

AGENDA BRIEFING FORUM

HELD ON

TUESDAY 3 APRIL 2018

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 April 2018

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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 April 2018 commencing 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, Governance and Compliance Advisor, 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.

Purpose of Agenda Briefing Forum

The purpose of this Forum is to provide an opportunity for Elected Members to ask questions and obtain additional information in respect to reports and items on the attached Council Agenda. It is not a decision making forum, nor is it open for debate on matters. Members of the public are able to make submissions or present deputations in respect to matters on the draft Council Agenda at this Forum, prior to matters being formally deliberated upon at the next Ordinary Council Meeting.

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 Meeting Procedures Local Law to ensure the efficient, effective and orderly decision making within this forum.

2. ELECTED MEMBERS PRESENT

His Worship the Mayor R Aubrey

COUNCILLORS

Cr M Woodall (Deputy Mayor)
Cr C Robartson
Cr N Pazolli, Cr S Kepert
Cr T Barling, Cr N Robins
Cr J Barton; Cr G Wieland
Cr D Macphail, Cr K Mair
Cr P Phelan, Cr K Wheatland

WARD

Bull Creek - Leeming
Bull Creek - Leeming
Applecross - Mount Pleasant
Bateman - Kardinya - Murdoch
Bicton - Attadale – Alfred Cove
Central
Palmyra - Melville - Willagee

3. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr S Cope	Director Urban Planning
Mr M Tieleman	Director Corporate Services
Mr M McCarthy	Director Technical Services
Ms C Young	Director Community Development
Mr L Hitchcock	Executive Manager Governance and Legal Services
Mr B Taylor	Manager Financial Services
Mr G Ponton (until 7:17pm)	Manager Strategic Urban Planning
Mr J Clark	Governance and Compliance Advisor
Ms C Newman	Governance Coordinator
Ms J Head	Governance Officer

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

The Mayor acknowledged the attendance of Mr Brown, Mr McGovern and Ms Kania, representatives of WALGA.

At 6.31pm Cr. Phelan entered the meeting.

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

Nil.

4.2 APPROVED LEAVE OF ABSENCE

Nil.

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. PUBLIC QUESTION TIME

Nil.

7. DISCLOSURE OF INTEREST

- Item C18/5610 – Legal Representation Policy, Elected Members and Staff
Cr M Woodall, Deputy Mayor
- Item C18/5610 – Legal Representation Policy, Elected Members and Staff
Dr S Silcox, CEO
- Item C18/5610 – Legal Representation Policy, Elected Members and Staff
Mr L Hitchcock, Executive Manager Governance and Legal Services
- Item C18/5610 – Legal Representation Policy, Elected Members and Staff
Ms C Newman, Governance Coordinator

8. DEPUTATIONS

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 is 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, Meeting Procedures Local Law 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 Meeting Procedures Local Law 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 Advisor (G&CA). If approved, the G&CA 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) Hardcopies of the presentation will be required if a copy of the presentation is to be distributed to Elected Members and staff (20 copies).
- (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.

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 CEO 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 CEO before a meeting then -

- (a) Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
- (b) At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before the matters to which the disclosure relates are discussed.

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

P18/3779	Review of Canning Bridge Activity Centre Plan – Update
	<p>OFFICER PRESENTATION Steve Cope – Director Urban Planning Gavin Ponton – Manager Strategic Urban Planning</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> <p>The CEO undertook to provide further information in the Elected Members Bulletin in support, or otherwise, of the construction of apartments without carbays.</p>

Disclosure of Interest

Item No.	C18/5610
Officer	Cr M Woodall
Type of Interest	Financial Interest
Nature of Interest	Employee at Law Firm on WALGA Panel
Request	Leave
Decision of Council	Not applicable
Item No.	C18/5610
Officer	Dr S Silcox, CEO
Type of Interest	Financial Interest
Nature of Interest	Preparation of Report and Presentation of Information (s5.70)
Request	Stay and discuss
Decision of Council	Not applicable
Item No.	C18/5610
Officer	Mr L Hitchcock, Exec Manager Governance and Compliance
Type of Interest	Financial Interest
Nature of Interest	Preparation of Report and Presentation of Information (s5.70)
Request	Stay and discuss
Decision of Council	Not applicable
Item No.	C18/5610
Officer	Ms C Newman
Type of Interest	Financial Interest
Nature of Interest	Preparation of Report and Presentation of Information (s5.70)
Request	Stay and discuss
Decision of Council	Not applicable

7.17pm Cr Woodall left the meeting and returned at 7.57pm

7.17pm Mr Ponton left the meeting and did not return

M18/5610	<p>Legal Representation Policy, Elected Members and Employees</p> <p>OFFICER PRESENTATION – IF REQUESTED Louis Hitchcock – Executive Manager Governance and Legal Services</p> <p>DEPUTATION PRESENTATION/S Nil</p> <p>DISCLOSURE OF INTEREST Cr M Woodall, Deputy Mayor Dr S Silcox, CEO Mr L Hitchcock, Exec Manager Governance and Legal Services Ms C Newman, Governance Coordinator</p> <p>NOTES FROM FORUM General discussion took place regarding the item and officer recommendation.</p> <p>The CEO undertook to provide further information in the Elected Members Bulletin on recent expenditure under the current policy.</p>
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M18/5000	Common Seal Register
	<p>OFFICER PRESENTATION – IF REQUESTED Jeff Clark – Governance and Compliance Advisor</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 7:57pm Cr Wheatland left the meeting and returned at 7:59pm.

C18/6158	Review of Council Policy CP-023 Procurement of Products and Services
	<p>OFFICER PRESENTATION – 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>

C18/6000	Investment Statements for February 2018
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate 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>

C17/6001	Schedule of Accounts Paid February 2018
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate 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>

C17/6002	Statements of Financial Activity for February 2018
	<p>OFFICER PRESENTATION – IF REQUESTED Marten Tieleman – Director Corporate 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>

11. CLOSURE

There being no further business to be discussed, His Worship the Mayor declared the meeting closed at 8.14pm.