

**NOTES OF THE
AGENDA BRIEFING FORUM
HELD ON
TUESDAY 3 MAY 2016
COMMENCING AT 6.30PM
AT THE MELVILLE CIVIC CENTRE
2ND FLOOR IN THE COUNCIL CHAMBERS
10 ALMONDBURY ROAD, BOORAGOON**

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DISTRIBUTED: 6 MAY 2016

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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 May 2016 that commenced at 6.30pm.

1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6.30pm. Mr J Clark, A/Executive Manager Legal Services, read aloud the Disclaimer and the Purpose of the Agenda Briefing Forum and then the Mayor advised that the meeting was being recorded for minute taking purposes and read aloud the following Affirmation of Civic Duty and Responsibility.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Elected Members and Officers of the City of Melville. We collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the City's Code of Conduct and Standing Orders to ensure the efficient, effective and orderly decision making within this forum.

AGENDA BRIEFING FORUM NOTES

2. PRESENT

Cr C Schuster (Deputy Mayor) Applecross/Mount Pleasant

COUNCILLORS

Cr N Pazolli
Cr J Barton, Cr G Wieland
Cr C Robartson (From 6.50pm)
Cr M Woodall
Cr R Aubrey
Cr P Phelan, Cr L O'Malley
Cr N Foxtan, Cr T Barling

WARD

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

3. IN ATTENDANCE

| | |
|---------------------------------|---|
| Mr S Cope | A/Chief Executive Officer |
| Mr G Ponton | A/Director Urban Planning |
| Mr J Christie | Director Technical Services |
| Ms C Young | Director Community Development |
| Mr B Taylor | Manager Financial Services |
| Mr P Kellick | Manager Asset Management |
| Mr P Prendergast (Until 7.06pm) | Manager Statutory Planning |
| Mr M Scarfone (Until 7.06pm) | Planning Services Coordinator |
| Mr J Bird (Until 7.26pm) | Manager Parks & Environment |
| Mr J Clark | A/Executive Manager Legal Services |
| Mr N Fimmano | A/Governance and Compliance Program Manager |

At the commencement of the meeting there were two members from the public and no member from the Press in the Public Gallery.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE**4.1 APOLOGIES**

His Worship the Mayor, Russell Aubrey
Cr Robartson for late arrival

4.2 APPROVED LEAVE OF ABSENCE

| | |
|---------------|-------------------------|
| Cr D Macphail | City Ward |
| Dr S Silcox | Chief Executive Officer |

5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) AND DECLARATIONS BY MEMBERS**5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPERS PRESENTED BEFORE THE MEETING.**

Nil

5.2 DECLARATIONS BY MEMBERS WHO HAVE RECEIVED AND NOT READ THE ELECTED MEMBERS BULLETIN.

Nil

6. QUESTION TIME**6.1 Melville Ratepayers and Residents Association**

We understand the City's Mayor Aubrey, Chief Executive Officer Silcox and possibly other City representatives recently participated in a South West Group tour/business trip (Tour).

Question 1

Please confirm

Which City representatives (elected members and/or officers) participated in the Tour?

Response

The Chief Executive Officer, Mayor Aubrey and Director Urban Planning attended

Question 2

Who else participated in the Tour (South West Group and other Councils)?

Response

The Chief Executive Officers and Mayors from the other five member Councils, as well as a number of other officers (Directors, Managers) including the Director South West Group.

6.1 Melville Ratepayers and Residents Association ContinuedQuestion 3

The Tour's objectives and itinerary?

Response

This question was taken on notice.

Question 4

Who funded the trip, the South West Group, the City direct or some other body?

Response

The South West Group is funded by the six member Councils (Cockburn, East Fremantle, Fremantle, Kwinana, Melville and Rockingham)

Question 5

The amount spent by each of the City's participants, breaking down expenditure into airfares, accommodation, meals and other incidental expenses?

Response

This question was taken on notice.

Question 6

Has the Mayor or other participants prepared a Tour report?

Response

The Director South West Group has prepared a tour report, which is referred to the board for feedback before finalisation

Question 7

Has the Tour report been provided to other Councillors?

Response

The tour reports are made available on the South West Group website

Question 8

When will the Tour report be made available to Residents and Ratepayers?

Response

The tour reports are made available on the South West Group website.

6.1 Melville Ratepayers and Residents Association ContinuedQuestion 9

If someone other than the City funded the Tour did elected members declare it?

Response

This question was taken on notice.

Question 10

How much funding does the City provide to the South West Group annually?

Response

This question was taken on notice.

Question 11

What is the basis of the City's funding of the South West Group, that is who and how is annual funding requirements determined?

Response

This question was taken on notice.

Question 12

What has been the total cost, broken down to key element, to the City (City Councilors and Officer time and expenses and direct funding) of participation in the South West Group over the past 3 years?

Response

This question was taken on notice.

Question 13

What are the quantified benefits derived from the City's participation in the South West Group over the past 3 years; that is what is the cost/benefit to the City's Residents and Ratepayers?

Response

This question was taken on notice.

7. DISCLOSURE OF INTEREST

Item T16/3695 – Cr Schuster - Review of the City of Melville Commercial Waste Business
– Interest under the Code.

8. DEPUTATIONS

NIL

9. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

10. 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 6.30pm 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 Presiding member 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 deputation must relate to a report on the meeting agenda.

