

**NOTES  
OF THE  
AGENDA BRIEFING FORUM  
HELD ON  
5 JULY 2011  
COMMENCED 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 19 July 2011.**

**DISTRIBUTED: 8 July 2011**

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Notes of the Agenda Briefing Forum held in the Council Chambers, Melville Civic Centre, 10 Almondbury Road, Booragoon on Tuesday, 5 July 2011 commencing at 6:30pm.

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## AGENDA BRIEFING FORUM BRIEFING NOTES

### 1. PRESENT

His Worship the Mayor - Russell Aubrey

#### COUNCILLORS

Cr N Pazolli, Cr P Reidy  
Cr A Nicholson  
Cr G Wieland, Cr J Barton  
Cr C Halton  
Cr N Foxton, Cr M Reynolds  
Cr C Robartson, Cr R Subramaniam

#### WARD

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

### 2. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr J Christie	Director Technical Services
Mr M Tieleman	Director Corporate Services
Ms C Young	Director Community Development
Mr S Cope	Director Urban Planning
Mr L Hitchcock	Executive Manager Legal Services
Mr P Prendergast (From 6.40pm to 7.54pm)	Manager Planning and Development Services
Mr J Clark	Governance and Compliance Program Manager
Mr T Cahoon (until 7.19pm)	Manager Health and Lifestyle Service
Mr M Doyle (until 7.19pm)	Community Recreation Coordinator
Mr L Anderson (until 7.54pm)	Senior Planning Officer
Mr H Shigeyoshi (until 7.54pm)	Senior Planning Officer
Mr B Taylor	Manager Information, Technology Support
Ms S Tranchita	Minute Secretary

There were no people from the Media in attendance and two 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 B Kinnell Palmyra/Melville/Willagee

**3.2 APPROVED LEAVE OF ABSENCE**

Cr A Ceniviva City Ward

**4. QUESTION TIME**

Nil

**5. DISCLOSURES OF INTEREST**

**D11/8037** - His Worship the Mayor – Code of Conduct

**D11/8038** - Cr June Barton – Code of Conduct

**6. DEPUTATIONS**

**P11/3225** - Ms Suzanne Taylor- Rees

**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 (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.**

**8. AGENDA ITEMS FOR PRESENTATION**

At 6.33pm His Worship the Mayor requested that Item P11/3225 be brought forward to allow a deputation to be heard.

From 6.34pm to 6.38pm a deputation was heard from Ms Suzanne Taylor - Rees relating to Item P11/3225 and the Telecommunications Facilities and Communications Equipment Policy. Ms Taylor-Rees spoke in favour of the Officer Recommendation.

At 6.40pm Mr Prendergast attended the meeting.

Item No.	Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment
P11/3225	<p><b>Final Adoption of Urban Planning Policies (Stage 3 Review)</b></p> <p><b>OFFICER PRESENTATION</b> Peter Prendergast - Manager Planning &amp; Development Services</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Ms Suzanne Taylor - Rees</p> <p><b>NOTES FROM FORUM</b> Elected Members requested that consideration be given to include in the Crime Prevention through Environmental and Buildings Policy a preamble sentence clarifying the purpose and intent of the Policy. Elected Members were requested to discuss this matter with the Manager Planning and Development should they require this inclusion. General Discussion also took place regarding the item and officer recommendation</p>



At 7.04pm His Worship the Mayor requested that Item D11/8037 would be brought forward for discussion while a member of the Mount Pleasant Bowling Club was in attendance.

<b>Item No.</b>	<b>Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment</b>
<b>D11/8037</b>	<p><b>Mount Pleasant Bowling Club Self Supporting Loan Request</b></p> <p><b>OFFICER PRESENTATION</b> Michael Doyle – Community Recreation Coordinator</p> <p><b>DISCLOSURE OF INTEREST</b> His Worship the Mayor – Code of Conduct</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> General Discussion took place regarding the item and officer recommendation.</p>

At 7.18pm the meeting reverted back to normal order of the agenda

At 7.19pm Mr M Doyle, Mr T Cahoon and two members of the public left the meeting

At 7.27pm Ms C Young left the meeting and returned at 7.29pm

<b>Item No.</b>	<b>Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment</b>
<b>P11/3226</b>	<p><b>Three-Storey Mixed-Use Development At 31F Ardross Street, Applecross</b></p> <p><b>OFFICER PRESENTATION</b> Hideyuki Shigeyoshi – Senior Planning Officer</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>DEPUTATION PRESENTATION</b> Nil</p> <p><b>NOTES FROM FORUM</b> Discussion took place regarding possible contamination on this site relating to the previous service station use that existed on the site. Officers advised that they would draft an Amendment to the Officer Recommendation to be presented to the Ordinary Meeting of Council. The Amendment is to include an Advice Note to the developer that soil contamination may be evident on the subject site and that necessary audits are to be undertaken, if evidence of contamination is identified. General Discussion also took place regarding the item and officer recommendation.</p>

At 7.52pm Cr Reidy left the meeting and returned at 7.53pm  
At 7.52pm Cr Nicholson left the meeting and returned at 7.55pm

<b>Item No.</b>	<b>Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment</b>
<b>P11/3224</b>	<p><b>Final Adoption of Amendment No 60 to Community Planning Scheme No 5 – Deletion of the Precinct Development Provisions for Two Storey (or more) Developments on battle-axe lots</b></p> <p><b>OFFICER PRESENTATION</b> Lloyd Anderson – Senior Planning Officer</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 or officer recommendation.</p>

At 7.54pm Mr P Prendergast, Mr L Anderson and Mr H Shigeyoshi left the meeting

<b>Item No.</b>	<b>Officer Presentations / Deputation Presentations / Disclosures of Interest / Elected Member Comment</b>
<b>D11/8038</b>	<p><b>Murdoch University Commonwealth Heads of Government Meeting Partnership Opportunity</b></p> <p><b>OFFICER PRESENTATION</b> Christine Young - Director Community Development</p> <p><b>DISCLOSURE OF INTEREST</b> Cr June Barton – Code of Conduct</p> <p><b>DEPUTATION PRESENTATION</b> Nil</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
C11/5000	<p><b>Common Seal Register</b></p> <p><b>OFFICER PRESENTATION – IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</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
C11/6000	<p><b>Investment Statements May 2011</b></p> <p><b>OFFICER PRESENTATION– IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</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>C11/6001</b>	<p><b>Schedule of Accounts May 2011</b></p> <p><b>OFFICER PRESENTATION– IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item or officer recommendation.</p>

<b>Item No.</b>	<b>Disclosures of Interest / Deputation Presentation/s / Officer Presentation / Notes from Forum</b>
<b>C11/6002</b>	<p><b>Financial Statements May 2011</b></p> <p><b>OFFICER PRESENTATION– IF REQUESTED</b> Marten Tieleman - Director Corporate Services</p> <p><b>DEPUTATION PRESENTATION/S</b> Nil</p> <p><b>DISCLOSURE OF INTEREST</b> Nil</p> <p><b>NOTES FROM FORUM</b> No discussion took place regarding the item or officer recommendation.</p>

## **8. CLOSURE**

There being no further business, His Worship the Mayor closed the Agenda Briefing Forum at 8.06pm.