



AGENDA FORUM  
MINUTES

16 JULY 2013

## Departmental Guideline for Agenda Forums

### Council Forums

Local government forums range from a once-only event to discuss and explore a particular issue, a number of sessions to address matters such as a specific project or the compilation of a report for internal or external use, through to forums held at regular intervals with a consistent structure and objectives.

Regular forums run in local governments exhibit two broad categories which we have titled *agenda* and *concept*. They are differentiated by the stage of development of issues which are discussed by elected members and staff. The two types are described below along with the variations in procedural controls and processes suggested for each.

### Agenda Forums

For proper decision-making, elected members must have the opportunity to gain maximum knowledge and understanding of any issue presented to the Council on which they must vote. It is reasonable for elected members to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next or following ordinary Council meetings. The complexity of many items means that elected members may need to be given information additional to that in a staff report and/or they may need an opportunity to ask questions of relevant staff members.

Many local governments have determined that this can be achieved by the elected members convening as a body to become better informed on issues listed for council decision. Such assemblies have been termed *agenda forums*. It is considered they are much more efficient and effective than elected members meeting staff on an individual basis for such a purpose with the added benefit that all elected members hear the same questions and answers.

To protect the integrity of the decision-making process it is essential that *agenda forums* are run with strict procedures.

There must be no opportunity for a collective council decision or implied decision that binds the local government to be made during a forum.

Agenda forums should be for staff presenting information and elected members asking questions, not opportunities to debate the issues. A council should have clearly stated rules that prohibit debate or vigorous discussion between elected members that could be interpreted as debate. Rules such as questions through the chair and no free-flowing discussion between elected members should be applied.

### Procedures Applying to Both Concept and Agenda Forums

The Department recommends that councils adopt a set of procedures for both types of forums which include the following:

- Dates and times for forums should be set well in advance where practical;

- The CEO will ensure timely written notice and the agenda for each forum is provided to all members;
- Forum papers should be distributed to members at least three days prior to the meeting;
- The mayor/president or other designated elected member is to be the presiding member at all forums;
- Elected members, employees, consultants and other participants shall disclose their financial and conflicts of interest in matters to be discussed;
- Interests are to be disclosed in accordance with the provisions of the Act as they apply to ordinary council meetings. Persons disclosing a financial interest will not participate in that part of a forum relating to their interest and leave the meeting room;
- There is to be no opportunity for a person with an interest to request that they continue in the forum; and
- A record should be kept of all forums. As no decisions will be made, the record need only be a general record of items covered but should record disclosures of interest with appropriate departures/returns.

### Procedures Specific to Agenda Forums

The Department recommends that councils adopt specific procedures for *agenda forums* which include the following:

- Agenda forums should be open to the public unless the forum is being briefed on a matter for which a formal council meeting may be closed; and
- Items to be addressed will be limited to matters listed on the forthcoming agenda or completed and scheduled to be listed within the next two meetings (or period deemed appropriate).

## Meeting Record

<b>Meeting Name</b>	<b>Agenda Forum</b>	<b>Meeting No.</b>	7 - 2013
<b>Meeting Date</b>	16 July 2013		
<b>Meeting Time</b>	5.30pm		
<b>Meeting Location</b>	Chambers, Cathedral Avenue		
<b>Attendees</b>	Present: Mayor I Carpenter Cr R Ashplant Cr J Clune Cr P Fiorenza Cr N Messina Cr R deTrafford Cr T Thomas Cr N Mcllwaine  Officers: K Diehm, Chief Executive Officer M Connell, A/Director of Sustainable Communities C Wood, Director of Organisational Performance B Davis, Director of Treasury & Finance A Selvey, Director of Creative Communities N Arbuthnot, Director of Community Infrastructure A Seaman, Executive Support Secretary  G Sherlock, Operations Manager, Operational Works A Duff, Land Development Engineer, R Smallwood, Manager Economy, Innovation & Technology	<b>By Invitation Member of Public Press</b>	0 1
		<b>Leave of Absence</b>	Cr N Bennett Cr S Van Styn
		<b>Apologies</b>	Cr I Middleton Cr D Brick Cr C Gabelish Cr R Hall P Melling, Director of Sustainable Communities
		<b>Absent</b>	Cr R Ramage
		<b>Distribution</b>	

### 1 Declaration of opening

The Presiding Member declared the meeting open at 5.30pm.

