crime Prevention Publication – Writings on the Wall Educational Resource Fees and Charges
	<p>OFFICER PRESENTATION - IF REQUESTED Christine Young – Director Community Development</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>

At 9.25pm Mr Cahoon left the meeting.

M13/5306	Salaries and Wages Tribunal – Elected Members Fees and Allowances
	<p>OFFICER PRESENTATION Louis Hitchcock – Executive Manager Legal Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested information as to whether His Worship the Mayor now pays for his car out of his annual allowance or is it an extra allowance. 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>

C13/5000	Common Seal Register
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Program Manager</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>

C13/6000	Investment Statements for June 2013
	<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>

C13/6001	Schedule of Accounts for June 2013
	<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 General discussion took place regarding the item and officer recommendation.</p>

C13/6002	Financial Statements for June 2013
	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.

10. CLOSURE

There being no further business, The Presiding Member declared the Forum closed at 9.44pm.