



FOR PUBLIC RE...

'GENDA

AGENDA FORUM
MINUTES

17 APRIL 2012

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 Minutes

Meeting Name	Agenda Forum	Meeting No.	5 - 2012
Meeting Date	17 April 2012		
Meeting Time	5.30pm		
Meeting Location	Chambers, Edward Road		
Attendees			
Mayor Ian Carpenter Cr R Ashplant Cr N Bennett Cr D Brick Cr B Hall Cr C Gabelish Cr J Clune Cr P Fiorenza Cr N Messina Cr I Middleton Cr T Thomas Cr S Van Styn Cr R Ramage	By Invitation		
	Member of Public	2	
	Press	1	
	Leave of Absence	Cr N McIlwaine	
	Apologies	Cr G Bylund A Brun, Chief Executive Officer B Davis, Director of Commercial Enterprises	
	Absent		
Officers: P Melling, Director of Sustainable Communities (Acting for Chief Executive Officer A Brun) C Wood, Director of Corporate Services A Selvey, Director of Creative Communities N Arbutnot, Director of Community Infrastructure M Adam, EA for the Department of Commercial Enterprises K Elder Senior Strategic Planner (Acting for M Connell Manager Town Planning) K Seidl, Manager Community Law and Safety Craig Wing, Chief bushfire control officer D Gibson, Senior building surveyor	Distribution		

1 Declaration of opening

Mayor I W. Carpenter opened the meeting at 5.30pm

2 Apologies/leave of absence (previously approved)

Existing Approved Leave

April	From	To (inclusive)
Cr N McIlwaine	16 April 2012	22 April 2012
Cr T Thomas	23 April 2012	30 April 2012

3 Declarations of conflicts of interest

Nil

4 Presentations

Presenter	Details	Agenda Item Reference
Debbie Woods, Geraldton Regional Aboriginal Medical Service	CE30 - Amalgamation of reserves – Geraldton Regional Aboriginal Medical Service (GRAMS) and combined university's centre for rural health (CUCRH) and the proposed dedication of Howes Street as a Private Road	CE038
Rich Maslen, Volunteer Fire brigade	CC055 Fire Responsibilities in the City of Greater Geraldton	CC055

5 Public Questions Nil

6 Review of the Agenda Items for the forthcoming Ordinary Meeting of Council dated 24 April 2012

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 deputations, questions and statements from the Public on that specific matter.

Members of the public may verbally 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 permitted) relating to each item as it is called by the Presiding member.

General public questions or statements are not permitted on matters which are not contained in the set agenda for the 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.

Significant Strategic Matters

Nil.

Audit And Risk Management

CC055 Fire Responsibilities in the City of Greater Geraldton

Question

Cr Bennett enquired as to the funding for the position and whether an addition could be added to the recommendation to include a request for the City to raise the Fire and Emergency Services levy to accommodate the extra cost of the resources?

Response

Manager Community Law and Safety advised that the City does not have the delegation to raise the emergency services levy. However there may be other funds which council could make application for.

Response:

Mayor Ian Carpenter advised that FESA sets the emergency services levy annually. The levy would need to be raised State Wide if deemed necessary to provide for additional staff.

Question

Cr Clune noted that there are very few brigades around the Geraldton Region. He requested clarification that the funding for the new position would be 50 - 50 CGG and FESA. He asked whether SES is part of the role. Cr Clune asked when the last meeting of the bushfire advisory committee was held as he had not received an invitation.

Response:

Manager Community Law and Safety responded that there are seven brigades in Mullewa and four in Geraldton a total of eleven. The meeting of the bushfire advisory committee was two weeks ago. The process of sending Invitations to councillors will be followed up.

Question:

Cr Clune asked why City staff had not attended any fire courses within the last three years. He enquired whether the total revenue from the Fire and Emergency Services levy (collected with the rate notices) was returned to the City. With regard to the proposed new position Cr Clune asked whether the City was confident in the ability to obtain employees for part time fire officer roles.

Response:

Manager Community Law and Safety advised that the Chief Bushfire control officer had attended a number of fire safety courses. With Regard to the concern that there has been no fire hydrant training, he advised that this matter was being attended to.

