



**MINUTES OF A COUNCIL MEETING, HELD IN THE COUNCIL CHAMBERS, ON TUESDAY, 18 OCTOBER, 2011 COMMENCING AT 6.40PM.**

**271. DECLARATION OF OPENING OF MEETING**

The Mayor (Presiding Member) declared the meeting open.

**271.1 Present**

Mayor A Ferris	Presiding Member
Cr B de Jong	
Cr C Collinson	
Cr R Lilleyman	
Cr S Martin	
Cr R Olson	
Cr M Rico	
Cr A Wilson	
Mr S Wearne	Chief Executive Officer
Mr J Douglas	Manager Planning Services (To 8.35pm)
Ms J May	Minute Secretary

**272. ACKNOWLEDGEMENT OF COUNTRY**

The Presiding Member 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.”*

**273. WELCOME TO GALLERY AND INTRODUCTION OF ELECTED MEMBERS AND STAFF**

There were five members of the public in the gallery at the commencement of the meeting.

Mayor Ferris advised that prior to the commencement of the Meeting, a Swearing In ceremony for the recently elected Councillors had taken place. **ATTACHMENT**

**274. RECORD OF APPROVED LEAVE OF ABSENCE**

Nil.

**275. RECORD OF APOLOGIES**

Cr Nardi.

**276. ELECTION OF DEPUTY MAYOR**

The Chief Executive Officer, as Returning Officer, distributed advice to elected members outlining the requirements of the Local Government Act in relation to the election of Deputy Mayor.

Mayor Ferris advised that two written nominations from Cr de Jong and Cr Wilson 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 de Jong
2. Cr Wilson

Crs de Jong and Wilson each addressed elected members regarding their nomination for Deputy Mayor.

Ballot papers were distributed and collected by the Returning Officer.



Following the counting of votes by the Returning Officer and Ms Janine May as Deputy Returning Officer, Mayor Ferris declared Cr Wilson elected as Deputy Mayor of the Town of East Fremantle for a two year period.

**277. DECLARATION OF OFFICE BY DEPUTY MAYOR**

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

**278. PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS**

Nil.

**279. PUBLIC QUESTION TIME**

Nil.

**280. APPLICATIONS FOR LEAVE OF ABSENCE**

**280.1 Cr Lilleyman**

Cr Lilleyman sought leave of absence for the Council Meeting on 13 December 2011.

**Cr Rico – Cr Wilson**

**That leave of absence be granted to Cr Lilleyman for the Council Meeting on 13 December 2011.**

CARRIED

**280.2 Cr de Jong**

Cr de Jong sought leave of absence for the Council Meeting on 15 November 2011.

**Cr Rico – Cr Wilson**

**That leave of absence be granted to Cr de Jong for the Council Meeting on 15 November 2011.**

CARRIED

**281. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**281.1 Council Meeting – 20 September 2011**

**Cr Collinson – Cr Lilleyman**

**That the Minutes of the Council Meeting held on 20 September 2011 be confirmed.**

CARRIED

**282. ANNOUNCEMENTS BY MAYOR WITHOUT DISCUSSION**

**282.1 U15 Boys and Girls National Lacrosse Championships**

The Mayor advised that Council had hosted a function on Tuesday, 4 October 2011 for players, coaches, team managers involved in the U15 National Lacrosse Championships and representatives from the East Fremantle Lacrosse Club, and had presented a cheque for \$1,000 to the Club to assist with expenditure in hosting this event.

**282.2 East Fremantle Bowling Club/East Fremantle Lawn Tennis Club**

The Mayor advised that he had officially opened the East Fremantle Lawn Tennis Club and East Fremantle Bowling Club seasons on Saturday and Sunday of the previous weekend.

**282.3 New Cricket Pitch – Henry Jeffery Oval**

The Mayor advised that an article in the local paper featured the new cricket pitch at Henry Jeffery Oval which Council had installed recently.

**282.4 Lotterywest**

The Mayor advised that Council had been successful in obtaining a grant of \$18,620 from Lotterywest to assist with the East Fremantle Festival.



18 October 2011

## MINUTES

**282.5 Val Edwards Locke Crescent**

The Mayor read correspondence from Mrs Val Edwards thanking Council for the efficient green waste service and advising how helpful this pickup was for older ratepayers.

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

Nil.

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

Nil.

**285. CORRESPONDENCE (LATE RELATING TO ITEM IN AGENDA)****285.1 T117.5 Hamilton Street No 33 (Lot 15)**

**Gerard McCann:** Advising that the planning submission for 33 Hamilton Street had inadvertently shown the garage setback on 6.8 metres. The site survey done for the submission had wrongly put this house and its verandah, and the neighbouring houses, on a 6.2 metre street setback. This should be 4.5 metres from Nos 31 and 33 Hamilton. The alignment of the garage on the prevailing street setback remains the preferred setback, and the location of the garage relative to the existing house and verandah remains unchanged.

**Cr de Jong – Cr Rico**

That the correspondence from Mr McCann be received and held over for consideration when the matter comes forward for discussion later in the meeting (MB Ref 286.3). CARRIED

**286. TOWN PLANNING & BUILDING COMMITTEE (PRIVATE DOMAIN)****286.1 T117.3 Glyde Street No. 85 (Lot 119)**

**Applicant: Hartree & Associates Architects**

**Owner: David Hartree & Georgia Golding**

**Application No. P83/2011**

Mr Hartree (application) explained the overshadowing diagram produced for this development and its impact on the adjoining properties.

