

**MINUTES OF A COUNCIL MEETING, HELD IN THE COUNCIL CHAMBERS,
ON TUESDAY, 20 OCTOBER, 2009 COMMENCING AT 6.43PM.**

300. DECLARATION OF OPENING OF MEETING

The Mayor (Presiding Member) declared the meeting open.

300.1 Present

Mayor A Ferris	Presiding Member
Cr C Collinson	
Cr B de Jong	
Cr R Lilleyman	
Cr S Martin	
Cr D Nardi	
Cr R Olson	
Cr M Rico	
Cr A Wilson	
Mr S Wearne	Chief Executive Officer
Mr R Doust	Acting Town Planner
Mrs P Cooper	Minute Secretary

301. ACKNOWLEDGEMENT OF COUNTRY

Mayor Ferris made the following acknowledgement:

"On behalf of the Council I would like to acknowledge the Nyoongar people as the traditional custodians of the land on which this meeting is taking place."

302. WELCOME TO GALLERY AND INTRODUCTION OF ELECTED MEMBERS AND STAFF

There were no members of the public in the gallery.

303. RECORD OF APPROVED LEAVE OF ABSENCE

Nil.

304. RECORD OF APOLOGIES

Nil.

305. ELECTION OF DEPUTY MAYOR

The Chief Executive Officer briefly outlined the requirements of the Act in relation to the election of Deputy Mayor.

Mayor Ferris advised that three written nominations had been received and asked if there were any further nominations for the position. There were no further nominations.

Following a draw by the CEO, acting as Returning Officer, the order of names on the ballot paper was announced as follows:

1. Cr Richard Olson
2. Cr Alex Wilson
3. Cr Barry de Jong

Crs Olson, Wilson & de Jong addressed elected members regarding their nomination for Deputy Mayor. The candidates also answered questions raised by elected members.

Ballot papers were distributed and collected by the Returning Officer.

Following the counting of votes by the Chief Executive Officer and the Minute Secretary, Mayor Ferris declared Cr de Jong elected as Deputy Mayor of the Town of East Fremantle for a two year period.

Cr de Jong made a Declaration of Office as Deputy Mayor before Mayor Ferris.



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306. PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS

Nil.

307. PUBLIC QUESTION TIME

Nil.

307. APPLICATIONS FOR LEAVE OF ABSENCE

Cr Olson sought leave of absence for the period 23 October to 10 November 2009.

Cr Collinson – Cr Nardi

That leave of absence be granted to Cr Olson for the period 23 October to 10 November 2009. CARRIED

308. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

308.1 Council Meeting – 15 September 2009

Cr Nardi – Cr de Jong

That the Minutes of the Council Meeting held on 15 September 2009 be confirmed. CARRIED

308.2 Special Council Meeting – 29 September 2009

Cr Nardi – Cr de Jong

That the Minutes of the Special Council Meeting held on 29 September 2009 be confirmed. CARRIED

309. ANNOUNCEMENTS BY ACTING MAYOR WITHOUT DISCUSSION

309.1 Neighbourhood Watch Morning Tea

Mayor Ferris advised that invitations to the Morning Tea to be held at a date to be determined although likely to be held on 25 November, would be circulated.

309.2 Pram Ramp

Mayor Ferris advised that Jessica Csendes of 26 King Street had sent a note of appreciation for the adjustment to the pram ramp at the corner of George & Sewell Streets.

310. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION BY COUNCIL MEMBERS

Nil.

311. MOTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN BY COUNCIL MEMBERS

Nil.

312. CORRESPONDENCE (LATE RELATING TO ITEM IN AGENDA)

312.1 T92.7 Hubble Street No. 82 (Lot 28)

In response to Council's letter of 15 October 2009 the applicant submitted colour elevations for review and a list of specific materials and colours proposed for the new residence.

Cr Olson – Cr Rico

That the correspondence be received and held over for consideration when the matter comes forward for discussion later in the meeting (MB Ref 313.1). CARRIED



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313. TOWN PLANNING & BUILDING COMMITTEE (PRIVATE DOMAIN)

313.1 T92.7 Hubble Street No 82 (Lot 28)
Applicant: Summit Projects
Owner: Romano, Maria and Filippin
Application No. P83/2009

Correspondence referred from MB Ref. 312.1 was tabled.

