



— City of —
Melville

NOTES

OF THE AGENDA BRIEFING FORUM

HELD ON

3 FEBRUARY 2009

COMMENCING AT 6.30PM

AT THE MELVILLE CIVIC CENTRE

2ND FLOOR IN THE SWAN ROOM

10 ALMONDBURY ROAD, BOORAGOON

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Please note: The Notes for the Briefing Forum should be read in conjunction with the [Agenda for the Ordinary Meeting of Council](#) to be held on 10 February 2009.

DISTRIBUTED: 6 FEBRUARY 2009

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— City of —
Melville

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Notes of the Agenda Briefing Forum held in the Swan Room, Melville Civic Centre,
10 Almondbury Road, Booragoon on Tuesday, 3 February 2009 commencing at 6.30pm.

AGENDA BRIEFING FORUM BRIEFING NOTES

1. PRESENT

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

2. IN ATTENDANCE

Dr Shayne Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Mr C McClure	Director Urban Planning
Mr T Cahoon	A/Director Community Development
Mr J Christie	Director Technical Services
Mr L Hitchcock	Executive Manager Legal Services
Ms K Johnson	Executive Manager Organisational Development
Mr D Vinicombe	Manager Planning & Development
Mr J Cameron	Executive Engineer Design & Assets
Mr I Davis	Manager Parks & Environment
Mr D Monteiro	Compliance Officer (Environmental Health Services)
Mr B Taylor	Manager Information, Technology & Support
Mr J Clark	Governance and Compliance Program Manager
Ms C Rourke	Minute Secretary

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

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE

4.1 APOLOGIES

Cr Pazolli	Applecross/Mt Pleasant Ward
Cr Subramaniam	Bullcreek/Leeming Ward

4.2 APPROVED LEAVE OF ABSENCE

Nil

5. QUESTION TIME

Nil

6. DISCLOSURE OF INTEREST

C09/5040 Mr J Clark (Governance & Compliance Program Manager)

7. DEPUTATIONS

P09/5044 Aviary on Lot 836 (47) MacLeod Street, Applecross

In relation to this Item 2 deputations were received -

1. Mr C Drybrough presented a deputation on behalf of Mr and Mrs Engel of 45 MacLeod Road, Applecross and Mr and Mrs Drybrough of 49 MacLeod Rd Applecross objecting to the application
2. Mr K Taylor of 47 MacLeod Road, Applecross in support of the application

8. BUSINESS

PROCEDURE FOR AGENDA BRIEFING FORUMS

PRINCIPLES

The Agenda Briefing Forum which occurs one week 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 the Deputy Mayor or in his/her absence the immediate past serving Deputy Mayor. In the absence of both, 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.

9. AGENDA ITEMS FOR PRESENTATION

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
P09/5044	<p>Aviary on Lot 836 (47) MacLeod Road, Applecross</p> <p>OFFICER PRESENTATION Mr David Vinicombe – Manager Planning & Development Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION</p> <ol style="list-style-type: none"> 1. Mr C Drybrough presented a deputation on behalf of Mr and Mrs Engel of 45 MacLeod Road, Applecross and Mr and Mrs Drybrough of 49 MacLeod Rd Applecross objecting to the application. 2. Mr K Taylor of 47 MacLeod Road, Applecross spoke in support of his application <p>NOTES FROM FORUM</p> <p>General discussion took place regarding this item and officer recommendation.</p> <p>Mr K Taylor advised during his presentation that he would undertake to dismantle the Aviary if he sold the property.</p> <p>At 7.26pm Sandy Bayly was invited by the Presiding Member to address the meeting on behalf of Mr & Mrs Engel.</p> <p>Cr Bennett suggested that an appropriate amendment for the Council to consider raising would be that an additional condition be made to the Officer's Recommendation in Point 1 recommending that the screening between the aviary and adjoining properties be increased.</p> <p>Cr Phelan advised both deputation parties that should they have any further questions these could be directed through the Chief Executive Officer</p>

At 7.04pm Mayor Aubrey left the meeting and returned at 7.06pm.

At 7.17pm Cr Halton left the meeting and returned 7.23pm.