Residents from 87 Glyde Street were in the gallery but did not seek to address the meeting.

**Cr Martin – Cr Wilson**

The adoption of the Committee's recommendation which is as follows:

That Council exercise its discretion in granting approval for the following:

- (a) variation to the north side boundary setback pursuant to the Residential Design Codes from 1.6m to 1.38m;
- (b) variation to the south side boundary setback pursuant to the Residential Design Codes from 1.6m to 1.15m;
- (c) variation in the maximum overshadowing of 87 Glyde Street from 25% to a maximum of 29%;
- (d) variation to the visual privacy requirements of the R-Codes to allow a minor intrusion in the 'cone of vision' to the adjacent property to the west and to the adjacent property to the south;

for the construction of second storey additions and modifications to the undercroft and ground floor of an existing dwelling at No. 85 (Lot 119) Glyde Street, East Fremantle in accordance with the plans date stamp received on 26 September 2011 subject to the following conditions:

1. Prior to the installation of externally mounted air conditioning plant, a development application is to be lodged and approved by Council which



18 October 2011

## MINUTES

- demonstrates that noise from the air conditioner will comply with the Environmental (Noise) Regulations 1997 (see footnote (i) below).
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 demolition licence and 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 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.
  6. All stormwater is to be disposed of on site, an interceptor channel installed if required and a drainage plan be submitted to the satisfaction of the Chief Executive Officer in consultation with the Building Surveyor prior to the issue of a building licence.
  7. 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.
  8. All parapet walls are to be fair faced brickwork or cement rendered to the adjacent property face by way of agreement between the property owners and at the applicant's expense.
  9. 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.
  10. 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.
  11. 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.
  12. 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) *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*



18 October 2011

## MINUTES

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 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.
- (f) with regard to construction of the crossover the applicant/builder is to contact Council's Works Supervisor.
- (g) the 'alfresco' area 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.
- (i) under the Environmental Protection (Noise) Regulations 1997, the noise from an air conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a non compliant air conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise"

CARRIED

Mayor Ferris made the following impartiality declaration in the matter of 36 Dalgety Street: "As a consequence of the owners, Mark & Tanya Peden, being friends of mine, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits in terms of the benefit to the Town and vote accordingly".

Cr Martin made the following impartiality declaration in the matter of 36 Dalgety Street: "As a consequence of having served on the Spare Parts Puppet Theatre board with the architect, Mr Gerard McCann, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits in terms of the benefit to the Town and vote accordingly".

**286.2 T117.4 Dalgety Street No. 36 (Lot 109)**

**Applicant: Gerard McCann Architect**

**Owner: Mark & Tanya Peden**

**Application No. P128/2011**

**Cr Rico – Cr Wilson**

The adoption of the Committee's recommendation which is as follows:

That Council grants approval for the construction of an outbuilding, swimming pool and screen wall at No. 36 (Lot 109) Dalgety Street in accordance with the plans date stamp received on 20 September 2011 subject to the following conditions:

1. The height of the dividing fence to the rear shall be in accordance with the requirements of LPP143 – Fencing.
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 demolition licence and 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. All stormwater is to be disposed of on site and clear of all boundaries.
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



18 October 2011

## MINUTES

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. 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. The proposed studio is not to be occupied for residential purposes.
9. Prior to the installation of externally mounted air-conditioning plant, a development application is to be lodged and approved by Council which demonstrates that noise from the air-conditioner will comply with the Environmental (Noise) Regulations 1997.
10. Pool filter and pump equipment to be located and designed to minimise noise emissions. The pump shall be located a minimum of 1.0 metre away from any boundaries and contained within an acoustically insulated enclosure to the satisfaction of the CEO and all pool equipment shall comply with the Environmental Protection (Noise) Regulations 1997.
11. 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) *matters relating to dividing fences are subject to the Dividing Fences Act 1961. CARRIED*

*Cr Martin made the following impartiality declaration in the matter of 33 Hamilton Street: "As a consequence of having served on the Spare Parts Puppet Theatre board with the architect, Mr Gerard McCann, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits in terms of the benefit to the Town and vote accordingly".*

**286.3 T117.5 Hamilton Street No. 33 (Lot 15)**

**Applicant: Gerard McCann Architect**

**Owner: GA & AC Brunsdon**

**Application No. P123/2011**

The letter from Gerard McCann, referred from Correspondence (MB Ref 285.1) was tabled.

*Cr Martin – Cr Olson*

*The adoption of the Committee's recommendation which is as follows:*

*That Council exercise its discretion in granting approval for the following:*

- *variation to allow two boundary walls on the western and southern boundary respectively;*
  - *discretion to allow a reduced setback to the northern boundary;*
- for the construction of alterations and additions and ancillary accommodation at No. 33 (Lot 15) Hamilton Street in accordance with the plans date stamp received on 22 August 2011 subject to the following conditions:*
1. *Ancillary accommodation shall not be used other than as accommodation for member(s) of the family of the occupiers of the principal dwelling on the same lot.*
  2. *If it is intended to install air conditioning, prior to the installation of externally mounted air conditioning plant, a development application is to be lodged and approved by Council which demonstrates that noise from the air conditioner will comply with the Environmental (Noise) Regulations 1997. (refer footnote (d) below)*
  3. *The works are to be constructed in conformity with the drawings and written information accompanying the application for planning approval other than where*



18 October 2011

## MINUTES

- varied in compliance with the conditions of this planning approval or with Council's further approval.
4. The proposed works are not to be commenced until Council has received an application for a demolition licence and a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
  5. 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.
  6. 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.
  7. All stormwater is to be disposed of on-site and clear of all boundaries.
  8. 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.
  9. All parapet walls are to be fair faced brickwork or cement rendered to the adjacent property face by way of agreement between the property owners and at the applicant's expense.
  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. 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.
  12. 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) 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) under the Environmental Protection (Noise) Regulations 1997, the noise from an air conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".
- (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.