Cr Rico left the meeting at 7.26pm.

Cr Olson – Cr de Jong
That the Committee's recommendation be adopted.

Cr Martin sought clarification of the status of the property on Council's Municipal Inventory, following which discussion ensued on the matter of the front facade where it was suggested that a single door with appropriate sidelighting would enhance the building's integration with the street.

Cr Rico returned to the meeting at 7.36pm.

Amendment

Cr Martin – Cr de Jong
That the following be included as Condition (1) and the remainder of the conditions renumbered:

1. *Prior to the issue of a building licence the applicant to submit revised plans that detail a single entrance door to the front vista with appropriate sidelighting to the satisfaction of the Chief Executive Officer in consultation with relevant officers.*

LOST ON THE CASTING VOTE OF THE PRESIDING MEMBER

Cr Olson – Cr de Jong

That the Committee's recommendation as follows be adopted:

That Council approve the planning application dated 5 June 2009 for the construction of a two-storey single dwelling on at No. 82 (Lot 28) Hubble Street, East Fremantle as shown on amended plans dated 3 September 2009 and subject to the following conditions:

1. **Consistent high-quality finishes are to be provided throughout, details of which are to be provided to the satisfaction of the Chief Executive Officer in consultation with relevant officers prior to the issue of a building licence.**
2. **Finials to the front facing gables to be removed.**
3. **Additional openings are to be provided to the eastern facade of the kitchen to improve solar access, details of which are to be provided to the satisfaction of the Town prior to the issue of a building licence.**
4. **Boundary walls are to be finished to the same standard as the rest of the development, details of which are to be provided to the satisfaction of the Town prior to the issue of a building licence.**
5. **The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.**
6. **The proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.**
7. **With regard to the plans submitted with respect to the building licence application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.**



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8. The proposed dwelling is not to be occupied until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
9. All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
10. Where this development requires that any facility or service within a street verge (street trees, footpath, crossover, light pole, drainage point or similar) is to be removed, modified or relocated then such works must be approved by Council and if approved, the total cost to be borne by the applicant. Council must act reasonably and not refuse any reasonable proposal for the removal, modification or relocation of such facilities or services (including, without limitation any works associated with the proposal) which are required by another statutory or public authority.
11. Any new crossovers which are constructed under this approval are to be a maximum width of 3.0m, the footpath (where one exists) to continue uninterrupted across the width of the site and the crossover to be constructed in material and design to comply with Council's Policy on Footpaths & Crossovers.
12. In cases where there is an existing crossover this is to be removed and the kerb, verge and footpath are to be reinstated at the applicant's expense to the satisfaction of Council, unless on application, Council approval for the crossover to remain is obtained.
13. This planning approval to remain valid for a period of 24 months from date of this approval.

Footnotes:

The following are not conditions but notes of advice to the applicant/owner:

- (a) *demolition of the existing dwelling on the subject site is not covered by this approval.*
- (b) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (c) *a copy of the approved plans as stamped by Council are attached and the application for a building licence is to conform with the approved plans unless otherwise approved by Council.*
- (d) *it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected owner.*
- (e) *all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (f) *in regard to the condition relating to the finish of the neighbour's side of the parapet wall it is recommended that the applicant consult with the neighbour to resolve a mutually agreed standard of finish.*
- (g) *with regard to construction of the crossover the applicant/builder is to contact Council's Works Supervisor.*
- (h) *the alfresco area may not be enclosed without the prior written consent of Council.*
- (i) *matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

CARRIED



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313.2 Locke Crescent No. 21

Cr Wilson reported on her meeting with Mr & Mrs Pietroniro, the owners of 21 Locke Crescent.

313.3 EN BLOC RECOMMENDATION

Cr Nardi – Cr Olson

That Council gives consideration to dealing with the following matters en-bloc.

CARRIED

Cr Nardi – Cr Olson

That Council adopts en bloc the following recommendations of the Town Planning & Building Committee Meeting of 13 October 2009.