Response:

Mayor Ian Carpenter advised that the questions regarding this matter will be taken on notice. A Briefing note will be prepared. The information on the return of emergency services levy to the City will be included in the briefing note.

Question

Cr Middleton enquired whether the item being discussed required Council to approve funding for an additional staff member and whether the new position will be responsible for ensuring that the council's meets its responsibilities.

Response:

Manager Community Law and Safety outlined the current staffing arrangements and the role and funding for Fire prevention staff and equipment.

Question

Cr Van Styn asked whether there is an FTE limit which was approved by Council a couple of years ago. And if there is a limit whether the new position will be an additional FTE? He questioned whether the FTE could be transferred from another area?

Response:

Director of Sustainable Communities advised that as part of the City's administrative process the cap applies to the number of FTE's (full time employees). He advised that from time to time a situation may arise whereby an additional FTE is required. When this occurs a request is made to Council on the merits/ justification for the position. He added that the Executive team review every position that becomes vacant to ensure that it is necessary for operational requirements prior to commencing a recruitment process and positions do transfer between work areas to fill a need.

Response:

Cr Messina advised that the local fire brigades do not receive funds for staffing. Income received is for the fire equipment.

Question

Cr Gabelish asked a number of Questions relating to recommendations from the Keelty report and their relationship to the council item. Cr Gabelish requested confirmation that the links made between the report and the agenda item represented a bushfire responsibility for the City. He also asked for clarification on the approximate timeframe for the completion of the servicing of the fire hydrants detailed in the presentation by Rich Maslen. Cr Gabelish asked whether the additional funding request in the Council item would be sufficient given the time that it will take to service the fire hydrants in addition to the other duties outlined for the new position.

Response:

Mayor Ian Carpenter advised that the question would be taken on notice and answered in the briefing note by K Seidl Manager Community Law and Safety

Response

K Seidl Manager Community Law and Safety advised that the allocation of the Emergency Services Levy was raised as a question at the WALGA forum.

Response

Cr Messina provided information regarding bush fire operations and the services and boundaries for fire services from the Mullewa area.

Response

C Wing, Chief Bushfire control officer provided details on fire services and fire response.

Question

Mayor Ian Carpenter asked when the responsibility for maintaining the fire hydrants was transferred to the City.

Response

R Maslen advised that servicing the fire hydrants had always been a responsibility for Local Government by law outside of the FESA areas.

Strategic Matters

SC043 Proposed Rescinding of the CBD West End Project Detailed area plan and design guidelines, Geraldton

Cr Ramage declared a Direct Financial Interest in Item SC043 as he an owner of the property in the area and left Chambers at 6.28pm.

Statement

The Director of Sustainable Communities advised that the developers had requested that the item be deferred as they would prefer more time. He advised that the City believes that the developers have had adequate time to date for their proposal.

Question

Cr Hall asked which properties were owned by Geraldton investments

Response

The Director of Sustainable Communities advised that the land owned by the developer includes the Blue Heelers hotel, a few shops, Radio Theatre, old stables and at least two properties on Lester Avenue.

Question

Cr Van Styn asked whether this item if approved if it would provide an opportunity for individual land owners to propose their own developments.

Response

The Director of Sustainable Communities advised that the City Centre Planning Policy covers the same area and individual lot owners will be able to use that document to guide development opportunities.

Question

Cr Gabelish asked whether any alternative proposals had been presented for other land areas

Response

The Director of Sustainable Communities advised that no other development concepts had been lodged though discussions were occurring.

Cr Ramage returned to Chambers at 6.33 pm

SC044 Proposed Town Planning Scheme Amendment – Development Rezoning Glenfield

Question

Cr Bennet asked whether there was an option for the relocation of the sewage treatment plant and whether there is a current proposal for boat launching facilities at Drummonds.

Question

Cr Brick asked whether there was a plan for a bike track.

Response

The Director of Sustainable Communities advised that Water Corporation plans are that the proposed Oakajee plant could service this area and would support the plants relocation as long as another party paid for it. The City does have a concern that further subdivisions may require the existing plant to be extended, it is the City's view that the new Oakajee plant should be constructed to service these additional areas. In relation to the Boat launching facilities the developer has not featured these facilities at this time as they are concerned at possible environmental implications for the rezoning. However any design could indicatively show such facilities subject to further assessment.