18 October 2011

## MINUTES

- (h) the patio 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.  
(j) the approval and construction of the ancillary accommodation is not a basis for subdivision of the property.

Amendment**Cr Wilson – Cr Rico**

That a discretion for a variation to LPP 142 to allow the garage to be located in line with the existing verandah be added to the resolution which a reference to additional plan date stamp received on 17 October. CARRIED

The motion was amended was put.

**Cr Martin – Cr Olson**

The adoption of the Committee's recommendation which is as follows:

That Council exercise its discretion in granting approval for the following:

- variation to allow two boundary walls on the western and southern boundary respectively;
- discretion to allow a reduced setback to the northern boundary;
- a variation to LPP142 to allow the garage to be located in line with the existing verandah

for the construction of alterations and additions and ancillary accommodation at No. 33 (Lot 15) Hamilton Street in accordance with the plans date stamp received on 22 August and 17 October 2011 subject to the following conditions:

1. Ancillary accommodation shall not be used other than as accommodation for member(s) of the family of the occupiers of the principal dwelling on the same lot.
2. If it is intended to install air conditioning, prior to the installation of externally mounted air conditioning plant, a development application is to be lodged and approved by Council which demonstrates that noise from the air conditioner will comply with the Environmental (Noise) Regulations 1997. (refer footnote (d) below)
3. 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.
4. The proposed works are not to be commenced until Council has received an application for a demolition licence and a building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
5. 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.
6. 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.
7. All stormwater is to be disposed of on-site and clear of all boundaries.
8. 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.
9. All parapet walls are to be fair faced brickwork or cement rendered to the adjacent property face by way of agreement between the property owners and at the applicant's expense.





18 October 2011

## MINUTES

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. 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.
12. 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) 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) under the Environmental Protection (Noise) Regulations 1997, the noise from an air conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".
- (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 patio 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.
- (j) the approval and construction of the ancillary accommodation is not a basis for subdivision of the property.

CARRIED

*Cr Martin made the following impartiality declaration in the matter of 40 Osborne Road: "As a consequence of having served on the Spare Parts Puppet Theatre board with the architect, Mr Gerard McCann, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits in terms of the benefit to the Town and vote accordingly".*

*Cr Wilson made the following impartiality declaration in the matter of 40 Osborne Road: "As a consequence of the subject property being my former family home, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits in terms of the benefit to the Town and vote accordingly".*



18 October 2011

## MINUTES

286.4 **T117.6 Osborne Road No. 40 (Lot 22)**  
**Applicant: Gerard McCann Architect**  
**Owner: Duncan & Melanie Coutts**  
**Application No. P129/2011**  
**Cr Wilson – Cr Olson**

The adoption of the Committee's recommendation which is as follows:

That Council exercise its discretion in granting approval for a variation to the requirements of LPP No. 142 to allow an additional boundary wall that is 12 metres long in lieu of the 9 metre restriction for the construction of additions to the residence at No. 40 (Lot 22) Osborne Road in accordance with the plans date stamp received on 25 August 2011, subject to the following conditions:

1. If it is intended to install air conditioning, prior to the installation of externally mounted air conditioning plant, a development application is to be lodged and approved by Council which demonstrates that noise from the air conditioner will comply with the Environmental (Noise) Regulations 1997. (*refer footnote (d) below*).
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 demolition licence and 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 stormwater is to be disposed of on site and clear of all boundaries.
7. All parapet walls are to be fair faced brickwork or cement rendered to the adjacent property face by way of agreement between the property owners and at the applicant's expense.
8. 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.
9. 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.
10. 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) *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*



18 October 2011

## MINUTES

report should be lodged with Council and one copy should be given to the owner of any affected owner.

- (d) under the Environmental Protection (Noise) Regulations 1997, the noise from an air conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the Regulations and the installer of a noisy air conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air Conditioner Noise".
- (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) matters relating to dividing fences are subject to the Dividing Fences Act 1961

CARRIED

286.5

**T117.7 View Terrace No. 68 (Lot 1)**  
**Applicant: Webb & Brown-Neaves Pty Ltd**  
**Owner: George Lim & Christine Hu**  
**Application No. P97/2011**  
**Mayor Ferris – Cr Olson**

The adoption of the Committee's recommendation which is as follows:

That Council exercise its discretion in granting approval for the following:

- (a) variation to the maximum height requirements of the LPP142 - Residential Development to allow a maximum wall height of 5.694 metres in lieu of the 5.6m requirement;
- (b) variation to the visual privacy requirements of the R-Codes to allow an intrusion in the 'cone of vision' of 1.5m to the adjacent property to the west and 1.6m to the adjacent property to the east;

for the demolition of an existing dwelling and the construction of a single dwelling at No. 68 (Lot 1) View Terrace, East Fremantle in accordance with the plans date stamp received on 28 September 2011 subject to the following conditions:

1. If it is intended to install air-conditioning, prior to the installation of externally mounted air-conditioning plant, a development application is to be lodged and approved by Council which demonstrates that noise from the air-conditioner will comply with the Environmental (Noise) Regulations 1997. (*refer footnote (i) below*).
2. Detailed plans for the front fence and gate which demonstrate compliance with the Local Planning Policy – Policy on Local Laws Relating to Fencing are to be submitted and approved prior to the issue of a Building Licence.
3. The proposed 'future pool' shown on the submitted plans does not form part of this approval. A separate application for Planning Approval is required in respect to any proposed swimming pool on the subject site.
4. 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.
5. Prior to any material change or demolition of the existing dwelling and prior to the issue of a demolition licence, an archive record shall be prepared and approved, with plans and colour photographs of each facade and each room to the satisfaction of the Chief Executive Officer.
6. The proposed works are not to be commenced until Council has received an application for a demolition licence and 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.



