

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 2 July 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: 5 July 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 2 July 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 Louis Hitchcock, Executive Manager Legal Services, read aloud the Disclaimer that is on the front page of these Minutes and then His Worship the Mayor, R A Aubrey, 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 A Nicholson
Cr J Barton, Cr S Taylor-Rees
Cr R Hill
Cr M Reynolds, Cr N Foxtan (from 6.39pm)
Cr C Robartson

WARD

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

3. IN ATTENDANCE

Dr Shayne Silcox
Mr M Tieleman
Mrs C Young
Mr J Christie
Mr S Cope
Mr L Hitchcock
Mr G Ponton
Mr J Cameron
Mr B Taylor
Ms S Tranchita

Chief Executive Officer
Director Corporate Services
Director Community Development
Director Technical Services
Director Urban Planning
Executive Manager Legal Services
Manager Strategic Urban Planning
Executive Engineer
Manager Information, Technology & Support
Minute Secretary

At the commencement of the meeting there were 13 members of the public and no members from the Press in the Public Gallery.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

4.2 APPROVED LEAVE OF ABSENCE

Cr R Kinnell – Palmyra/Melville/Willagee Ward
Cr R Willis – Bull creek/Leeming Ward

4.3 APPLICATIONS FOR NEW LEAVES OF ABSENCE

His Worship the Mayor, R Aubrey

At 6.40pm Cr Robartson moved, seconded Cr Hill -

That the application for new leave of absence submitted by Cr Reynolds and Cr Macphail on 2 July 2013 be granted.

At 6.41pm the Mayor submitted the motion which was declared

CARRIED (11/0)

5. QUESTION TIME

5.1 Mr J Reader, Bicton

Question 1

“If this proposal is built and the traffic problems become worse, as residents expect, what happens then?”

Response

Mr Christie responded by saying that with the proposed changes in Durdham Crescent the City did not expect there to be an increase in parking or traffic issues

5.2 Mr G Ryan, Bicton

Question 1

“Why was this proposal presented first to the Melville water Polo Club earlier this year- several weeks before the residents of Durdham Crescent were allowed to see it?”

Response

Mrs Young responded by saying, the engagement process followed usual identification of stakeholders with local residents and the MWPC being key stakeholders. Officers firstly met on site with local residents and showed them an initial concept plan. Their feedback and comments were then incorporated into the next draft which was then shown to the MWPC as part of usual practice of engaging stakeholders. The MWPC did not provide feedback that warranted any changes. The final draft was then circulated to residents.

5.3 Mr P McLarty, BictonQuestion 1

“In the event the expensive upgrading of Durdham Crescent, as proposed by City of Melville and opposed by all Durdham Crescent residents; results in increased traffic, the continued flouting of traffic rules, further serious accidents while entering Durdham Crescent from Preston Point Road, serious injury to cyclists from Angove Lane and further loss of amenity for Durdham Crescent residents, will City of Melville then take Durdham Crescents residents complaints seriously?”

Response

The Chief Executive Officer responded by saying the complaints by all residents are taken seriously by council.

5.4 Mr A Ullrich, BictonQuestion 1

“If this increased parking Scheme is enacted as proposed, unwanted as it is by the local community, will the Council be seeking a financial contribution for the Melville Water Polo Club, who favour the proposal, or will the cost be borne entirely by the Melville City ratepayers?”

Response

The Chief Executive Officer responded by saying that the cost of the works would be funded by the City of Melville.

5.5 Mr J Reader, BictonQuestion 1

“what was the reason for changing the initial version of the proposal with seven parking bays to the second version with two bays labelled drop off/pickup zone(5 min) otherwise 2hour parking”? Can you explain what this means and how it can be any use to residents and their visitors?”

Response

Mr J Cameron responded by saying the first draft proposal showed a “hammerhead” configuration at the northern end of Durdham Crescent and this was initially shown to some residents. The subsequent concept plan showed a cul de sac and this change required the parking arrangements to be modified to accommodate the new treatment.