CARRIED

(A) T92.3 Woodhouse Road No. 18 (Lot 6)

Applicant: Gerard McCann Architect

Owner: K Nikellys & V Collins

Application No. P114/2009

That Council approve the planning application to extend and cover an existing upper level deck to the rear of an existing two-storey single house at No. 18 (Lot 6) Woodhouse Road, East Fremantle in accordance with plans dated 26 August 2009, subject to the following conditions:

1. Works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
2. The proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. With regard to the plans submitted with respect to the building licence application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
4. This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (a) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.***
- (b) a copy of the approved plans as stamped by Council are attached and the application for a building licence is to conform with the approved plans unless otherwise approved by Council.***
- (c) all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).***
- (d) the roofed deck may not be enclosed without the prior written consent of Council.***
- (e) the proposed window changes shown on the plans aren't considered to constitute development, and as a result don't require planning approval.***

(B) T92.4 Pier Street No. 41 (Lot 303)

Applicant: Classic Home & Garage Improvements

Owner: Sheila Lansbury

Application No. P110/2009

That Council approve the planning application for a single-storey patio the east (rear) of the two-storey house at No. 41 (Lot 303) Pier Street, East Fremantle in



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accordance with plans dated 17 August 2009 and 17 September 2009, subject to the following conditions:

1. The roof of the patio is to be set back at least 1.0m from the eastern boundary.
2. The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
3. The proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
4. With regard to the plans submitted with respect to the building licence application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
5. The proposed patio is not to be utilised until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
6. This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (a) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.*
- (b) *a copy of the approved plans as stamped by Council are attached and the application for a building licence is to conform with the approved plans unless otherwise approved by Council.*
- (c) *all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
- (d) *the patio may not be enclosed without the prior written consent of Council.*
- (e) *matters relating to dividing fences are subject to the Dividing Fences Act 1961.*

(C) T92.5 View Terrace No. 19 (Lot 247)

Applicant: John Chisholm

Owner: Rex Harrison Pty Ltd

Application No. P132/2009

That Council approve the planning application for:

- (a) a pedestrian access point, steps and terracing to the front setback area; and
- (b) existing development comprising a brick wall to the southern (rear) elevation of the existing garage;

at No. 19 (Lot 247) View Terrace, East Fremantle in accordance with plans dated 1 September 2009, subject to the following conditions:

1. Modifications to the front fence are to accord with the visual permeability requirements of the Town's Local Planning Policy 143 – Fencing (LPP 143).
2. The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
3. The works to enclose the southern elevation of the garage be the subject of a Building Approval Certificate issued to the satisfaction of Council's Building Surveyor.
4. With regard to the plans submitted with respect to the Building Approval Certificate and building licence applications, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.



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5. This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (a) a copy of the approved plans as stamped by Council are attached and the application for a building licence is to conform with the approved plans unless otherwise approved by Council.
 - (b) all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).
 - (c) matters relating to dividing fences are subject to the Dividing Fences Act 1961.
- (D) T92.6 Duke Street No. 59 (Lot 383)
Applicant: Gerard McCann Architect
Owner: AT & RJ McIntyre
Application No. P119/2009

That Council approve the planning application dated 1 September 2009 for the demolition of a rear veranda and outbuilding, restoration works to the existing dwelling, and construction of a two-storey rear addition at No. 59 (Lot 383) Duke Street, East Fremantle as shown on plans dated 1 September 2009 and subject to the following conditions:

1. Boundary walls are to be finished to the same standard as the rest of the development.
2. Works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
3. The proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
4. With regard to the plans submitted with respect to the building licence application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
5. The proposed extensions are not to be occupied until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
6. All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
7. That the zincalume roofing be treated to Council's satisfaction to reduce reflectivity if requested by Council in the first two years following installation, at the owner's expense.
8. This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (a) this decision does not include acknowledgement or approval of any unauthorised development which may be on the site.



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- (b) *a copy of the approved plans as stamped by Council are attached and the application for a building licence is to conform with the approved plans unless otherwise approved by Council.*
 - (c) *it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected owner.*
 - (d) *all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).*
 - (e) *in regard to the condition relating to the finish of boundary walls it is recommended that the applicant consult with the neighbour.*
 - (g) *the veranda may not be enclosed without the prior written consent of Council.*
 - (h) *matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (E) **T92.8 Irwin Street No. 72A (Lot 2)**
Applicant: Residential Attitudes
Owner: Domenic and Catherine Carbonaro
Application No. P115/2009