### 2 Apologies/leave of absence (previously approved)

#### Existing Approved Leave

<b>Councillor</b>	<b>From</b>	<b>To (inclusive)</b>
Cr N Bennett	27 June 2013	22 July 2013
Cr S Van Styn	27 June 2013	15 September 2013
Cr N Mcllwaine	1 July 2013	17 July 2013
Cr C Gabelish	23 July 2013	23 July 2013
Cr T Thomas	1 August 2013	2 September 2013
Cr R deTrafford	5 August 2013	11 August 2013
Cr D Brick	7 August 2013	2 September 2013

### 3 Declarations of conflicts of interest

Cr R deTrafford declared a direct financial interest in Item SC111 Final Adoption of the Geraldton Health, Education & Training Precinct Master Plan as he works for a key stakeholder CUCRH.

### 4 Review of the Agenda Items for the forthcoming Ordinary Meeting of Council dated 23 July 2013.

Please Note that this forum does not allow for debate or decision making on any item within this agenda. Briefings will be given by staff or consultants for the purpose of ensuring that elected members and the public are more fully informed

The Presiding Member will call each Report in the Agenda and open the floor to deputation, questions and statements.

Members of the public may verbally ask make presentations or ask questions on the item relating to the Draft Report to Council, subject to the provision in writing of the statement or question on the prescribed form.

Councillors may ask questions (strictly no debating) relating to each item as it is called the Presiding member.

There is no general public questions or statements permitted on matters not contained in the set agenda Council Agenda Forum. Any Questions relating to general matters or matters not in the agenda of the current Council Agenda Forum should be asked at Public Question time at an Ordinary Meeting of Council.

### **Petitions, Deputations or Presentations**

Nil.

### **Significant Strategic Matters**

**OP0052 Greater Geraldton Economic Development Strategy 2013-2023**

Nil.

### **SC110 Final Adoption of the Glenfield Beach Local Structure Plan**

#### Question

Cr Clune referred to the fire management plan in the attachment and questioned the need to investigate the Drummond Cove area as it is not in the fire district area.

Response

M Connell advised that the he will take this question on notice.

*The response to the question taken on notice is now provided below:*

The fire district boundaries are set by the Department of Fire and Emergency Services and the City is continually in discussion with the Department regarding the boundaries and areas not currently covered.

Question

Cr McIlwaine asked if the plan was taken to the recent Sunset Beach meetings

Response

M Connell advised that it wasn't.

Question

Cr McIlwaine asked for a Summary of the history and background of the Lot 1001.

Response

M Connell provided the following background in terms of flooding and proposed use of the land.

Land to the north of Glenfield Beach Drive – Lot 1001, is proposed as a special use site for a lifestyle type village with associated recreational facilities. During the advertising period issues were raised regarding flooding of the site. Previously there has been a flooding event on the southern side of the Bayside Estate which required drainage pipes and pits to be vacuumed. As a result the western edge of the Dolby Creek to the north was then rock-pitched creating a channel for the water.

The attachment shows a series of lines that represent where the proponent, the Department of Water and City's desired edge of development should be.

Question

Cr McIlwaine referred to the last page of the attachment referring to the large sand stockpile and asked if it is it an unapproved dump?

Response

M Connell advised that he was not aware of any approvals given to stock pile that

A Duff added that the City has had concerns regarding the stockpile and that it is taking up approximately 4ha of land that was previously part of the flood plain area.

Question

Cr McIlwaine asked if the structure plan addresses the issues council are not happy with.

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Response

M Connell advised that the recommendations contained in the schedule of submissions will address the City's concerns. If the development is limited to the line that the City believes is the floodplain area then no further modelling is required, however if this line is not approved then the City's recommendation is for new modelling to be undertaken.

Question

Cr McIlwaine felt that this was missed as a strength in the document.

Response

M Connell advised that it is included in the recommendations contained in the schedule of submissions.

Question

Cr McIlwaine asked if the structure plan had been updated with the City's recommended changes.

