



23 September 2008

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MINUTES OF A COUNCIL MEETING, HELD IN THE COUNCIL CHAMBERS, ON TUESDAY, 23 SEPTEMBER, 2008 COMMENCING AT 7.30PM.

293. DECLARATION OF OPENING OF MEETING

The Mayor (Presiding Member) declared the meeting open.

293.1 Present

Mayor A Ferris	Presiding Member
Cr D Arnold	
Cr C Collinson	(To 7.42pm)
Cr D Nardi	
Cr R Olson	
Cr M Rico	
Mr S Wearne	Chief Executive Officer
Mr C Warrener	Town Planner (To 10.30pm)
Ms J May	Minute Secretary

294. 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.”

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

The Mayor welcomed ten members of the public in the gallery and introduced Council members and staff.

296. RECORD OF APPROVED LEAVE OF ABSENCE

Cr de Jong
Cr Dobro
Cr Wilson
Cr Collinson (It was noted Cr Collinson had agreed to attend the first part of this meeting to ensure a quorum for a particular town planning application.)

297. RECORD OF APOLOGIES

Nil.

298. PRESENTATIONS/DEPUTATIONS/PETITIONS/SUBMISSIONS

Nil.

299. PUBLIC QUESTION TIME

Nil.

300. APPLICATIONS FOR LEAVE OF ABSENCE

Nil.

301. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

301.1 Council Meeting – 2 September 2008

Cr Arnold – Cr Nardi

That the Minutes of the Council Meeting held on 2 September 2008 be confirmed.

CARRIED



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302. ANNOUNCEMENTS BY MAYOR WITHOUT DISCUSSION**302.1 *Swan Yacht Club***

Mayor Ferris advised that he and Cr Olson had attended the Commodore's Ball at the Swan Yacht Club on Saturday, 13 September 2008.

302.2 *South West Group – Canberra Trip*

Mayor Ferris advised that he and the Chief Executive Officer, along with the other members of the South West Group, had travelled to Canberra the previous week to meet with politicians and government advisors regarding matters relevant to the South West Group.

302.3 *East Fremantle Bowling Club*

Mayor Ferris advised that he had attended His Excellency the Governor of WA Bowls Day afternoon tea and post match presentations at the East Fremantle Bowling Club on Monday, 22 September 2008.

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

Nil.

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

Nil.

305. CORRESPONDENCE (LATE RELATING TO ITEM IN AGENDA)**305.1 *T80.34 Alexandra Road No 34 (Lot 61)***

Ms N Mackenzie: Submitting comments in support of her application for a carport at 34 Alexandra Road.

Cr Olson – Cr Nardi

That the correspondence be received and held over for consideration when the matter comes forward for discussion later in the meeting (MB Ref 310.3).

CARRIED

305.2 *T780.12 Chauncy Street No 5 (Lot 5041)*

Arkitektura Architects: Advising that the owner wished to amend the design of the proposed front fence to retain the extent of the limestone component including a section that varies up to 2.2 metres above natural ground level. The aluminium slatted screen that was originally proposed is to be substituted with a clear glass panel screen to the same height of the top of the limestone piers (ie RL 35.00) such that it complies with LPP 143.

Cr Olson – Cr Nardi

That the correspondence be received and held over for consideration when the matter comes forward for discussion later in the meeting (MB Ref 310.4).

CARRIED

305.3 *T80.15 Duke Street No 23 (Lot 480)*

Dale Alcock Homes: Providing photographs, from Mrs Dutry, of other properties located in Duke Street that have side entrances to the residences.

Cr Olson – Cr Nardi

That the correspondence be received and held over for consideration when the matter comes forward for discussion later in the meeting (MB Ref 310.2).

CARRIED

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305.4 T80.4 View Terrace No 64A View Terrace

Greg Rowe & Associates: Providing information regarding natural ground level prior to subdivision, the subdivision approval and statutory considerations relating to proposed development at 64A View Terrace.

Cr Olson – Cr Nardi

That the correspondence be received and held over for consideration when the matter comes forward for discussion later in the meeting (MB Ref 307.2).

CARRIED

306. ORDER OF BUSINESS

Cr Rico – Cr Arnold

That the order of business be changed to allow members of the gallery to speak to town planning applications.

CARRIED

307. TOWN PLANNING & BUILDING COMMITTEE (PRIVATE DOMAIN)

Cr Olson declared an interest in the following item as the subject lot adjoins the strata development in which he resides and left the meeting at 7.40pm.