That Council approve the planning application dated 22 August 2009 for the construction of a two-storey single dwelling on the vacant lot at No. 72A (Lot 2) Irwin Street, East Fremantle as shown on plans dated 28 August 2009 and subject to the following conditions:

1. Works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where varied in compliance with the conditions of this planning approval or with Council's further approval.
2. The proposed works are not to be commenced until Council has received an application for a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. With regard to the plans submitted with respect to the building licence application, changes are not to be made in respect of the plans which have received planning approval, without those changes being specifically marked for Council's attention.
4. The proposed dwelling is not to be occupied until all conditions attached to this planning approval have been finalised to the satisfaction of the Chief Executive Officer in consultation with relevant officers.
5. All introduced filling of earth to the lot or excavated cutting into the existing ground level of the lot, either temporary or permanent, shall be adequately controlled to prevent damage to structures on adjoining lots or in the case of fill, not be allowed to encroach beyond the lot boundaries. This shall be in the form of structurally adequate retaining walls and/or sloping of fill at the natural angle of repose and/or another method as approved by the Town of East Fremantle.
6. This planning approval to remain valid for a period of 24 months from date of this approval.

Footnote:

The following are not conditions but notes of advice to the applicant/owner:

- (a) *the subject site includes a sewerage easement to the eastern (rear) boundary.*
- (b) *this decision does not include acknowledgement or approval of any unauthorised development which may be on the site*

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- (c) a copy of the approved plans as stamped by Council are attached and the application for a building licence is to conform with the approved plans unless otherwise approved by Council.
 - (d) it is recommended that the applicant provides a Structural Engineer's dilapidation report, at the applicant's expense, specifying which structures on adjoining sites may be adversely affected by the works and providing a record of the existing condition of the structures. Two copies of each dilapidation report should be lodged with Council and one copy should be given to the owner of any affected owner.
 - (e) all noise levels produced by the construction of the development are to comply with the provisions of the Environmental Protection (Noise) Regulations 1997 (as amended).
 - (f) the alfresco may not be enclosed without the prior written consent of Council.
 - (g) matters relating to dividing fences are subject to the Dividing Fences Act 1961.
- (F) **T92.9 Osborne Road No. 33 (Lot 20)**
Applicant: John Kirkness
Owner: Brian & Elizabeth Lovell
Application No. P181/2008
1. That Council adopt Amendment 7 to the Town of East Fremantle Town Planning Scheme No 3 to rezone Lot 20 (No. 33) Osborne Road from R12.5 to R17.5 subject to the following conditions:
 - (a) The owner of the subject property to agree in writing to include the existing single house at the subject property in the Heritage List under Town Planning Scheme No. 3.
 - (b) The owner of the subject property to agree in writing to enter into a Heritage Agreement with the Agreement being to the satisfaction of the Town and approved by the Town's solicitors with any legal costs incurred with respect to the Agreement met by the applicant.
 - (c) The owner of the subject property agreeing to a caveat being registered on the relevant Certificate of Title requiring the retention, in perpetuity, of the existing dwelling and curtilage at the subject property with the caveat being to the satisfaction of the Town and drawn up by the Town's solicitors with the cost met by the applicant.
 2. That pursuant to Section 87 of the Planning and Development Act 2005 Amendment 7 be submitted to the Minister of Planning and Infrastructure for approval.

- (G) **T92.10 Preston Point Road No. 8 (Lot 10)**
Applicant: John Kirkness
Owner: Ms Janet Williamson
Application No. P212/2008

That Council adopt Amendment 6 to the Town Of East Fremantle Town Planning Scheme to rezone Lot 10 (No. 8) Preston Point Road from R12.5 to R17.5.

314. FINANCE**314.1 Audit Committee Meeting – 14 October 2009**

Cr Olson – Cr de Jong

That the Minutes of the Audit Committee Meeting held on 14 October 2009 be confirmed. CARRIED

314.2 Finance Committee Meeting – 14 October 2009

Cr Olson – Cr Nardi

That the Minutes of the Finance Committee Meeting held on 14 October 2009 be confirmed. CARRIED

315. APPOINTMENT OF MEMBERS TO STANDING COMMITTEES

315.1 Town Planning & Building Committee (Private Domain)

Mayor Ferris called for nominations for membership to the Town Planning & Building Committee. All elected members nominated.