18 October 2011

## MINUTES

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 stormwater is to be disposed of on site and clear of all boundaries.
10. 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.
11. All parapet walls are to be fair faced brickwork or cement rendered to the adjacent property face by way of agreement between the property owners and at the applicant's expense.
12. 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.
13. 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.
14. 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.
15. 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) *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 property.*
- (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 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.*
- (f) *With regard to construction of the crossover the applicant/builder is to contact Council's Works Supervisor.*
- (g) *The 'alfresco' area 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.*
- (i) *Under the Environmental Protection (Noise) Regulations 1997, the noise from an air-conditioner must meet assigned allowable noise levels at all times. The Environmental Protection Act 1986 sets penalties for non-compliance with the*



18 October 2011

## MINUTES

***Regulations and the installer of a noisy air-conditioner can face penalties of up to \$5,000 under Section 80 of the Act. Refer to Department of Environmental Protection document—"An Installers Guide to Air-Conditioner Noise".***  
**CARRIED**

Under s.5.21(4)(b) of the Local Government Act 1995, Cr Rico requested that the voting of Council members be recorded.

Crs Martin, Lilleyman, Collinson, Olson, Wilson, de Jong and Mayor Ferris voted in favour of the recommendation with Cr Rico having voted against the motion.

*Mayor Ferris made the following impartiality declaration in the matter of 10 Hubble Street: "As a consequence of the applicant, Mr John Chisholm, being known to me, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits in terms of the benefit to the Town and vote accordingly".*

**286.6 T117.8 Hubble Street No. 10 (Lot 211)**

***Applicant: John Chisholm Design***

***Owner: Deborah House***

***Application No. P120/2011***

***Cr Martin – Cr Wilson***

**The adoption of the Committee's recommendation which is as follows:**

**That Council exercise its discretion in granting approval for an additional boundary wall on a R20 coded site and not adjoining a similar wall as per the R-Codes for the construction of ancillary accommodation at No. 10 (Lot 211) Hubble Street, East Fremantle in accordance with the plans date stamp received on 16 August 2011 and subject to the following conditions:**

- 1. 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.**
- 2. The proposed works are not to be commenced until Council has received an application for a demolition licence and 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. All stormwater is to be disposed of on-site and clear of all boundaries.**
- 5. Ancillary accommodation shall not be used other than as accommodation for member(s) of the family of the occupiers of the principal dwelling on the same lot.**
- 6. All parapet walls are to be fair faced brickwork or cement rendered to the adjacent property face by way of agreement between the property owners and at the applicant's expense.**
- 7. That the zincalume roofing be treated to Council's satisfaction to reduce reflectivity 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.***
- (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***



18 October 2011

## MINUTES

*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) matters relating to dividing fences are subject to the Dividing Fences Act 1961.*
- (f) the approval and construction of the ancillary accommodation is not a basis for subdivision of the property.*

CARRIED**286.7 T117.9 Gordon Street No. 5 (Lot 2 - SP1794)****Applicant: In House Building Design****Application No. P116/2011**

The following additional information from the Town Planner was considered:

*“Committee did not adopt the Officer’s recommendation and adopted a new resolution as follows:*

*“That the application be deferred to allow a review of the officer’s report including comment on the need for an engineer’s report with regard to the boundary fence.”*

*The Town Planner has discussed this application with the Building Surveyor and it is considered that an engineer’s report would assist in determining if the fencing provides adequate safety (from all elements including lateral loading). In this regard the planner recommends that the recommendation to Council read as follows:*

- 1. That Council defer the application pending receipt of an Engineer’s report provided from a site visit to ascertain the structural adequacy of the existing retaining wall, the existing Colorbond fence and the construction of the unauthorised decking.*
- 2. That the application plans be amended to reflect any requirements arising from the Engineer’s report.”*

**Cr Wilson – Cr Lilleyman****That:**

- 1. Council defer a decision on the application pending receipt of an Engineer’s report, to be at the applicant’s cost and to Council’s satisfaction, with regard to the structural adequacy of the existing retaining wall, the existing Colorbond fence and the construction of the unauthorised decking.**
- 2. the application plans be amended to reflect any requirements arising from the Engineer’s report.**
- 3. the application be reassessed on the basis of any amended plans. CARRIED**

**286.8 Draft Local Planning Policy –****Town Centre Redevelopment Guidelines***By Jamie Douglas, Manager Planning Services on 12 October 2011***BACKGROUND**

At its meeting on 11 October 2011 the Town Planning & Building Committee (Private Domain) requested that a summary report on the submissions received and proposed changes to the draft LPP – Town Centre Redevelopment Guidelines, be prepared for consideration by Council.

**Summary of Submissions:**

A total of 138 submissions were received. The majority of submissions (91) supported revitalisation of the Town Centre but raised various objections to the current format of the draft Local Planning Policy (LPP). Of these, 69 submissions were received as a pro-forma letter which was associated with a ‘flyer’ which was distributed by a third party. Unfortunately the ‘flyer’ misrepresented the proposed policy document in a number of areas and this consequently was reflected in the pro-forma response.