- (a) Notice of a request for deputation must be in writing and include the name, office and contact details of members of the deputation and be forwarded to the Chief Executive Officer, by either **Mail** at Locked Bag 1, Booragoon WA 6954, **Email** at deputations@melville.wa.gov.au or **Fax** on 9364 0285 by 9.00am on the Monday prior to the meeting.
- (b) The request should be received at least two working days before the meeting and a response will be given by the Governance and Compliance Program Manager. If approved the G&CPM will respond to the email and include as attachments the "Guidelines and Protocols" document and the "purpose of the Agenda Briefing Forum".
- (c) A deputation may comprise a maximum of three people of which only two may speak.
- (d) An outline of the points to be made in addressing the Council, Agenda Briefing Forum or the Committee must be submitted in writing by 9.00am on Monday prior to the meeting.
- (e) The person/s requesting the deputation will be required to advise the main points they wish to make in a given time of 10 minutes (dot points are fine).
- (f) The representatives of the deputation will be met in the Council Chamber of the Civic Centre by a Council Officer 10 minutes prior to the commencement of the meeting.
- (g) 20 hardcopies of the presentation will be required if a copy of the presentation is to be distributed to Elected Members and staff.
- (h) 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.
- (i) The deputation period, including the time allowed for the questions and answers from Members of the Committee, should not exceed 15 minutes, of which 10 minutes is for the presentation and five minutes is for question time, unless the Council grants an extension of time.
- (j) 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 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.

11. AGENDA ITEMS FOR PRESENTATION

| | |
|-----------------|---|
| P16/3704 | Review of Council Policy CP-085 Provision of Public Art in Development Proposals |
| | <p>OFFICER PRESENTATION Mark Scarfone – Planning Services 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> |

| | |
|-----------------|---|
| P16/3706 | The Implementation of Public Art in The Melville City Centre Structure Plan Area |
| | <p>OFFICER PRESENTATION Mark Scarfone – Planning Services 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 6.50pm Cr Robartson entered the meeting.

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|-----------------|--|
| M16/5477 | Review of City of Melville Delegated Authority Manual |
| | <p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Program Manager</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. Mr Clark advised that an administrative amendment would be made to DA-020 to delete reference to the Manager Building and Environmental Health Services.</p> |

| | |
|-----------------|--|
| M16/5485 | Salaries and Wages Tribunal – Elected Member Fees, Expenses and Allowances |
| | <p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Program Manager</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that they be provided with information as to which year prior to 2013 was the allowance for Elected Members increased to \$7000.</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p> |

| | |
|-----------------|---|
| M16/5000 | Common Seal Register |
| | <p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Program Manager</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> |

| | |
|-----------------|---|
| C16/5484 | Policy Review – Corporate Services |
| | <p>OFFICER PRESENTATION– IF REQUESTED Bruce Taylor – Manager Financial Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested confirmation that clause 1.9 of CP-008 Financial Sustainability Forward Financial Planning And Funding Allocation had been actioned in respect to the 2014/2015 and 2015/2016 Budgets</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p> |

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|-----------------|--|
| C16/6096 | Supply and Installation of Irrigation Systems in the City of Melville C017/15 |
| | <p>OFFICER PRESENTATION– IF REQUESTED Bruce Taylor – Manager Financial Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p> |

| | |
|-----------------|--|
| C16/6097 | Endorsement of Differential General Rating Advertisement |
| | <p>OFFICER PRESENTATION – IF REQUESTED Bruce Taylor – Manager Financial Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM Elected Members requested that they be provided with information on the impact on rates if the proposed differential rates are applied to the current valuations.</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p> |

| | |
|-----------------|---|
| C16/6000 | Investment Statements for March 2016 |
| | <p>OFFICER PRESENTATION – IF REQUESTED Bruce Taylor – Manager Financial Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p> |

| | |
|-----------------|--|
| C16/6001 | Schedule of Accounts Paid for March 2016 |
| | <p>OFFICER PRESENTATION – IF REQUESTED Bruce Taylor – Manager Financial 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> |

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|-----------------|---|
| C16/6002 | Statements of Financial Activity for March 2016 |
| | <p>OFFICER PRESENTATION – IF REQUESTED Bruce Taylor – Manager Financial Services</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Nil</p> <p>NOTES FROM FORUM No discussion took place regarding the item and officer recommendation.</p> |

At 7.40pm Cr Robartson moved, seconded Cr Phelan –

That the meeting be closed to the public to permit discussion on confidential matter (Item T16/3695 – Confidential Item - Review of the City of Melville Commercial Waste Business covered under section 5.23 (2) (c) of the *Local Government Act 1995*.

At 7.40pm the Deputy Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

12. CONFIDENTIAL ITEM

| | |
|-----------------|--|
| T16/3695 | Confidential Item - Review of the City of Melville Commercial Waste Business |
| | <p>OFFICER PRESENTATION Paul Kellick – Manager Asset Management</p> <p>DEPUTATION/PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Cr Schuster - Review of the City of Melville Commercial Waste Business – Interest under the Code</p> <p>NOTES FROM FORUM</p> <p>Elected Members requested additional information on the impacts of the National Competition Policy and Competitive Neutrality Principals if applied.</p> <p>This information will be provided to Elected Members in the Elected Members Bulletin.</p> <p>General discussion took place regarding the item and officer recommendation.</p> |

At 7.53pm Cr Aubrey moved, seconded Cr Phelan –

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

At 7.53pm the Deputy Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

13. CLOSURE

There being no further business to discuss, the Deputy Mayor closed the Agenda Briefing Forum at 7.54pm.