Cr Nardi – Cr Rico

That Mayor Ferris and Crs Collinson, de Jong, Lilleyman, Martin, Nardi, Olson, Rico & Wilson be appointed to the Town Planning & Building Committee (Private Domain).

Following a query regarding whether there were any limitation on the size of standing committees, the Chief Executive Officer undertook to review the matter prior to the next scheduled meeting of the Town Planning & Building Committee.

315.2 Town Planning/Public Domain, Works & Reserves Committee

Mayor Ferris called for nominations for membership to the Town Planning/Public Domain, Works & Reserves Committee.

Cr Rico – Cr Nardi

That Mayor Ferris and Crs de Jong, Martin, Olson & Wilson be appointed to the Town Planning/Public Domain, Works & Reserves Committee. CARRIED
ABSOLUTE MAJORITY

315.3 Health & General Purposes Committee

Mayor Ferris called for nominations for membership to the Health & General Purposes Committee.

Cr Olson – Cr Rico

That Mayor Ferris and Crs Collinson, Martin, Nardi & Wilson be appointed to the Health & General Purposes Committee. CARRIED
ABSOLUTE MAJORITY

315.4 Finance Committee

Mayor Ferris called for nominations for membership to the Finance Committee.

Cr Nardi – Cr Collinson

That Mayor Ferris and Crs de Jong, Martin, Olson & Rico be appointed to the Finance Committee. CARRIED
ABSOLUTE MAJORITY

316. APPOINTMENT OF MEMBERS TO OCCASIONAL COMMITTEES

316.1 East Fremantle Festival Committee

Mayor Ferris called for nominations for membership to the East Fremantle Festival Committee.

Cr de Jong – Cr Lilleyman

That Crs Collinson, Martin, Nardi, Olson, Rico & Wilson be appointed to the East Fremantle Festival Committee. CARRIED
ABSOLUTE MAJORITY

316.2 Audit Committee

Mayor Ferris called for nominations for membership to the Audit Committee.

Cr Nardi – Cr Collinson

That Mayor Ferris and Crs de Jong, Lilleyman, Olson & Rico be appointed to the Audit Committee.

CARRIED
ABSOLUTE MAJORITY

317. APPOINTMENT OF MEMBERS TO VARIOUS EXTERNAL COMMITTEES & ORGANISATIONS

317.1 Local Government Association (South Metropolitan Zone)

Mayor Ferris called for nominations as Council's delegates to the Local Government Association (South Metropolitan Zone).

Cr de Jong – Cr Lilleyman

That Crs Collinson, Olson & Rico be appointed as Council's delegates to the Local Government Association (South Metropolitan Zone).

CARRIED

317.2 Fremantle City Library Advisory Committee

Mayor Ferris called for nominations as Council's delegate to the Fremantle City Library Advisory Committee.

Cr de Jong – Cr Nardi

That Cr Rico be appointed as Council's delegate and Cr Martin be appointed as Council's deputy delegate to the Fremantle City Library Advisory Committee.

CARRIED

317.3 Glyde-In Community Group

Mayor Ferris called for nominations as Council's delegate to the Glyde-In Community Group.

Cr de Jong – Cr Wilson

That Cr Collinson be appointed as Council's delegate and Cr Nardi be appointed as Council's deputy delegate to the Glyde-In Community Group.

CARRIED

317.4 Community Policing Committee

Mayor Ferris called for nominations as Council's delegate to the Community Policing Committee.

Cr Wilson – Cr Rico

That Cr Olson be appointed as Council's delegate and Cr Nardi be appointed as Council's deputy delegate to the Community Policing Committee.

CARRIED

317.5 Southern Metropolitan Regional Council

Mayor Ferris called for nominations and advised he did not wish to continue as Council's representative to the Southern Metropolitan Regional Council.

Crs Collinson, Olson & Wilson nominated for the position of Council's representative to the Southern Metropolitan Regional Council.

Each candidate then addressed elected members regarding their interest in the position.

A ballot was conducted with Cr Olson being elected to the position of Council's representative to the Southern Metropolitan Regional Council.

Cr de Jong – Cr Rico

That Cr Olson be appointed as Council's delegate to the Southern Metropolitan Regional Council.

CARRIED

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- 317.6** ***South West Group District Planning Committee***
Mayor Ferris called for nominations as Council's delegate to the South West Group District Planning Committee.