Operational Matters

SC042 Proposed Acquisition of public open space, Glenfield

Question

Cr Clune enquired whether there had been a survey of the flora of the land.

Question

What would be the likely outcome of a subdivision application in this area?

Response

Director of Sustainable Communities advised that Individual lots had not been investigated however the flora had been considered. Subdivision would not be supported for this area however a subdivision refusal could open up a claim for compensation, against the City. Further information will provided in a briefing note.

Question

Cr Bennet advised that any sale of land five acres or more will impact on a seller's federal government pension. Cr Bennet asked whether the public would have access to the land.

Question

Cr Gabelish asked why a rabbit proof fence was necessary and the cost of the fence. Why has the item not been included in the budget review process? Is it the intention of the City to maintain 10% public open space allocation for a new subdivision?

Response

Director of Sustainable Communities advised that the proposed installation of a rabbit proof fence has been identified by the sustainability team and would assist in controlling rabbits on the lot and lessen potential damage to vegetation and would cost \$7,000. The item has been tabled for consideration in the upcoming budget 2012/13 rather than via the budget review process as it was believed that this is the more appropriate method of dealing with the request.

Question

Cr Brick requested clarification on the area re the attached plan.

Question

Cr Middleton asked where the land was in relation to Rum Jungle.

Response

Director of Sustainable Communities advised that a plan of the land was included in the agenda attachments and that Rum Jungle was not near the area in question.

Question

Cr Van Styn asked why the reserve was to be named after the owner, whether there was a timeframe for collection of any monies from 10% cash in Lieu payments and was there any opportunity for offsetting the purchase by other City land sales in the vicinity?.

Response

Director of Sustainable Communities advised that the naming request came from the owner and is being presented to Council as part of the proposal. Landowners will be required to supply 10% land from subdivisions for public open space however the timeframe is developer driven. Regarding the offset sale of other land parcels the question will be taken on notice for the Director of Commercial Enterprises.

SC045 Delegation Authority for Building Officers

Question

Cr Gableish asked for clarification of the last few delegations – authorisation on use of force. Could there be a higher level authority for this delegation?

Response

The Senior Building Surveyor advised that the powers are gazetted in the Building Act however it is not foreseeable that the powers would be acted on.

The compliance officers and pool inspectors would request the assistance of the police or the relevant authority if they intended to enter a property.

Response

The Director of Sustainable Communities advised that if the Council wanted to amend the delegated officer component in the enforcement area then they can consider this as part of their deliberations.. Additional information will be provided within the report on the enforcement provisions contained the Act..

CC052 Parking in central Business District, Southern Boating area and Northgate Surrounds

Question

Cr Van Styn requested clarification on the intent of the recommendation as the wording is unclear.

Response

The Director of Creative Communities advised that the item relates to the required review of parking signage recommendations. The item seeks approval from the council to proceed with the review.

Response

The Manager of Community Law and Safety advised that the City has local laws which give the City authority to place signs and authorise parking rules within the City. The item is a request for the review of the signage.

Response

Mayor Ian Carpenter advised that the wording of the item when referenced to the attached map provides clarity to the recommendation but the Director will work through possible amendments to add clarity.

Question

Cr Middleton asked whether the recommendation could include a proposal to increase timed parking in areas.

Response

Mayor Ian Carpenter advised that an amendment could be added to the recommendation at the Council meeting next week.

Question

Cr Ramage asked what the colours on the attached plan represented.

Response

Mayor Ian Carpenter clarified the colour coding on the plan.

CC053 Dog Act Authorised Officer
Nil.

CC054 HMAS Sydney II Memorial Advisory Committee

Question

Cr Van Styn requested clarification on the recommendation.

Response

Mayor Ian Carpenter clarified the recommendation

CE037 Lease Tenure – Gordan Garratt Drive, Geraldton Airport

Question

Cr Ramage asked whether the advertising for the lease tenure from the Airport leases had been actioned.

Response

Comment was made by other Councillors that they had seen adverts in the local paper.