Response

M Connell advised that the City is only making recommendations, The WA Planning Commission makes the final decision. The City is required to submit the advertised version of the Structure Plan to the WAPC along with recommended changes. The WAPC will then ultimately decide if the Structure Plan should be changed.

Question

Cr McIlwaine sought clarification on the executive recommendation.

Response

M Connell advised that part 1 determines each submission received and what should be done with regard to those submissions. Uphold, note and dismiss. Part 2 then adopts the structure plan subject to the changes recommended in the schedule of submissions.

Question

Cr Clune referred to Lot 1001 and DEC advice of acid sulphate soils. There is a struggle to get any vegetation on the site and it is recommended to leave it as is. He asked if this a problem.

Response

M Connell advised that the line the City is proposing to limit development captures the floodplain and the land identified as medium to high acid sulfate soils risk.

The Mayor advised that acid sulphate soils are only a problem if it is dug up and asked M Connell if that was correct.

Response

M Connell advised yes.

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Question

Cr McIlwaine noted the comment regarding Department of Education and possible co-sharing of school ovals and the fact that this has not happened with Derna Park.

Response

N Arbutnot advised that the Department of Education and the City had originally intended to co-share the Derna Parade Park Oval, however the Education Department has changed its standards for ovals and conditions of use. The Education Department requires full view open space areas not heavily planted, the City is currently discussing options with the Education Department regarding possible co-sharing as the Education Department propose an oval and bores to be constructed within the Education Department land parcel. It is understood that the current oval provided at Derna Parade Park does not meet standards required by the Education Department. The Education Department is also requires exclusive use during school hours, further to this there is no fencing currently around Derna Parade Park which would permit uncontrolled entry/exit during use by the Education Department.

M Connell further advised that co sharing of school ovals and public open space is still promoted through the planning process however there were issues to be resolved including the requirement for the schools to have exclusive use of the open space during school hours.

Question

Cr McIlwaine – noted the promotion of co-sharing through the planning system but raised the issue that in the sporting futures report it was highlighted that junior sport can go on school ovals and perhaps it is something that need works on with the City and the Department of Education.

**SC111 Final Adoption of the Geraldton Health, Education & Training Precinct Master Plan**

*Cr deTrafford declared a direct financial interest in Item SC111 Final Adoption of the Geraldton Health, Education & Training Precinct Master Plan as he works for a key stakeholder CUCRH and left Chambers at 5.48pm.*

Question

Cr McIlwaine asked if the document is a vision.

Response

M Connell advised it is a master plan with a high level of detail, a broader concept.

Question

Cr McIlwaine asked what is next after council approve the recommendation for the vision.

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### Response

The Mayor advised that In terms of what the City will achieve is a better place that is properly planned. The Mid West Development Commission is funding the investigation. Issues in the past has been multi ownership in the area between health, education, Durack and so on. Those groups are now getting together.

The City hopes that there will be a good outcome ensuring that it is properly planned out.

*Cr deTrafford returned to Chambers at 5.51pm.*

### **SC112 Final Adoption of Town Planning Scheme Amendment – ‘Industry Service’ and ‘Industry General’, Wonthella**

#### Question

Cr McIlwaine asked that when recent works happened in Flores Road South the City spent time upgrading Bradford Street to be used as a diversion/bypass while the Flores Road was being upgraded. He noted that this was being graded and dug and asked if there is a plan what for Bradford Street and if so what the plan is.

#### Response

N Arbuthnot advised that at this stage there are no formal plans for that section of Bradford Street.

#### Question

Cr McIlwaine added that if there are no plans for that and this item was approved and the developer wanted to go ahead with it, would it be the City's responsibility to get a road to his block?

#### Response

N Arbuthnot advised not necessarily, the developer could be required to pay the Council to have that road constructed. In terms of the construction a developer contribution wouldn't be out of the question.

The Mayor sought clarification that Bradford Street runs parallel to Flores road, which is correct. He advised Council that he was recently asked a question about the area about the little bypass road was across to Flores Road during construction, and asked if that could be opened up. It was determined that it couldn't be as it runs across the railway reserve, therefore the City has no control over it.

The longer term plan is that Bradford Street will continue down to 8<sup>th</sup> Street and that is where drivers will be able to get back onto Flores Road again. The idea for this was to stop a 'rabbit run' by coming off Place Road and entering the Webberton Industrial Park, around the corner and straight across the other way to miss the lights.