Cr de Jong – Cr Rico

That Cr Collinson be appointed as Council's delegate and Cr Nardi be appointed as Council's deputy delegate to the South West Group District Planning Committee. CARRIED

- 317.7** ***South West Corridor Planning & Infrastructure Committee***
Mayor Ferris called for nominations as Council's delegate to the South West Corridor Planning & Infrastructure Committee.

Cr de Jong – Cr Rico

That Cr Wilson be appointed as Council's delegate to the South West Corridor Planning & Infrastructure Committee. CARRIED

- 317.8** ***South West Corridor Development and Employment Foundation***
Mayor Ferris called for nominations as Council's delegate to the South West Corridor Development and Employment Foundation.

There were no nominations from elected members as Council's delegate to the South West Corridor Development and Employment Foundation.

- 317.9** ***South West Corridor Environment & Services Committee***
Mayor Ferris called for nominations as Council's delegate to the South West Corridor Environment & Services Committee.

Cr Olson – Cr de Jong

That Crs Rico & Nardi be appointed as Council's delegates to the South West Corridor Environment & Services Committee. CARRIED

- 317.10** ***Swan River Trust Assessment & Policy Committee***
Mayor Ferris called for nominations as Council's delegate to the Swan River Trust Assessment & Policy Committee.

Cr Olson – Cr Rico

That Crs de Jong & Nardi be appointed as Council's delegates to the Swan River Trust Assessment & Policy Committee. CARRIED

- 317.11** ***Fremantle Port Authority Inner Harbour Community Liaison Group***
Mayor Ferris called for nominations as Council's delegate to the Fremantle Port Authority Inner Harbour Community Liaison Group.

Crs Martin, Rico & Wilson nominated for the position of Council's delegate to the Fremantle Port Authority Inner Harbour Community Liaison Group.

Mayor Ferris – Cr de Jong

That this matter be held over to the Council Meeting on 17 November 2007.

CARRIED

318. REPORTS OF CHIEF EXECUTIVE OFFICER

- 318.1** ***Local Government Reform***

The Chief Executive Officer provided an update on the current situation.

The Minister has advised that the submissions (including that of the Town of East Fremantle) were currently being reviewed by the Local Government Reform Steering Committee, which would prepare an interim report to the Minister by the end of October 2009, with a consolidated report planned to be "available" towards the end of the year.

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The Minister expected to receive the final report of the committee in January 2010, after which he would report to Cabinet on "how the reform agenda can be advanced and resourced".

318.2 Report on Election Held on 17 October 2009
Stuart Wearne, Returning Officer, on 19 October 2009

Summary

This report is to brief elected members on the conduct of the election held on 17 October 2009.

Background

In this election there were 6 vacancies:

- (i) Mayor
- (ii) Councillor – Plympton Ward – 2 year term
- (iii) Councillor – Plympton Ward – 4 year term
- (iv) Councillor – Richmond Ward – 4 year term
- (v) Councillor – Preston Point Ward – 4 year term
- (vi) Councillor – Woodside Ward – 4 year term

Candidates for the first five vacancies were elected unopposed.

Consequently the only contested election was for Woodside Ward.

Two polling places were used: firstly the Town Hall and secondly the Child Health/Playgroup Centre at Sumpton Green.

Report

A total of 6 staff worked on election day.

- (i) Stuart Wearne
- (ii) Peta Cooper
- (iii) Natalie McGill
- (iv) Glynis Armstrong
- (v) Rose Ying
- (vi) Amanda Ying

All staff except for Peta Cooper (morning) and Natalie McGill (afternoon/evening) worked all day from approximately 7.00am to 7.30pm. Two Rangers also assisted, in addition to attending to other duties on the day.

There were no issues other than:

- some confusion by several would be voters who attended to vote only to discover that whilst previously residing in Woodside Ward they were now residing in Plympton Ward. In each case the elector said they had received candidate material in their letter box.
- the temporary theft of a polling station sandwich board sign from the front of the Town Hall.

