



— City of —  
**Melville**

**NOTES OF THE  
AGENDA BRIEFING FORUM  
HELD ON  
7 APRIL 2009  
COMMENCING AT 6.34PM  
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 21 April 2009.**

**DISTRIBUTED: 9 April 2009**

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— City of —  
**Melville**

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre,  
10 Almondbury Road, Booragoon on Tuesday, 7 April 2009 commencing at 6.34pm.

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## AGENDA BRIEFING FORUM BRIEFING NOTES

### 1. PRESENT

R A Aubrey (Presiding Member)	Mayor
Cr H Everett, Cr Pazolli	Applecross/Mount Pleasant
Cr A Ceniviva, Cr D Macphail	City
Cr C W Robartson, Cr R Subramaniam	Bull Creek/Leeming
Cr C M Halton, Cr P Phelan	Palmyra/Melville/Willagee
Cr G Wieland, Cr J Barton	Bicton/Attadale
Cr L M Reynolds, Cr J Bennett	University

### 2. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development
Mr J Christie	Director Technical Services
Ms K Johnson	A/Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Mr D Vinicombe	Manager Planning & Development Services
Mr B Taylor	Manager Information & Corporate Support
Mr J Clark	Governance and Compliance Program Manager
Mr T Cahoon	Manager Health & Lifestyle Services
Mr J Cameron	Executive Engineer Design & Assets
Ms D Beilby	Minute Secretary

There was one person from the Media 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**

Nil

**3.2 APPROVED LEAVE OF ABSENCE**

Nil

**4. QUESTION TIME**

Nil

**5. DISCLOSURE OF INTEREST**

- C09/5053            Dr S Silcox, Chief Executive Officer
- P09/3067           Cr A Cenviva
- P09/3068           Cr R Subramaniam
- C09/8011           Cr J Bennett

**6. DEPUTATIONS**

Nil

**7. BUSINESS**

## **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. BUSINESS**

**8.1 RECOMMENDATIONS TO COUNCIL ARISING FROM THE MINUTES OF THE GOVERNANCE COMMITTEE MEETING – 10 MARCH 2009.**

His Worship the Mayor requested that item C09/5053 be moved to the last item on the Agenda so that the meeting may be closed prior to discussion on this item if required.

**8.2. AGENDA ITEMS FOR PRESENTATION**

Cr Bennett requested that Item C09/8011 be brought forward as the first item for discussion.

At 6.40pm Cr Bennett, having declared an interest item C09/8011, left the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
C09/8011	<p><b>\$100,000 Self-Supporting Loan – Kardinya Bowling Club</b></p> <p><b>OFFICER PRESENTATION</b> Mr T Cahoon, Manager Health and Lifestyle Services</p> <p><b>DISCLOSURE OF INTEREST</b> Cr Bennett</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

At 7.00pm Cr Bennett returned to the meeting.



Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
P09/3070	<p><b>Reconsideration of Pedestrian Accessway (PAW) closure Kidson Street &amp; Bersica Court (Near North Lake Road), Kardinya</b></p> <p><b>OFFICER PRESENTATION</b> Mr D Vinicombe, Manager Planning and Development Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
T09/3065	<p><b>Petition – Traffic Calming Devices in Dunkley Avenue, Applecross</b></p> <p><b>OFFICER PRESENTATION</b> Mr J Cameron, Executive Engineer Design and Assets</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p> <p>Mr J Cameron, Executive Engineer Design and Assets, to amend Officer's report T09/3065 to delete all references to "Fraser" Road and replace with "Francis" Road and replace reference to "Cunningham Street" with "Cantray Avenue" where it relates to the location of the proposed speed humps.</p>

**At 7.18pm Cr Wieland left the meeting and returned at 7.20pm.**

**At 7.20pm Cr Phelan left the meeting and returned at 7.22pm.**

**At 7.37pm Cr Ceniviva, having declared an interest in Item P09/3067, left the meeting.**

**At 7.37pm Mr J Cameron, Executive Engineer Design and Assets, left the meeting.**

**At 7.38pm Cr Pazolli left the meeting and returned at 7.40pm.**

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
P09/3067	<p><b>Final Approval Amendment No. 51 to Community Planning Scheme No. 5 – Golden Egg Farm site at Lots 12 &amp; 20 (43 &amp; 43a) McGregor Road/Leach Highway, Palmyra – Industry to residential R35 &amp; R60</b></p> <p><b>OFFICER PRESENTATION</b> Mr D Vinicombe, Manager Planning and Development Services</p> <p><b>DISCLOSURE OF INTEREST</b> Cr Ceniviva</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p> <p>Mr D Vinicombe, Manger Planning and Development Services, to provide a copy of the Precinct Development Plan by Greg Rowe to Elected Members by way of a linked attachment to the Agenda for the Ordinary Meeting of Council 21 April 2009.</p> <p>Cr J Bennett advised Council that he may propose an amendment to the recommendation.</p>

At 8.00pm Cr Ceniviva returned to the meeting.