Question

Cr Mcllwaine added that this is a concern to the Wonthella residents; the road prior to it being used as a temporary bypass was a fairly rudimentary gravel road and caused dust in morning being blown across road.

Cr Mcllwaine asked that in future planning we need to formalise whether it is going to be a road and get it in the system, or do we need to block or stop the access.

Response

The Mayor advised Cr Mcllwaine that the area belongs to the Public Transport Authority (PTA).

Cr Mcllwaine noted that the Mayor was talking about the link between Bradford Street and Flores Road, he clarified that he was talking about Bradford Street itself.

Response

The Mayor noted this.

Question

Cr Mcllwaine noted that the City has Town Planning Scheme 3; Wonthella Zone Industrial development scheme plan; Regional plan and there is a new proposed CGG scheme which council have been advised that we are now working towards. How do they fit together?

Response

M Connell advised that there are four operational town planning schemes; which will go when the new Town Planning Scheme 1 for the City of Greater Geraldton is implemented.

Currently there are two local planning strategies, one from Mullewa and one for the former Shire of Greenough. The former City of Geraldton doesn't have a local planning strategy.

The plan is to replace Mullewa and Greenough's with a brand new local planning strategy for the City of Greater Geraldton.

The Strategy sets out the aims and directions. The scheme is the delivery, which is a legal requirement.

The Geraldton Region plan is the overarching regional plan, not just for Geraldton, but also parts of Chapman Valley and extends through to Mullewa.

Question

Cr Mcllwaine asked about the next 12 months, and say that this block might be available to build on, which Scheme do you go to.

Response

M Connell advised town Planning Scheme No. 3.

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**Audit and Risk Management**

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Nil.

**Strategic & Policy Matters**

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Nil.

**Operational Matters**

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**OP0053 Councillors Fees and Allowances**Question

Cr McIlwaine asked if the Executive Recommendation could give some consideration to a point 7 to include *that a review if and when the total number of the council is reviewed or reduced.*

Response

The CEO advised that this was possible and would be taken into consideration.

The Mayor noted that that these are reviewed on an annual basis. Each time Council passes a budget the allowances paid to council are also confirmed to the Mayor and Councillors. If there was to be a reduction in the number of Councillors it would probably done in October each year.

**OP0054 Delegations to the Chief Executive Officer**Question

Mayor referred to a question he asked the CEO that the Mayor still need to be a co-signatory when the common seal is affixed and the answer was yes.

**CC116 Appointment of Committee Members to the Public Arts Advisory Committee**

Nil.

**CI053 RFT71 1213 Construction of Concrete Pathways, Kerbing and Paving**Question

Cr McIlwaine noted that this item was deferred from the June meeting and asked if the glitches regarding the electronic tender process had been rectified.

Response

C Wood advised that the system had been rectified so there is no confusion as to where to put tender documents.

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## Reports To Be Received

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<i>Reports of Treasury and Finance</i>	
TF074	Confidential Report – List of Accounts Paid Under Delegation for the Period Ending 30 June 2013
<i>Reports of Sustainable Communities</i>	
SCDD076	Delegated Determinations
<i>Reports of Creative Communities</i>	
CC117	Reconciliation Committee Meeting Minutes – 3 May 2013
CC118	Public Art Advisory Committee Meeting Minutes – 19 June 2013
CC119	Geraldton Regional Art Gallery Meeting Minutes – 19 June 2013

### Question

Mayor Ian Carpenter referred to Report CC119 Geraldton Regional Art Gallery Meeting Minutes – 19 June 2013 and asked that the attendance figures, as noted in the minutes, be sent to Council.

### Response

A Selvey advised that they would be provided to Councillors.

### **5 Councillor Questions Without Notice**

Nil.

### **6 Confidential Business**

Nil.

### **7 Meeting closure**

There being no further business the Chairman closed the Agenda Forum meeting at 6.02pm.

**APPENDIX 1 – ATTACHMENTS AND REPORTS TO BE RECEIVED**

Attachments and Reports to be Received are available on the City of Greater Geraldton website at: <http://www.cgg.wa.gov.au/your-council/meetings>

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