

NOTES

OF THE

AGENDA BRIEFING FORUM

HELD ON

3 JULY 2012

COMMENCED AT 6.30PM

AT THE MELVILLE CIVIC CENTRE

2ND 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 17 July 2012.

DISTRIBUTED: 6 July 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, 3 July 2012 commencing at 6.30pm.

AGENDA BRIEFING FORUM BRIEFING NOTES

1. PRESENT

His Worship the Mayor, Russell Aubrey

COUNCILLORS

Cr C Robartson (Deputy Mayor)
Cr N Pazolli
Cr D Macphail, Cr A Nicholson
Cr J Barton, Cr S Taylor-Rees
Cr R Hill
Cr M Reynolds, Cr N Foxtton

WARD

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

2. IN ATTENDANCE

Mrs C Young	A/Chief Executive Officer
Mr J Christie	A/Director Corporate Services
Mrs L Hartill	A/Director Community Development
Mr S Cope	Director Urban Planning
Mr B Dawkins	A/Director Technical Services
Mr L Hitchcock	Executive Manager Legal Services
Mr P Prendergast	Manager Planning and Development Services
Mr P Kellick (until 7.48pm)	Manager Asset Management
Mr T Cahoon (until 6.38pm)	Manager Health and Lifestyle Services
Mr M Doyle (until 6.38pm)	Community Recreation Coordinator
Mr K Yeoh (from 7.28pm until 7.58pm)	Senior Financial Accountant
Mr J Clark	Governance and Compliance Program Manager
Mr B Taylor	Manager Information, Technology & Support
Ms S Tranchita	Minute Secretary

There was one person from the Media in attendance and three people present in the public gallery at the commencement of the Agenda Briefing Forum.

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

Cr R Kinnell – Palmyra-Melville-Willagee Ward

3.2 APPROVED LEAVE OF ABSENCE

Cr P Reidy – Applecross – Mount Pleasant Ward
Cr R Willis – Bull Creek – Leeming Ward

4. QUESTION TIME

Nil

5. DISCLOSURES OF INTEREST

Nil

6. APPLICATIONS FOR NEW LEAVES OF ABSENCE

Nil

6. DEPUTATIONS

Nil

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 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 6.35pm His Worship the Mayor requested that item CD12/8047 be brought forward for discussion.

CD12/8047	Blue Gum Park Tennis Club Self Supporting Loan Request
	<p>OFFICER PRESENTATION Michael Doyle – Community Recreation 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 6.38pm Mr Doyle and Mr Cahoon left the meeting.

At 7.07pm Mr Kellick left the meeting and returned at 7.09pm.

At 7.22pm Mr Prendergast left the meeting and returned at 7.28pm.

At 7.28pm Mr Yeoh entered the meeting.

T12/3318	Grant Funding Friends of Wireless Hill
	<p>OFFICER PRESENTATION John Christie – A/Director Corporate Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested further information regarding Council Policy CP-023 Procurement of Goods and Services and the Clause from the Local Government (Functions and General) Regulations 1996 that relate to this report. Elected Members also requested a copy of the PowerPoint presentation 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>

At 7.38pm Mr Taylor left the meeting and returned at 7.45pm.

T12/3319	Deep Water Point Jetty Replacement
	<p>OFFICER PRESENTATION Paul Kellick – Manager Asset Management</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 7.48 Kellick left the meeting.

C12/5000	Common Seal Register
	<p>OFFICER PRESENTATION – IF REQUESTED John Christie – A/Director Corporate Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested a copy of the Chief Executive Officer's Contract Variation that required the Common Seal. This information will be provided to the Elected Members through the Elected Members distribution. General discussion also took place regarding the item and officer recommendation.</p>

C12/6000	Investment Statements
	<p>OFFICER PRESENTATION– IF REQUESTED John Christie – A/Director Corporate Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested information of the extent of recovery of funds to the end of June 2012 from CDO investments. This information will be provided to Elected Members in the Elected Members Bulletin. General discussion took place regarding the item and officer recommendation.</p>

C12/6001	Schedule of Accounts May 2012
	<p>OFFICER PRESENTATION– IF REQUESTED John Christie – A/Director Corporate Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested further information on the extent of contributions for the Canning Bridge Structure Study Plan the City of Melville has received or will be receiving from other agencies. 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>

C12/6002	Financial Statements May 2012
	<p>OFFICER PRESENTATION– IF REQUESTED John Christie – A/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>

At 7.57pm Cr Robartson moved, seconded Cr Foxtan -

That the meeting be closed to the public to permit discussion on a confidential matter (Item P12/3320 which relates to Reconsideration of Three-Storey with Undercroft Mixed-Use Development at Lot 278 (164) Riseley Street, Booragoon covered under Section 5.23 (2) (c) of the Local Government Act 1995.

At 7.57pm the Mayor submitted the motion, which was declared

CARRIED (10/0)

At 7.58pm Mr Yeoh left the meeting.

At 7.58pm Cr Pazolli left the meeting and returned at 8.00pm.

P12/3320	Confidential Item – Reconsideration of Three-Storey with Undercroft Mixed-Use Development at Lot 278 (164) Riseley Street, Booragoon
	<p>OFFICER PRESENTATION Peter Prendergast – Manger Planning and Development 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 The Mayor proposed a Special Council meeting on Tuesday 24th July 2012 due to an absence of Councillors at the next Ordinary Meeting of Council. Confirmation of this meeting will be provided to Elected Members under the Meetings and Functions Schedule in the Elected Members Bulletin.</p>

At 8.34pm Cr Macphail moved, seconded Cr Hill -

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

At 8.35pm the Mayor submitted the motion, which was declared.

CARRIED (10/0)

No members of the media or public gallery returned to the meeting.

There being no further business, His Worship the Mayor Closed the Agenda Briefing Forum at 8.35 pm.