



# City of Belmont

## AGENDA BRIEFING FORUM

Dear Councillor

I respectfully advise that an **AGENDA BRIEFING FORUM** will be held in the Council Chamber of the **City of Belmont Civic Centre**, 215 Wright Street, Cloverdale, on **Tuesday, 15 June 2021**, commencing at 7.00pm.

**This meeting will be held in accordance with the 2 square metre per person capacity rule for venues as part of Phase 4 of the COVID-19 Roadmap in Western Australia.**

Due to the above, physical distancing and hygiene measures will be in place with occupancy limits applied for the capacity of the Council Chamber.

### MEETING PROGRAMME ATTACHED

Yours faithfully

**JOHN CHRISTIE**  
**CHIEF EXECUTIVE OFFICER**

11 June 2021

---

☞ PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING ☞

*Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.*

*Any statement, comment or decision made at a Council meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.*

*Any person or entity who has an application before the City must obtain, and should only rely on, written notice of the City's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council meeting.*

*Any advice provided by an employee of the City on the operation of a written law, or the performance of a function by the City, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as a legal advice or representation by the City. Any advice on a matter of law, or anything sought to be relied upon as a representation by the City should be sought in writing and should make clear the purpose of the request.*



**City of Belmont**  
**AGENDA BRIEFING FORUM**  
**PROGRAMME**  
**TABLE OF CONTENTS**

15 June 2021

<b>ITEM</b>	<b>SUBJECT HEADING</b>	<b>PAGE</b>
<b>NOTICE OF MEETING</b>		
1.	<b>OFFICIAL OPENING .....</b>	<b>1</b>
2.	<b>APOLOGIES AND LEAVE OF ABSENCE .....</b>	<b>1</b>
3.	<b>DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT .....</b>	<b>1</b>
3.1	FINANCIAL INTERESTS .....	1
3.2	DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY .....	2
4.	<b>ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION) .....</b>	<b>2</b>
4.1	ANNOUNCEMENTS.....	2
4.2	DISCLAIMER.....	2
5.	<b>PUBLIC SUBMISSION TIME.....</b>	<b>2</b>
6.	<b>ORDINARY COUNCIL MEETING AGENDA FOR MEETING TO BE HELD 22 JUNE 2021 .....</b>	<b>4</b>
6.1	AGENDA ITEMS FOR REVIEW.....	4
7.	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED .....</b>	<b>4</b>
7.1	SEEKING INSTRUCTIONS REGARDING LEGAL MATTER (FID865298) (CONFIDENTIAL MATTER IN ACCORDANCE WITH <i>LOCAL GOVERNMENT ACT 1995</i> SECTION 5.23(2)(C)(E)(II)).....	4
8.	<b>CLOSURE .....</b>	<b>4</b>

**Councillors are reminded to retain the attached  
Ordinary Council Meeting Agenda (inclusive of the OCM Attachments)  
for deliberation at the meeting scheduled for 22 June 2021.**

**PURPOSE OF AGENDA BRIEFING FORUM**

*The purpose of this forum is to provide an opportunity for Councillors 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 Council agenda at this forum, prior to matters being formally deliberated upon at the next Ordinary Council Meeting.*

**1. OFFICIAL OPENING**

The Presiding Member will read aloud the Acknowledgement of Country.

***Before I begin I would like to acknowledge the Noongar Whadjuk people as the Traditional Owners of this land and pay my respects to Elders past, present and emerging. I further acknowledge their cultural heritage, beliefs, connection and relationship with this land which continues today.***

The Presiding Member will cause the Affirmation of Civic Duty and Responsibility to be read aloud by a Councillor.

**Affirmation of Civic Duty and Responsibility**

***I make this affirmation in good faith and declare that I will duly, faithfully, honestly, and with integrity fulfil the duties of my office for all the people in the City of Belmont according to the best of my judgement and ability. I will observe the City's Code of Conduct and Standing Orders to ensure efficient, effective and orderly decision making within this forum.***

**2. APOLOGIES AND LEAVE OF ABSENCE**

**3. DECLARATIONS OF INTEREST THAT MIGHT CAUSE A CONFLICT**

*Councillors/Staff are reminded of the requirements of s5.65 of the Local Government Act 1995, to disclose any interest during the meeting when the matter is discussed, and also of the requirement to disclose an interest affecting impartiality under the City's Code of Conduct.*

**3.1 FINANCIAL INTERESTS**

*A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision making procedure relating to the matter the subject of the declaration.*

*Other members may allow participation of the declarant if the member further discloses the extent of the interest and the other members decide that the interest is trivial or insignificant or is common to a significant number of electors or ratepayers.*

<b>Name</b>	<b>Item No and Title</b>	<b>Nature of Interest (and extent, where appropriate)</b>

### 3.2 DISCLOSURE OF INTEREST THAT MAY AFFECT IMPARTIALITY

*Councillors and staff are required (Code of Conduct), in addition to declaring any financial interest, to declare any interest that might cause a conflict. The member/employee is also encouraged to disclose the nature of the interest. The employee/member must consider the nature and extent of the interest and whether it will affect their impartiality. If the member/employee declares that their impartiality will not be affected then they may participate in the decision making process.*

Name	Item No and Title	Nature of Interest (and extent, where appropriate)

## 4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

### 4.1 ANNOUNCEMENTS

### 4.2 DISCLAIMER

Any plans or documents in agendas and minutes may be subject to copyright. The express permission of the copyright owner must be obtained before copying any copyright material.

Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such.

Any person or entity that has an application before the City must obtain, and should only rely on, written notice of the City's decision and any conditions attaching to the decision, and cannot treat as an approval anything said or done at a Council or Committee meeting.