The balance of the submissions (37) expressed support for the draft LPP.

The bulk of objections to the draft LPP focused on:

- potential impacts to existing residences in the vicinity,
- the extent of the planning area
- building heights
- impact on heritage
- need to replicate 'Federation Style' architecture

***Proposed Changes to the Draft Local Planning Policy:***

In consideration of the various submissions received the following changes are proposed which will address many of the issues raised while not unreasonably prejudicing the Planning and Urban Design Objectives of the draft Policy.

- A detailed analysis of development potential has been undertaken to exclude lots which are constrained either through survey strata status or heritage significance or other physical development constraints. Based on this analysis, the boundary of the Planning Area has been redrawn to remove its interface with residential lots in Alexandra, Moss, Bedford Streets, and Hillside and Andrews Roads. Accordingly, it is proposed the extent of the area subject to the design guidelines should be reduced to apply to the existing commercial 'mixed use zone' and the Canning Highway R12.5/R40 Dual Coded zone and those properties identified in Schedule 2 of the Scheme.
- It is proposed to realign the Planning Area boundary so that lots fronting the southern side of Hillside Road are excluded from the Planning Area for a depth of approximately 25 metres so that development potential and traffic generation using this road is restricted to current levels.
- Current open spaces adjacent to the Stirling Highway Bridge entry ramp and to the north of the Canning Highway are also recommended to be excluded from the Planning Area to protect views from the Town Centre to the river.
- It is considered that height maximums in the 'acceptable development standards' of the draft LPP should be amended so that:
  - the 'street wall' height in the Canning Highway precinct is reduced from 5 to 3 storeys;
  - the overall maximum height in the Frame Precinct is reduced from 5 to 3 storeys and
  - the height of all new development within 12 metres of adjacent existing residences beyond the Town Centre Precinct is limited to 3 storeys.
- It is considered that the Public Art component should be increased from a maximum value of \$50,000 per development to a maximum value of \$150,000 per development.

A copy of the original and proposed Plan 6 from the draft LPP are attached to this report to identify the changes to the area that is subject to the draft LPP.

***Further Public Consultation***

It is necessary to consider whether a further Public Forum should be held prior to any adoption of the revised LPP, as has been requested by some submitters. The following points are relevant in this regard:

- The draft LPP has been subject to a protracted period of Public Consultation during which time a number of advertisements have been placed in the local press, updates have been posted on the Town's website, an open letter has been sent to all residents via an insert in the Herald, absentee landowners have been written to, a Public Forum and two Community Reference Group meetings have been held and

there have been a number of press releases. There has also been letterboxing by unknown third parties.

- The proposed changes to the draft LPP indicated above will address the major concerns of most objectors – ie potential impacts to existing residences in the vicinity, the extent of planning area and building heights outside the Town Centre Precinct, although it is acknowledged that some objectors will only be satisfied if there is no change and the present environment is maintained.
- Delaying the adoption of the draft LPP will leave the Town exposed in respect to achieving the desired urban design outcomes should a development application be lodged in the interim before the design guidelines are finally adopted.
- The submissions and the proposed changes to the draft LPP will be considered by elected members at two meetings which are open to the public – at the Town Planning & Building Committee (Private Domain) and full Council.

In light of the above, it is proposed that elected members consider a report on the submissions and proposed changes to the draft LPP at the next meeting of the Town Planning and Building Committee (Private Domain) and Council. Following Council's determination it is further recommended that all CRG members, submitters and attendees at the Public Forum be advised by open letter of Council's determination and changes to the LPP. The foregoing would be in addition to the statutory advertising of the adopted Policy and a press release in the local newspapers.

#### CONCLUSION

A report summarising the submissions received and recommending changes to the draft LPP has been prepared for consideration at the next meeting of the Town Planning and Building Committee (Private Domain) and Council. The proposed changes to the LPP are considered to address the majority of the concerns contained in the submissions opposing the draft LPP. Following Council's determination in respect to the adoption of the LPP it is proposed that participants in the consultation exercise be advised by letter of changes which have been made to the LPP and the date that the matter will be considered by Council, in addition to the normal statutory advertising and press releases.

#### RECOMMENDATION

It is recommended that the report be received and the proposed actions in regard to Public Notification of Council's determination in respect to the Final Adoption of the Local Planning Policy – Town Centre Redevelopment Guidelines be endorsed.

**Cr Martin – Cr Wilson**

**That the report be received and the proposed actions in regard to Public Notification of Council's determination in respect to the Final Adoption of the Local Planning Policy – Town Centre Redevelopment Guidelines be endorsed.**

CARRIED

*The Manager Planning Services left the meeting at 8.35pm.*

## 287. FINANCE

**287.1 Monthly Financial Activity Statement for Period Ending 30 September 2011**  
*By Bill Bond Acting Executive Manager Finance & Administration on 11 October 2011*

#### PURPOSE

To provide financial information to Elected Members. This statement outlines operating and capital revenues and expenditures in accordance with statutory requirements.





18 October 2011

## MINUTES

**BACKGROUND**

The monthly Financial Activity Statement for the period ending 30 September 2011 is appended and includes the following:

- Financial Activity Statement
- Notes to the Financial Activity Statement including schedules of investments and rating information.
- Capital expenditure Report

**ATTACHMENT**

The attached Financial Activity Statement is prepared in accordance with the amended Local Government (Financial Management) Regulations 1996; with additional material to provide Council with easy to understand financial information on Council activities undertaken during the financial year.

