

**NOTES**

**OF THE**

**AGENDA BRIEFING FORUM**

**HELD ON**

**2 NOVEMBER 2010**

**COMMENCING AT 6.30PM**

**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 16 November 2010.**

**DISTRIBUTED: 5 November 2010**

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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 November 2010 commencing at 6.33pm.

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## AGENDA BRIEFING FORUM BRIEFING NOTES

### 1. PRESENT

His Worship the Mayor, Russell Aubrey

#### COUNCILLORS

Cr M Reynolds (Deputy Mayor)  
Cr N Pazolli, Cr P Reidy  
Cr T Ceniviva, Cr A Nicholson  
Cr J Barton, Cr G Wieland  
Cr C Halton, Cr B Kinnell  
Cr N Foxton  
Cr C Robartson, Cr R Subramaniam

#### WARD

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

### 2. IN ATTENDANCE

Dr S Silcox		Chief Executive Officer
Mr M Tieleman		Director Corporate Services
Mr J Christie		Director Technical Services
Ms C Young		Director Community Development
Mr L Hitchcock		Executive Manager Legal Services
Mr D Vinicombe		Manager Planning and Development
Mr H Shigeyoshi	(until 7.20pm)	A/Planning Services Coordinator
Mr L Anderson	(until 7.20pm)	Senior Planning Officer
Ms A Gupta	(until 7.20pm)	Trainee Planning Officer
Mr J Cameron	(until 7.28pm)	Executive Engineer
Mr J Clark		Governance and Compliance Program Manager
Mr B Taylor		Manager Information, Technology and Support
Ms J Paparella		Business Support Officer
Ms C Mitchell		Minute Secretary

There was no one from the Media in attendance and five people present in the public gallery at the commencement of the Agenda Briefing Forum.

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

Mr S Cope Director Urban Planning

**3.2 APPROVED LEAVE OF ABSENCE**

Nil

**4. QUESTION TIME**

Nil

**5. DISCLOSURES OF INTEREST**

**C10/5141** Mr Jeff Clark – Governance and Compliance Program Manager

**6. APPLICATIONS FOR NEW LEAVES OF ABSENCE**

Nil

**7. DEPUTATIONS**

**P10/3177** Ms Sian Roberts and Mr John Puglia - Applicants

**P10/3177** Mr George Kallidis, Advanced Building Consultants on behalf of Ms Keri McGuinness Owner of 19A Gannett Street Bateman

**8. 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 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**

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>P10/3175</b>	<p><b>Proposed Two-Storey House on Battle-Axe Strata Lot 2 (78) Holman Street, Alfred Cove</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Lloyd Anderson – Senior Planning Officer</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

At 7.10pm Cr Reidy left the meeting and returned at 7.11pm.

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>P10/3177</b>	<p><b>Proposed Second Storey Addition and Ground Floor Alterations to Existing Single House – Lot 1 (19B) Gannett Street, Bateman</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> From 6.44pm to 6.52pm a deputation was heard from Mr John Puglia and Ms Sian Roberts - Applicants From 6.52pm to 7.09pm a deputation was heard from Mr George Kallidis Advanced Building Consultants on behalf of Ms Keri McGuinness Owner of 19A Gannett Street Bateman</p> <p><b>OFFICER PRESENTATION</b> Hide Shigeyoshi – A/Planning Services Coordinator</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>



At 7.20pm Mr H Shigeyoshi, Mr L Anderson and Ms A Gupta left the meeting.  
At 7.20pm Mr L Hitchcock left the meeting and returned at 7.22pm.

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
T10/3172	<p><b>Dedication of Land for Intersection Improvements – Murdoch Drive / Murdoch University Entrance</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> John Cameron - Executive Engineer</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

At 7.28pm Mr J Cameron left the meeting.

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C10/5141	<p><b>City of Melville 2011 Local Government Elections</b></p> <p><b>DISCLOSURE OF INTEREST</b> Jeff Clark – Governance and Compliance Program Manager Financial Interest as an occasional employee of West Australian Electoral Commission</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Bruce Taylor - Manager Information and Corporate Support</p> <p><b>NOTES FROM FORUM</b> Elected Members requested that an amendment be presented for Council to consider the Ordinary Meeting of Council to petition the Western Australian Local Government to continue to pursue the opportunity for other agencies to conduct postal elections. General discussion took place regarding the item and officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C10/5142	<p><b>Proposed Amendment to the Local Law Relating to Fences</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Jeff Clark – Governance and Compliance Program Manager</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C10/5000	<p><b>Common Seal</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Bruce Taylor - Manager Information and Corporate Support</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item or officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C10/6000	<p><b>Investment Statement of September 2010</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION</b> Marten Tieleman – Director Corporate Services</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
C10/6001	<p><b>Schedule of Accounts September 2010</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman – Director Corporate Services</p> <p><b>NOTES FROM FORUM</b> General discussion took place regarding the item and officer recommendation.</p>

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C10/6002</b>	<p><b>Financial Statements September 2010</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman – Director Corporate Services</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item or officer recommendation.</p>

**Late Items**

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C10/5149</b>	<p><b>Supply of Trade Services for a Three Year Period (CO12/10)</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item or officer recommendation.</p>

At 7.42pm Cr Nicholson requested to go back to Schedule of Accounts.

Item No.	Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum
P10/3176	<p><b>25 Ainslie Court - Aged and Dependant Person's Dwellings</b></p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>OFFICER PRESENTATION – IF REQUESTED</b> David Vinicombe – Manager Planning and Development</p> <p><b>NOTES FROM FORUM</b> Elected Members were advised that this is a late item and a report will be distributed to Elected Members shortly. The matter will be brought to the November Ordinary Meeting of Council. General discussion took place regarding the item and officer recommendation.</p>

## **9. CLOSURE**

There being no further business, His Worship the Mayor closed the Agenda Briefing Forum at 8.07pm.