Any advice provided by an employee of the City on the operation of a written law, or the performance of a function by the City, is provided in the capacity of an employee, and to the best of that person's knowledge and ability. It does not constitute, and should not be relied upon, as legal advice or a representation by the City. Any advice on a matter of law, or anything sought to be relied upon as a representation by the City should be sought in writing and should make clear the purpose of the request.

## 5. PUBLIC SUBMISSION TIME

### **Definitions**

**'Submission'** is defined as a presentation made to an Agenda Briefing Forum by an individual member of the public, who can demonstrate that they are affected (whether adversely or favourably) by a matter on the attached Ordinary Council Meeting Agenda. A submission may be made at this time in accordance to the Rules of Public Submission Time and Deputations. With the exception of the Presiding Member, no interaction between Councillors and the presenter is permitted.

**'Deputation'** is defined as a presentation made to an Agenda Briefing Forum by members of the public, whether as an individual or a group of up to five people, who can demonstrate that they are directly affected (whether adversely or favourably) by a matter on the attached Ordinary Council Meeting Agenda. A deputation will cause the relevant agenda item to be reviewed by the forum, at which time a presentation can be made in accordance to the Rules of Public Submission Time and Deputations. Interaction between Councillors and the presenter(s) is allowed with the permission of the Presiding Member. The person/people requesting a deputation will need to provide the Presiding Member with prior notice of a request to make a deputation.

**Rules for Public Submission Time and Deputations**

- a) *Only those persons, who can demonstrate to the Presiding Member's satisfaction that they are affected by the matter on the agenda, will be entitled to make a submission. Those persons that can demonstrate that they are directly affected may make a deputation.*
- b) *Where a directly affected person has sought the prior endorsement of the Presiding Member, 'advocates' will be permitted on the condition that the directly affected person is present at the meeting.*
- c) *Where possible, members of the gallery are required to provide submissions/deputations in a written format to the presiding person prior to the commencement of the forum, to assist with the recording of forum notes.*
- d) *Only submissions/deputations that relate to a specific item of the Council agenda will be accepted.*
- e) *Prior to making a submission/deputation, the person is to give their name and residential address.*
- f) *Submissions and deputations are to be directed through the chair, with the Presiding Member having the discretion of accepting or rejecting a presentation.*
- g) *As per Council's standing orders, no debating of the issue between the gallery, Councillors or officers is permissible.*
- h) *Submissions/Deputations which are considered inappropriate; repetitious; lacking in decorum or adversely reflect on the integrity of any councillor or employee; offensive or otherwise not in good faith; duplicates or variations of earlier submissions; relating to the personal affairs or actions of Council members or employees; legal advice; legal proceedings or other legal processes; will be refused by the Presiding Member as 'out of order' and will not be recorded in the forum notes. The Presiding Member or Chief Executive Officer may offer comment by way of correction, to any false information presented.*
- i) *Submissions/Deputations from members of the public that do not comply with the Rules of Public Submission Time and Deputations; or do not abide by a ruling from the Presiding Member; or where the member of the public behaves in a manner in which they are disrespectful of the Presiding Member, Councillors or Officers; or refuse to abide by any direction from the Presiding Member; will be ruled 'out of order' and the submission/deputation will not be recorded in the forum notes.*
- j) *Public Submission Time is set for a period of 30 minutes, and will terminate earlier should no further submissions be forthcoming.*
- k) *Submissions/Deputations to be made at the forum will be registered, and the priority for making submissions/deputations shall be in accordance with that register. To enable all members of the public a fair and equitable opportunity to participate in Public Submission Time, each person shall be provided a maximum three minute time limit in the first instance, in which to make a submission.*
- l) *Deputations will be made at the time the matter subject to the deputation is reviewed by Council. Unless otherwise approved by a majority of Councillors, a deputation is to consist of no more than five persons, only two of whom may address the Council (with the exception of a person responding to an instruction by the Presiding Member). The time for a deputation, including interaction from Councillors, is not to exceed 15 minutes.*
- m) *To enable all members of the public a fair and equitable opportunity to participate, a person who has earlier made a submission cannot make or participate in a deputation on the same subject matter.*
- n) *A submission/deputation may include a request for the tabling of documents where these are relevant to an issue before Council. The Presiding Member will indicate when the allotted maximum time for a submission/deputation has elapsed. The presentation will cease at that time.*
- o) *Should there be time remaining of the initial period for Public Submission Time after all members of the public have made their initial submission, the Presiding Member will then allow members of the public to sequentially (in accordance to the register) make a further submission (with a three minute time limit) until the initial period for Public Submission Time has expired.*
- p) *Any extension to the initial period for Public Submission Time is to be limited to a period that will allow sufficient time for any remaining members of the public to make their initial submission.*
- q) *The Presiding Member may limit presenters to a shorter period to make a submission/deputation if time is restricted, and reserves the right to limit the number of submissions/deputations that can be made in respect to any one matter.*

**6. ORDINARY COUNCIL MEETING AGENDA FOR MEETING TO BE HELD  
22 JUNE 2021**

**6.1 AGENDA ITEMS FOR REVIEW**

To access the agenda items, please view the reports detailed in the [22 June 2021 Ordinary Council Meeting Agenda](#).

**7. MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

**7.1 SEEKING INSTRUCTIONS REGARDING LEGAL MATTER (FID865298) (CONFIDENTIAL  
MATTER IN ACCORDANCE WITH *LOCAL GOVERNMENT ACT 1995* SECTION  
5.23(2)(C)(E)(II))**

**8. CLOSURE**