At 8.03pm Mr M Tieleman, Director Corporate Services, left the meeting and returned at 8.05pm.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
P09/3068	<p><b>New School Gymnasium on Lot 3043 All Saints College, 28 Ewing Avenue, Bull Creek</b></p> <p><b>OFFICER PRESENTATION</b> Mr D Vinicombe, Manager Planning and Development Services</p> <p><b>DISCLOSURE OF INTEREST</b> Cr Subramaniam declared an interest in this item. The extent of his interest is under the Code of Conduct in that a family member was a former student of the College. Being an interest under the Code of Conduct, Cr Subramaniam remained in the meeting.</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
C09/5054	<p><b>Review of Local Laws</b></p> <p><b>OFFICER PRESENTATION</b> Mr J Clark, Governance &amp; Compliance Program Manager</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
C09/5056	<p><b>Adoption of Major Land Transaction Business Plan and Disposal of property by way of lease or sale – 100 (109) North Lake Road and Lot 9 (241) Leach Highway, Willagee</b></p> <p><b>OFFICER PRESENTATION</b> Mr M Tieleman, Director Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
C09/5057	<p><b>Deep Water Point Café/Kiosk – Tenancy and Request for Tender</b></p> <p><b>OFFICER PRESENTATION</b> Mr M Tieleman, Director Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
C09/5000	<p><b>Common Seal</b></p> <p><b>OFFICER PRESENTATION</b> Mr B Taylor, Manager Information, Technology &amp; Support</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
C09/6000	<p><b>Investment Statements – February 2009</b></p> <p><b>OFFICER PRESENTATION</b> Mr M Tieleman, Director Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment
C09/6001	<p><b>Schedule of Accounts – February 2009</b></p> <p><b>OFFICER PRESENTATION</b> Mr M Tieleman, Director Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and the officer recommendation.</p> <p>Mr M Tieleman, Director Corporate Services, to provide information to Elected Members via the Elected Members Bulletin regarding the credit of \$10,962.31 to City of Subiaco – Payment No. 033174.</p>

<b>Item No.</b>	<b>Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment</b>
<b>C09/6002</b>	<p><b>Financial Statements – February 2009</b></p> <p><b>OFFICER PRESENTATION</b> Mr M Tieleman, Director Corporate Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item and the officer recommendation.</p>

At 8.35pm His Worship the Mayor advised that the meeting would go behind closed doors to discuss a matter within the provision of S5.23(2) of the Local Government Act 1995. No members of the public were present and the following Officers left the meeting:

Dr S Silcox, Mr M Tieleman, Ms C Young, Mr J Christie, Mr L Hitchcock, Mr D Vinicombe, Mr B Taylor, Mr J Clark, Mr T Cahoon.

**REPORTS PRESENTED BY THE PRESIDING MEMBER OF THE GOVERNANCE COMMITTEE**

**C09/5053 – City of Melville Chief Executive Officer Performance Review**

<b>Item No.</b>	<b>Officer Presentations / Deputation Presentations / Disclosures of interest / Elected Member Comment</b>
<b>C09/5053</b>	<p><b>City of Melville Chief Executive Officer Performance Review</b></p> <p><b>OFFICER PRESENTATION</b> Ms K Johnson, Executive Manager Organisational Development</p> <p><b>DISCLOSURE OF INTEREST</b> Dr S Silcox, Chief Executive Officer</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the resolutions of the Governance Committee Meeting held on 10 March 2009.</p>

Please click on this link to access the: [Agenda for the Ordinary Meeting of Council](#) to be held on Tuesday, 21 April 2009.

The meeting came out from behind closed doors at 9.00pm.

## **9. CLOSURE**

There being no further business His Worship the Mayor declared the forum closed at 9.00pm.