307.1 T80.17 Alexandra Road No 42 (Lot 1001)

Applicant: GDD (WA) Pty Ltd

Owner: R & C Harlan

Application No. P205/2006

Cr Nardi – Cr Rico

That Council grants approval for the construction of alterations and additions to the 2-storey house at No. 42 (Lot 1001) Alexandra Road, East Fremantle comprising:

- replace the existing garage at the rear with a new double garage and carport, and construct a rumpus room above the new garage;
- remove the roof at the front of the house, add 2 bedrooms on the ground floor, extend the master bedroom on the first floor, and include a deck over the first floor;

in accordance with the amended plans date stamp received on 30 July 2008 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 building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. 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.
4. 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.
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.



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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) 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).***

CARRIED

Cr Collinson left the meeting at 7.42pm.

Cr Olson returned to the meeting at 7.42pm and it was noted he did not speak or vote on the previous motion.

307.2 T80.4 View Terrace No. 64A (Lot 2)
Applicant: Perceptions – The Home Builder
Owner: Tony Radaich & Beth Colgate
Application No. P147/2008

The letter from Greg Rowe & Associates, referred from Correspondence (MB Ref 305.4) was tabled.

Mr Brims (adjoining neighbour) addressed the meeting expressing concern regarding the proposal and its impact on his property.

Mr Rutigliano (adjoining neighbour) addressed the meeting urging Council to require the applicants to comply with all statutory requirements.

Mr & Mrs Morgan (adjoining neighbours) addressed the meeting in relation to the impact the proposal will have on their amenity and advised they had suggested compromises to the owners which had been rejected.

Mr Ennis (Greg Rowe & Associates) addressed the meeting in support of the proposal.

Mr Radaich & Ms Colgate (owners) addressed the meeting in support of their proposal and detailed efforts made to arrive at a compromise with the owners of 64 View Terrace.

308. ADJOURNMENT

Cr Rico – Cr Arnold

That the meeting be adjourned at 8.40pm to allow further discussion on this application.

CARRIED

309. RESUMPTION

Cr Rico – Cr Arnold

That the meeting be resumed at 9.10pm with all those present prior to the adjournment, in attendance.

CARRIED



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310. TOWN PLANNING & BUILDING COMMITTEE (PRIVATE DOMAIN)**310.1 T80.4 View Terrace No. 64A (Lot 2) (Contd)**

Mayor Ferris – Cr Olson

That the application be deferred to the next Town Planning & Building Committee meeting to allow the applicants to submit revised plans that better or fully achieve compliance with the R Codes and LPP No 142 in terms of upper floor setbacks.

CARRIED**310.2 T80.15 Duke Street No. 23 (Lot 480)****Applicant: Dale Alcock Homes****Owner: Martin & Danica Dutry****Application No. P133/2008**

The letter from Dale Alcock Homes/Mrs Dutry, referred from Correspondence (MB Ref 305.3) was tabled.

Mr Dutry (owner) and Ms Pearcey (Dale Alcock) addressed the meeting in support of this proposal.

Cr Olson – Cr Arnold

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

(a) variation to the east side (front) setback for a home office pursuant to the Residential Design Codes from 6m to 3.1m;

(b) variation to roof pitch pursuant to Local Planning Policy 066 from 28° to 24°43'; for the construction of a single storey house at No. 23 (Lot 480) Duke Street, East Fremantle comprising a porch, entry, home office, playroom, kitchen/dining & living room, 3 bedrooms, & 2 bathrooms in accordance with the plans date stamp received on 9 July 2008 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 building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. 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.
4. 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.
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. 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.
7. 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

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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.

8. 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.
9. 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) *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) *with regard to construction of the crossover the applicant/builder is to contact Council's Works Supervisor.*
- (f) *matters relating to dividing fences are subject to the Dividing Fences Act 1961*
- (g) *the applicant/owner are advised that pursuant to Council's Local Planning Policy. 142 garages and/or carports are not to be forward of the main building line.*

CARRIED

310.3

T80.3 Alexandra Road No. 34 (Lot 61)**Applicant & Owner: Noeleen & Darren Mackenzie****Application No. P139/2008**

The letter from Ms Mackenzie, referred from Correspondence (MB Ref 305.1) was tabled.

The following additional information from the Town Planner was considered.

"The Town Planning & Building Committee considered an application for a carport, front fence, gatehouse, roofed alfresco area & swimming pool in the front of 34 Alexandra Road.

The Committee decided to recommend the application excluding the carport.

The applicant/owner has subsequently submitted a letter of justification and a photo image to illustrate how the carport will look.

It is evident that the structure will be built to be in keeping with the appearance of the existing "house" (this building was originally a C-class hospital), and is considered not to detract from the appearance of the property."