CE038 Amalgamation of reserves – Geraldton Regional Aboriginal Medical Service (GRAMS) and combined university's centre for rural health (CUCRH) and the proposed dedication of Howe's Street as a Public Road

Cr Van Styn declared an in direct interest in Item CE028 as he works as an Accountant for Carnarvon AMS and left Chambers at 7.20pm

Cr Hall declared a direct interest in Item CE028 as his wife works for CURCH and left Chambers at 7.20pm

Question

Cr Thomas asked whether a copy of the plan for the new additions to GRAMS could be provided to councillors.

Response

D Woods from GRAMS advised that the City had been provided with an electronic copy of the plan. This will be circulated to Councillors.

Question

Cr Gableish asked whether the increase in the lease area for GRAMS would reduce the area for public open space in Rangeway.

Question

Cr Bennett asked whether the ILAP report be reviewed.

Response

The Director of Sustainable Communities advised that public open space provision in Rangeway was being addressed in the public open space strategy currently being developed and Councillors would receive a report in due course on the strategy.

Cr Van Styn and Cr Hall returned to Chambers at 7.33pm

CE039 Aquarena maintenance & works requirements and 2012 Winter Closure proposal

Comment

The Director Corporate Services advised that Part B will be removed from the recommendation and that the recommendation will be solely to fund \$2 Million in the 2012/2013 budget.

Question

Cr Thomas asked whether the business proprietors at the Aquarena would be compensated for the loss of business during the closure.

Response

The Director of Sustainable Communities advised that clarification would be sought from Director of Commercial Enterprises regarding this question.

Question

Cr Middleton asked whether a corrosion expert had been consulted regarding pacification of erosion techniques and who was responsible for the building of the Aquarena centre.

Response

The Director of Community Infrastructure advised that the deterioration at the Aquarena was in excess of the remedies which would be provided by a corrosion expert. He advised that the Aquarena was built via a supply and install contract.

Response

Cr Bennet advised that Roberts Multiplex built the Aquarena and it was project managed by a contractor.

Question

Cr Van Styn asked whether it would be an option to close the indoor section of the centre and continue with the outdoor area alone.

Response

Mayor Ian Carpenter advised that this option had not been debated however an amendment to the recommendation could be made to this effect at the Council meeting next week.

Question

Cr Messina asked whether there are other buildings owned by the City which are also in serious disrepair.

Response

The Director of Sustainable Communities advised that an asset management program was in place however in the case of the Aquarena the City was faced with significant levels of refurbishment some of which had been held back to be undertaken as part of the major shutdown. In addition funds had been expended last year on boiler replacement etc.

Reports to be Received

<i>Reports of Corporate Services</i>	
CS062	List of Accounts Paid Under Delegation
CS063	Corporate Services - Monthly Financial Report March 2012
<i>Reports of Sustainable Communities</i>	
SCDD062	Delegated Determinations – Applications for Planning Approval
<i>Reports of Creative Communities</i>	
CC057	Australia Day 2012 Meeting Minutes
CC058	Geraldton Regional Art Gallery Meeting Minutes
CC059	Heritage Advisory Committee Meeting Minutes

7 Elected Members Motions Of Which Previous Notice Has Been Given

CC060 Recreation Ground Grand Stand

Question

Mr Caniglia asked whether the area in front of the Grandstand would be stabilised after the demolition.

The lighting is currently on top of the Grandstand what measures are to be taken to replace the lighting.

Response

Director of Community Infrastructure advised that the ground would be stabilised after demolition and the lighting replacement as part of the project.

Question

If the grandstand is removed and the ground not stabilised the change rooms may flood. There is a parapet wall between the change rooms and the grandstand, it is unstable and may collapse if the grandstand is demolished. Would the council consider demolishing the Grandstand and change rooms and providing transportable buildings in the interim?

Question

Cr Bennet asked for the GHD report and reports by Eastman and Polletti and previous council items.

Response

Mayor Ian Carpenter advised that reports would be provided as requested.

Question

Cr Fiorenza asked why there was no back-up plan when the Council approved expenditure of \$25,000 in previous years.

Response

Cr Gabelish advised that the GNFL had opted for an alternative site for the premium ground and this was why there had not been a back-up plan in place at the time the \$25,000 was approved for the plan.

8 Confidential Business

Nil

9 Meeting closure

There being no further business the Presiding Member closed the meeting at 7.55pm

FOR PUBLIC REVIEW - NOT FINAL COUNCIL AGENDA