At 7.40pm Cr Bennett left the meeting and returned at 7.42pm.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
T09/2003	<p>Melville Primary School Redevelopment</p> <p>OFFICER PRESENTATION Mr John Christie – Director Technical Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding this item and officer recommendation.</p> <p>Cr Reynolds advised that he would consider foreshadowing at the Ordinary Meeting of Council to be held on 10 February 2009 a motion to delete items 7 & 8 from the Officer's Recommendation and to request that these be the subject of a separate report to be presented to the Council at a later date.</p> <p>It was noted that motion T06/2008 – Old Melville Primary School that was adopted at the 19 December 2006 Ordinary Meeting of Council may need to be rescinded should the proposed Officer Recommendation or any foreshadowed motion be substantially different.</p>

At 7.50pm Mr C McClure, Director Urban Planning, left the meeting and returned at 7.53pm.

At 8.22pm Mr D Vinicombe, Manager Planning & Development Services, left the meeting.

At 8.23pm Cr Wieland left the meeting.

At 8.24pm Mr J Cameron, Executive Engineer Design & Assets, Mr I Davis, Manager Parks & Environment and Mr D Monteiro, Compliance Officer (Environmental Health Services) left the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/5039	<p>Severance Policy</p> <p>OFFICER PRESENTATION Ms Kylie Johnson, Executive Manager Organisational Development</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding this item and officer recommendation.</p> <p>Ms K Johnson, Manager Organisational Development, advised that there is an amendment to the Severance Policy 10-PL-006 under section 4.2 to be changed from 19 to 19A: <i>“the maximum severance payment to an employee under regulation 19A of the Local Government (Administration) Regulations 1996. . .”</i></p>

At 8.24pm Mr M Tieleman, Director Corporate Services, left the meeting.

At 8.25pm Cr Wieland returned to the meeting.

At 8.29pm Mr M Tieleman, Director Corporate Services returned to the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/5041	<p>Recruitment of the Director Urban Planning</p> <p>OFFICER PRESENTATION Ms Kylie Johnson, Executive Manager Organisational Development</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding this item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/5042	<p>Employee Appointments Policy</p> <p>OFFICER PRESENTATION Ms Kylie Johnson, Executive Manager Organisational Development</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding this item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/5040	<p>City of Melville 2009 Local Government Ordinary Elections</p> <p>OFFICER PRESENTATION Bruce Taylor – Manager Information, Technology & Support</p> <p>DISCLOSURE OF INTEREST Mr Jeff Clark, Governance & Compliance Program Manager</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding this item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/5045	<p>Council Meeting Cycle</p> <p>OFFICER PRESENTATION Jeff Clark – Governance & Compliance Program Manager</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding this item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/5000	<p>Common Seal</p> <p>OFFICER PRESENTATION Mr Marten Tieleman – Director Corporate Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding this item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/6000 (DEC)	<p>Investment Statements – December 2008</p> <p>OFFICER PRESENTATION Mr Marten Tieleman – Director Corporate Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding this item and officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/6001 (Nov)	<p>Schedule of Accounts – November 2008</p> <p>OFFICER PRESENTATION Mr Marten Tieleman – Director Corporate Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM No discussion took place regarding this item or on the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/6001 (Dec)	<p>Schedule of Accounts – December 2008</p> <p>OFFICER PRESENTATION Mr Marten Tieleman – Director Corporate Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM No discussion took place regarding this item or on the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
C09/6002 (Nov)	<p>Financial Statements – November 2008</p> <p>OFFICER PRESENTATION Mr Marten Tieleman – Director Corporate Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM No discussion took place regarding this item or on the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
<p>C09/6002 (Dec)</p>	<p>Financial Statements – December 2008</p> <p>OFFICER PRESENTATION Mr Marten Tieleman – Director Corporate Services</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM No discussion took place regarding this item or on the officer recommendation.</p>

Item No.	Officer Presentations / Deputation Presentations / Disclosures of interest / Councillor Comment
<p>P09/5046</p>	<p>LATE ITEM: Appointment of External Member of Financial Management, Audit, Risk & Compliance Committee</p> <p>OFFICER PRESENTATION Ms Kylie Johnson, Executive Manager Organisational Development</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>DEPUTATION PRESENTATION Nil</p> <p>NOTES FROM FORUM General discussion took place regarding this item and officer recommendation.</p> <p>Ms Kylie Johnson, Executive Manager Organisational Development advised that the Officer Recommendation as presented in the Draft Agenda will be amended to read: “ . . . RECEIVING THE HONORARIUM OF TWO THOUSAND, FIVE HUNDRED DOLLARS (\$2,500 PER ANNUM) WITH \$625 TO BE PAID QUARTERLY IN ARREARS.”</p>

Please click on this link to access the: [Agenda for Ordinary Meeting of Council](#) to be held on Tuesday, 10 February 2009.

10. CLOSURE

There being no further business, the Presiding Member declared the forum closed at 8.51pm.