**REPORT****Introduction/Comments**

The following is summary information on the attached financial reports:

The September 2011 year to date Financial Activity Statement report shows an overall actual surplus of \$4,908,025 compared to the year to date budget of \$4,795,476 a favourable variance of \$112,549.

Revenue and expenditure variances are generally timing in nature. The surplus is large at the start of the year as the full year rate revenue is brought to account. This surplus will decrease in the remaining months of 2011/12 as it is used to fund expenditure providing works and services.

The overall favourable variance of \$112,549 can be analysed as follows:

- The YTD actual Operating Revenue is \$6,336,525 compared to the YTD budget of \$6,305,903, a favourable variance of \$30,622. The variance is due primarily to higher than budgeted rate revenue, earlier than anticipated receipt of HACC and Capital grants and a favourable variance in Commercial Waste Service charges.
- The YTD actual Operating Expenditure is \$2,001,193 compared to the YTD budget of \$1,694,951, an unfavourable variance of \$306,242. The variance is due primarily to higher than anticipated expenditure in the HACC program, the second quarterly instalment to Glyde In Community Group of \$21,000, additional road maintenance work on verges, street cleaning and drainage, and as we are behind on capital works the recovery of Public Works Overheads from this area has not been recouped in the September quarter.
- The YTD actual Capital Expenditure is \$286,762 when compared to the YTD budget of \$636,490 a favourable variance of \$349,728. The variance is due to the timing of undertaking road and building works.

**Statutory Requirements**

Local Government Act 1995 (As amended)

Local Government (Financial Management) Regulations 1996 (As amended)

**Relevant Council Policies**

Significant accounting policies are adopted by Council on a periodic basis. These policies are used in the preparation of the statutory reports submitted to Council.

**Strategic Plan Implications**

Nil



**Financial/Resource/Budget Implications**

The September 2011 Financial Activity Statement shows variances in income and expenditure when compared with budget estimates.

**Conclusion**

The attached Financial Activity Statement for the period 1 July 2011 to 30 September 2011 is presented to the Council for information.

**RECOMMENDATION**

That the Financial Activity Statement for the period ending 1 July 2011 to 30 September 2011 be received.

Cr Olson queried what the expenditure of \$2,100 for Plympton Steps entailed. The CEO undertook to provide this information.

**Cr Lilleyman – Cr Olson**

**That the Financial Activity Statement for the period ending 1 July 2011 to 30 September 2011 be received.** CARRIED

**287.2 Accounts for Payment – September 2011**

*By Bill Bond, Acting Executive Manager Finance & Administration on 11 October 2011*

**PURPOSE**

To endorse the list of payments for the period 1 September to 30 September 2011.

**BACKGROUND**

It is a requirement of the Financial Management Regulations that the monthly Accounts for Payment are endorsed by the Council. The List of Accounts is attached.

**ATTACHMENT**

**REPORT**

**Comments/Discussion**

The List of Accounts for the period beginning 1 September and ending 30 September 2011 require endorsement by the Council.

**RECOMMENDATION TO COUNCIL**

That the List of Accounts for the period beginning 1 September and ending 30 September 2011 be received, as per the following table:

<i>September 2011</i>		
Voucher Nos	Account	Amount
4210 - 4230	Municipal (Cheques)	\$19,931.91
EFT 14397 – EFT 14559	Electronic Transfer Funds	\$576,383.26
Loans	Electronic Transfer Funds	18,738.43
Payroll	Electronic Transfer Funds	\$161,811.27
	<b>Municipal Total Payments</b>	<b>\$776,864.87</b>

The CEO undertook to provide further information regarding queries raised by elected members on Cheque No 4217 payable to the Water Corporation.



18 October 2011

## MINUTES

**Cr Olson – Cr de Jong**

**That the List of Accounts for the period beginning 1 September and ending 30 September 2011 be received.** CARRIED

## 288. ELECTED MEMBER DELEGATES' REPORTS

### 288.1 **Cr Martin – Fremantle Ports Inner Harbour Community Liaison Group**

Cr Martin gave an overview of the membership of the Group and the issues currently being considered by the Group.

### 288.2 **Cr Rico – Visit to East Fremantle/Fremantle Library**

Following a request from Cr Rico for elected members to indicate who would be able to attend a tour of the library at 6.30pm on Tuesday, 29 November 2011, the Mayor, Crs Martin, Wilson, Olson and Collinson advised that they would be available to attend.

## 289. REPORTS OF CHIEF EXECUTIVE OFFICER

### 289.1 **Election of Committees & Delegates to External Committees and Other Bodies** *By Stuart Wearne, Chief Executive Officer, on 14 October 2011*

#### PURPOSE

The purpose of this report is to advise elected members of the necessity following the local government ordinary elections in Saturday, 15 October 2011 to:

- elect a Deputy Mayor;
- appoint members to Council's Standing Committees; and
- elect delegates to represent Council on external Committees and other bodies.

#### BACKGROUND

Following the ordinary local government election day on Saturday, 15 October 2011, Council, under provisions of the Local Government Act (clause 7(1) of Schedule 2.3 Div1 and section 5.11) is required to elect a Deputy Mayor and appoint members to its Standing Committees. Although not specifically stipulated under this legislation, it is considered the spirit of the legislation dictates that it would be appropriate, at this time, to also reconfirm, or otherwise, the appointment of delegates to the various external committees and bodies which elected members have previously been appointed to.