Results and Statistics

Ward: Woodside Ward
Candidate Elected: Dean Nardi
Term of Office: 19 October 2013

Candidate	Town Hall	Sumpton Green	Early Votes	Total Valid Votes Cast
Dean Nardi	35	104	14	153
Dean Furness	6	8	0	14
TOTAL	41	112	14	167

Rejected Votes : 1
Total Number Eligible Voters on Roll : 1311
Total Valid Votes Cast : 167
Percentage Turnout : 12.74%

Statutory Environment

For this election the CEO acted as Returning Officer. The election was conducted on the basis of electors voting in person and conducted in accordance with Part 4 of the *Local Government Act 1995* and *Local Government (Elections) Regulations 1997*.

Discussion

This was the first contested election held in the Town since 1 July 2006.

That election was an extraordinary election following the resignation of former Cr Judith Kenny and also involving Woodside Ward.

In that election (won by Cr Rico) the turnout was 13.26%.

Whilst that turnout was similar to the turnout in this election it had been expected that:

- due to the extra publicity surrounding ordinary elections which should have increased election "awareness".
- the "amalgamation issue" and elector survey which in theory should have increased local government awareness.

the turnout would be higher in this election.

Statewide, nominations and voting turnouts were reportedly down generally, with WALGA suggesting amalgamation uncertainty was a significant issue.

Regardless, the author believes prior to next elections consideration should be given to (i) increased publicity regarding the elections, and/or (ii) whether to trial a "postal" election.

It could be that (i) could be tried first and if that had no significant impact that (ii) could be tried in the following election.

The CEO will report further on the "turnout" issue when statewide Departmental figures on the election turnout, which he has sought, are received.

Conclusion

The election was conducted successfully, both candidates are formally thanked for nominating, those electors who voted are formally thanked for their participation and the Town's electoral staff are also thanked.

318.3

Christmas Closure 2009

By Stuart Wearne, Chief Executive Officer, on 16 October 2009

PURPOSE

To provide for consideration of the closure of the Council for:

- half a day from 12 noon Friday, 18 December 2009 to allow all employees to attend the staff Christmas party
- 3½ working days over the Christmas/New Year period commencing midday Thursday, 24 December 2009. Council's operations would recommence on Monday, 4 January 2010.

BACKGROUND

In recent years Council has closed during the Christmas and New Year period and staff have used annual leave, RDO's, and "day-in-lieu" public holidays for the period.

In relation to the staff Christmas Party, historically this has been compromised by being held on the last afternoon before closing for Christmas, when many staff are under

pressure trying to finish off tasks before closing the office for the Christmas/New Year break. It was considered a staff party in the week preceding this rush would ensure the function was better enjoyed by all.

REPORT

Comments/Discussion

It had been noted that the period was generally a "slow" period with minimal customers.

The closures will be advertised and in order to cater for emergencies during the Christmas/New Year closure, customers will have access to a recorded telephone message with contact numbers for relevant staff together with details of refuse services and other necessary relevant information relating to Council services such as Rangers, health and building.

RECOMMENDATION

That Council:

1. approve the closure of the administration centre from midday Friday, 18 December 2009 to allow all staff members to attend a Christmas function.
2. approve the closure of the administration centre and operational areas for a period of 3½ working days being half a day from midday 24 December 2009 and three days consisting of Tuesday, 29 December, Wednesday, 30 December and Thursday, 31 December 2009.
3. advertise the closure in such a manner as to ensure that adequate notice is given to the public.

Cr Rico – Cr Olson

That Council:

1. **approve the closure of the administration centre from midday Friday, 18 December 2009 to allow all staff members to attend a Christmas function.**
2. **approve the closure of the administration centre and operational areas for a period of 3½ working days being half a day from midday 24 December 2009 and three days consisting of Tuesday, 29 December, Wednesday, 30 December and Thursday, 31 December 2009.**
3. **advertise the closure in such a manner as to ensure that adequate notice is given to the public.** CARRIED

318.4 Fremantle Ports Invitation

It was decided that 2 December 2009 would be the most suitable date for councillors with the exception of Cr Lilleyman who submitted an apology for that date.

319. NOTICES OF MOTION BY ELECTED MEMBERS FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil.

320. MOTIONS WITHOUT NOTICE OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil.

321. CLOSURE OF MEETING

There being no further business, the meeting closed at 9.17pm.

I hereby certify that the Minutes of the meeting of the Council of the Town of East Fremantle, held on 20 October 2009, Minute Book reference 300. to 321. were confirmed at the meeting of the Council on

.....

Presiding Member