The question was further clarified during Mr Cameron’s presentation that this configuration of parking bays was subject to the resident feedback process that had been carried out and Council’s resolutions. If the project was to proceed, signage would be required at the “drop off/pickup zone (5 min) otherwise 2hour parking zone” and the bus parking area to identify when those particular restrictions would apply.

6. DISCLOSURE OF INTEREST

T13/3404 – Cr Reidy – Financial Interest

7. DEPUTATIONS

T13/3404 – Mr J Conway – Resident of Durdham Crescent

T13/3404 – Mr P McLarty – Resident of Durdham Crescent

8. BUSINESS

At 6.42 pm Cr Reynolds moved, Cr Macphail seconded -

That Standing Order Local Law 2003 Clause 9.1 second sentence “When invited, Members are to address the Council through the Presiding Member”, be set aside.
CARRIED (11/0)

A request for a Special Meeting of Electors signed by 137 residents was received by the City of Melville on Tuesday, 2 July 2013.

The request advises that the details of the matter to be discussed at the Special Meeting are -
“The proposed development of the site at 94 Kitchener Road, Alfred Cove

The contentious issues of the proposed development relating to such matters as:

- traffic congestion and increase in road safety issues resulting from huge increase in road vehicles in a single block on a quiet suburban back street
- impact on local community and the amenity of the surrounding area
- impact of the height and bulk of the proposed building on the character of the entire neighbourhood
- non-compliance with design codes”

Advice Note

Section 5.28(4) The Local Government Act 1995 - Electors Special Meetings- provides that –
“A special meeting is to be held on a day selected by the mayor or president but not more than 35 days after the day on which he or she received the request.”

At 6.44pm Cr Hill moved, seconded Cr Nicholson -

That the Request for a Special Meeting of Electors bearing 137 signatures be received and acknowledged in writing to the server of the request.

At 6.45pm the Mayor submitted the motion, which was declared

CARRIED (11/0)

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

<p>P13/3406</p>	<p>Riseley Centre Structure Plan Initial Concept Designs - Approval for Advertising</p>
	<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 clarity to be provided in relation to the legends included in the concept plans and the key differences between the various concepts. 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 7.05pm Cr Reidy having declared an interest in this item, left the meeting.
 At 8.11pm Cr Nicholson left the meeting and returned at 8.13pm.
 At 8.37pm Cr Reynolds and Cr Taylor Rees left the meeting.

T13/3404	Durdham Crescent, Bicton – Proposed Parking, Path and Access Improvements
	<p>OFFICER PRESENTATION John Cameron – Executive Engineer Design</p> <p>DEPUTATION PRESENTATION/S From 7.06pm to 7.21pm a deputation was heard from Mr J Conway – Resident From 7.23pm to 7.35pm a deputation was heard from Mr P McLarty - Resident</p> <p>DISCLOSURE OF INTEREST Cr Reidy – Financial Interest</p> <p>NOTES FROM FORUM Elected Members requested additional information on suggestions that were made at the meeting regarding the concept plan proposal including, assessing the clearance of the northern most verge parking bays to the through cycle route, showing the "turf cell" option in lieu of the red asphalt in the verge parking bays, and showing an alternate treatment for the speed plateaus at Angove Lane 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 8.40pm Cr Macphail left the meeting
 At 8.41pm Cr Reidy returned to the meeting.
 At 8.43pm Cr Reynolds and Cr Taylor Rees and Cr Macphail returned to the meeting.

C13/5000	Common Seal Register
	<p>OFFICER PRESENTATION – IF REQUESTED Louis Hitchcock – Executive Manager Legal 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>

C13/6000	Investment Statements May 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 May 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 Cr Nicholson indicated she wished to raise various questions relating to the Schedule of Accounts. It was agreed that these would be submitted in writing to the Director Corporate Services for response prior to the Council meeting. 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>

C13/6002	Financial Statements
	<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>

9. CLOSURE

There being no further business, His Worship the Mayor declared the Forum closed at 8.47pm