Prior to this item being dealt with, the recently re-elected Councillors will have been sworn in at the beginning of the meeting (Agenda Item 4) as an elected member cannot lawfully act as such without the appropriate declaration having been made.

Also prior to this item the Deputy Mayor will have been elected (Agenda Item 7) as the relevant legislation stipulates this must be the first item of business following the local government ordinary elections.

#### REPORT

Following is a list of Council's Standing Committees:

- Town Planning & Building Committee (Private Domain)
- Finance Committee
- Town Planning/Public Domain, Works & Reserves Committee
- Health & General Purposes Committee

Note that membership of a Standing Committee requires an absolute majority vote.

The following are not Standing Committees however meet regularly and require elected member appointments:

- Audit Committee
- East Fremantle Festival Committee



18 October 2011

## MINUTES

Following is a list of external Committees and other bodies which currently entail Council's representation:

- Local Government Association (South Metropolitan Zone) (3 delegates)
- Fremantle City Library Advisory Committee (1 delegate + deputy)
- Glyde-In Community Group (1 delegate + deputy)
- Community Policing (1 delegate + deputy)
- Southern Metropolitan Regional Council (1 delegate)
- South West District Planning Committee (1 delegate + deputy)
- South West Corridor Planning & Infrastructure Committee (1 delegate)
- South West Corridor Development & Employment Foundation (1 delegate + deputy)
- Fremantle Ports Inner Harbour Community Liaison Group (1 delegate + deputy)

Details, including meeting days, frequency etc are set out in the attached. **ATTACHMENT**

**RECOMMENDATION**

That elected members:

- appoint members to Council's Standing Committees; and
- elect delegates to represent Council on external Committees and other bodies which elected members have previously been appointed.

Cr Martin queried whether membership to the DAP and the East Fremantle Oval Master Plan Working Group should also be reviewed at this time.

The CEO advised that Council's DAP representatives had been appointed by the Minister for Planning for a two year period, expiring 26 April 2013, unless their term on Council expired prior to this. The appointments had been made under the Planning & Development (Development Assessment Panels) Regulations 2010, rather than the Local Government Act, thus the provisions in the Local Government Act with respect to tenure of committee membership did not apply. As the East Fremantle Oval Master Plan Working Group had been appointed during his absence on leave, the CEO would prefer to review the status of this Committee and the manner of appointments made to it, in terms of the relevant legislation and report back to Council.

Mayor Ferris advised that Cr Nardi had contacted him and advised that he wished to be nominated for membership on all Committees, and as Council's representative on all Committees/Bodies that he previously served on.

**(A) Town Planning & Building Committee (Private Domain)**

Mayor Ferris called for nominations for membership to the Town Planning & Building Committee.

Mayor Ferris and Crs Collinson, de Jong, Lilleyman, Martin, Rico, Wilson & Nardi nominated for this Committee.

**Cr de Jong - Cr Rico**

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

CARRIED  
ABSOLUTE MAJORITY

**(B) Finance Committee**

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

Mayor Ferris and Crs de Jong, Olson, Martin and Rico nominated for this Committee.

**Cr Collinson – Cr Wilson**

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

CARRIED  
ABSOLUTE MAJORITY

**(C) Town Planning/Public Domain, Works & Reserves Committee**

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

Mayor Ferris, and Crs de Jong, Martin, Olson & Wilson nominated for this Committee.

**Cr de Jong – Cr Collinson**

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

CARRIED  
ABSOLUTE MAJORITY

**(D) Health & General Purposes Committee**

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

Mayor Ferris, and Crs Collinson, Martin, Wilson and Nardi nominated for this 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

**(E) East Fremantle Festival Committee**

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

Crs Rico, Olson, Collinson, Wilson and Nardi nominated for this Committee.

**Cr Olson – Cr Rico**

**That Crs Collinson, Olson, Rico, Wilson & Nardi be appointed to the East Fremantle Festival Committee.**

CARRIED  
ABSOLUTE MAJORITY

**(F) Audit Committee**

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

Mayor Ferris and Crs de Jong, Olson, Lilleyman and Rico nominated for this Committee.

**Cr Collinson – Cr Rico**

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

CARRIED  
ABSOLUTE MAJORITY

**(G) Local Government Association (South Metropolitan Zone)**

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

Crs Rico and Collinson nominated as delegates for this Committee. As a result of no further nominations, Cr Olson nominated for the third delegate position.

**Cr Rico – Cr Olson**

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

CARRIED

**(H) Fremantle/East Fremantle Library Advisory Committee**

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

Cr Rico nominated as Council's delegate and Cr Martin nominated as Council's deputy delegate.



18 October 2011

MINUTES

**Cr Wilson – Cr de Jong**

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

**(I) Glyde-In Community Group**

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

Cr Collinson nominated as Council's delegate to the Glyde-In Community Group.

**Cr Wilson – Cr Olson**

**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

**(J) Community Policing Committee**

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

Cr Olson nominated Cr Nardi as Council's delegate to the Community Policing Committee and nominated himself as the deputy delegate.

**Cr Rico – Cr de Jong**

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

**(K) South West Group District Planning Committee**

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

Cr Collinson nominated as Council's delegate to the South West Group District Planning Committee.

**Cr Rico – Cr Olson**

**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

**(L) South West Corridor Planning & Infrastructure Committee**

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

Cr Wilson nominated as Council's delegate to the South West Corridor Planning & Infrastructure Committee and Cr Rico nominated as the deputy delegate.

**Cr de Jong – Cr Olson**

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

**(M) 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.

**(N) Fremantle Ports Inner Harbour Community Liaison Group**

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



18 October 2011

MINUTES

Cr Martin nominated as Council's delegate and Cr Rico nominated as Council's deputy delegate to the Fremantle Ports Inner Harbour Community Liaison Group

**Cr Wilson – Cr Collinson**

**That Cr Martin be appointed as Council's delegate and Cr Rico be appointed as Council's deputy delegate to the Fremantle Ports Inner Harbour Community Liaison Group.** CARRIED

**(O) Southern Metropolitan Regional Council**

Mayor Ferris called for nominations as Council's representative to the Southern Metropolitan Regional Council.

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

At the request of the Mayor, each candidate then addressed elected members regarding their interest in the position.

Ballot papers were distributed and collected by the Returning Officer.

The Mayor advised each candidate had received an equal number of votes.

Prior to the Mayor exercising a casting vote, discussions involving the CEO and Mayor took place with each candidate.

**Mayor Ferris – Cr Wilson**

**That the appointment of a representative to the South Metropolitan Regional Council be deferred to the next Council Meeting.** CARRIED

289.2

**2011 Christmas Closure Period**

*By Stuart Wearne, Chief Executive Officer, on 28 September 2011*

**PURPOSE**

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

- half a day from 12 noon Friday, 16 December 2011 to allow all employees to attend the staff Christmas party
- 3½ working days over the Christmas/New Year period commencing midday Friday, 23 December 2011. Council's operations would recommence on Tuesday, 3 January 2012.

**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 had been compromised by being held on the last afternoon before closing for Christmas, when many staff were under pressure trying to finish off tasks before closing the office for the Christmas/New Year break. It was consequently considered a staff party in the week preceding this rush would ensure the function was better enjoyed by all.

This is what occurred last year and was very successful, particularly as Senior Bus Captain Rob Lilleyman offered his professional tour leader and chauffeur services, which included the provision of highly entertaining commentary to the passengers over the vehicle's speaker system.

**REPORT**

**Comments/Discussion**

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



18 October 2011

## MINUTES

The closures would be advertised and in order to cater for emergencies during the Christmas/New Year closure. Customers would 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, 16 December 2011 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 23 December 2011 and three days consisting of Wednesday, 28 December, Thursday, 29 December and Friday, 30 December 2011.
3. advertise the closure in such a manner as to ensure that adequate notice is given to the public.

**Cr Rico – Cr Collinson**

**That Council:**

1. **approve the closure of the administration centre from midday Friday, 16 December 2011 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 23 December 2011 and three days consisting of Wednesday, 28 December, Thursday, 29 December and Friday, 30 December 2011.**
3. **advertise the closure in such a manner as to ensure that adequate notice is given to the public.** CARRIED

**289.3 Cancellation of Finance Committee Meeting**

The CEO advised that as finance items had been considered at tonight's meeting, and there were no outstanding issues, it was not considered necessary to convene the scheduled Finance Committee meeting next Tuesday evening. An Audit Committee meeting would however be convened at the same date and time.

Mayor Ferris and Cr Rico advised that they would be an apology for the Audit Committee Meeting.

**289.4 Disability Services**

The CEO reported on the advice with respect to the Town contained in the Disability Services Commission publication "Disability Access and Inclusion Plans (DAIPs) Progress Report 2009-2010". The report advised:

*"The Town of East Fremantle improved access to two Council buildings. Plans are in progress to improve access to East Fremantle Bowling Club with the installation of a new ramp, door and unisex toilet. The Council is continuing its footpath maintenance program with the provision of kerb ramps and continuous walkways throughout the Town. Two new bus stops have been installed. Both provide shelter for wheelchair users and tactile ground surface indicators for people who are blind or have vision impairment."*

**289.5 Pedestrian Access Canning Highway/Stirling Highway Intersection**

The CEO reported on negotiations which have been taking place with Main Roads with respect to improving pedestrian access at the various crossings at the intersection of Canning Highway and Stirling Highway – in particular for pram, gopher, wheelchair users and cyclists.

The CEO reported the current arrangements were completely unacceptable and should never have been allowed.





**289.6 Breakfast of Champions**

The CEO advised that Council's Principal Environmental Health Officer, Shelley Cocks, in company with Noel Nimmo and his wife Myrtle, had attended a recent Breakfast of Champions function hosted by the Injury Control Council of Western Australia where Noel had received a "Champion of Crime Prevention" award.

**290. CONFIDENTIAL BUSINESS**

Nil.

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

**291.1 Cr Collinson**

*"That the Town of East Fremantle:*

1. *Demonstrate its support for the use of rail to transport grain to port and the retention of the "Tier 3" railway lines in particular by joining the Wheatbelt Rail Retention Alliance and contributing \$1,000 to its trust fund.*
2. *Encourage all metropolitan councils to join the alliance.*
3. *Convey its position to WALGA and encourage WALGA to lobby for the retention of the "Tier 3" lines and the use of rail as the best means of transporting grain to port regardless of State Government expenditure on roads."*

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

Nil.

**293. CLOSURE OF MEETING**

There being no further business, the meeting closed at 10.05pm.

*I hereby certify that the Minutes of the meeting of the **Council** of the Town of East Fremantle, held on **18 October 2011**, Minute Book reference **271. to 293.** were confirmed at the meeting of the Council on*

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**Presiding Member**

*With the following correction to MB Ref 289.1(A) Election of Town Planning & Building Committee (Private Domain)  
"That Cr Lilleyman did not nominate, nor was appointed to the Town Planning & Building Committee (Private Domain)"*