Cr Olson – Cr Rico

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

- (a) variation to the south side (front) boundary setback pursuant to the Residential Design Codes from 7.5m to 0m for a gatehouse;
- (b) variation to roof pitch for an alfresco pursuant to Local Planning Policy 066 from 28° to 22.5°;
- (c) variation to LPP No 142 to permit a carport in front of the building line for the construction of additions at the front of the single storey house at No. 34 (Lot 61) Alexandra Road, East Fremantle comprising:

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- a 6.3m long x 3m wide belowground swimming pool;
 - new piers to the front verandah;
 - a 5m x 5m x 5.5m high 22.5° pitched colorbond roof alfresco area;
 - a 2.7m x 2.7m x 3.5m high 22.5° pitched colorbond roof gatehouse;
 - a front fence with limestone block piers varying up to 2.5m above natural ground level;
 - a 6m x 6m x 4.3m high 22.5° pitched colorbond roof carport
- in accordance with the plans date stamp received on 21 July 2008 subject to the following conditions:
1. prior to the issue of a building licence a screening hedge is to be specified as an integral part of the proposed works to the satisfaction of the CEO in consultation with Council officers.
 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. the proposed additions are 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.
 5. 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.
 6. the proposed works for the swimming pool are not to be commenced until approval from the Water Corporation has been obtained and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
 7. protective barriers to be erected and maintained around excavation and any accumulated materials until such time as permanent fencing has been erected in accordance with the legal requirements.
 8. pool installer and/or property owner to whom this licence is issued are jointly responsible for all works to existing fencing, the repairs and resetting thereof as well as the provision of any retaining walls that are deemed required. All costs associated or implied by this condition are to be borne by the property owner to whom the building licence has been granted.
 9. pool filter and pump equipment to be located away from boundaries as determined by Council and all pool equipment shall comply with noise abatement regulations.
 10. swimming pool is to be sited a distance equal to the depth of the pool from the boundary, building and/or easement, or be certified by a structural engineer and approved by Council's Building Surveyor.
 11. prior to the issue of a building licence the applicant is to submit a report from a suitably qualified practising structural engineer describing the manner by which the excavation is to be undertaken and how any structure or property closer than one and half times the depth of the pool will be protected from potential damage caused by the excavation/and or the pool construction.
 12. pool contractor/builder is required to notify Council's Building Surveyor immediately upon completion of all works including fencing.
 13. 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.

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14. 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 the proposed carport because this structure is forward of the main building line and therefore conflicts with Local Planning Policy 142.*
- (b) *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) *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) *the alfresco area may not be enclosed without the prior written consent of Council.*

CARRIED**310.4 T80.12 Chauncy Street No. 5 (Lot 5041)****Applicant: Arkitektura****Owner: Rodney & Karen Coates****Application No. P145/2008**

The letter from Arkitektura Architects, referred from Correspondence (MB Ref 305.2) was tabled.

The following additional information from the Town Planner was considered:

"At its meeting on 9 September 2008 the Town Planning & Building Committee considered an application for a swimming pool, fill, and a "non-compliant" front fence at 5 Chauncy Street.

The Committee recommended:

That Council exercise its discretion in granting approval for a variation to the amount of fill in the front setback pursuant to the Residential Design Codes above 0.5m for a 7m long x 4.5m wide belowground swimming pool, and earthworks involving fill of more than 0.5m above natural ground level at No. 5 (Lot 5041) Chauncy Street, East Fremantle in accordance with the plans date stamp received on 25 July 2008 subject to the following conditions:

1. *prior to the issue of a building licence amended plans are to be submitted specifying that the front fence complies with Local Planning Policy 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 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. *the proposed works for the swimming pool are not to be commenced until approval from the Water Corporation has been obtained and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.*
5. *protective barriers to be erected and maintained around excavation and any accumulated materials until such time as permanent fencing has been erected in accordance with the legal requirements.*
6. *pool installer and/or property owner to whom this licence is issued are jointly responsible for all works to existing fencing, the repairs and resetting thereof as well as the provision of any retaining walls that are deemed required. All costs associated or implied by this condition are to be borne by the property owner to whom the building licence has been granted.*
7. *pool filter and pump equipment to be located away from boundaries as determined by Council and all pool equipment shall comply with noise abatement regulations.*



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8. swimming pool is to be sited a distance equal to the depth of the pool from the boundary, building and/or easement, or be certified by a structural engineer and approved by Council's Building Surveyor.
9. prior to the issue of a building licence the applicant is to submit a report from a suitably qualified practising structural engineer describing the manner by which the excavation is to be undertaken and how any structure or property closer than one and half times the depth of the pool will be protected from potential damage caused by the excavation/and or the pool construction.
10. pool contractor/builder is required to notify Council's Building Surveyor immediately upon completion of all works including fencing.
11. 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.
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) 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

In subsequent discussions with Council's Town Planner the applicant advised that the owner is prepared to modify the front fence so that its permeability 'complies' with Council's fence policy (replace aluminium slatted screens with clear glass panels), however it is still proposed that the fence pier in the northeast corner of the property be 2.2m above natural ground level.

The reason for having this pier at that height is to maintain a level fence as the property slopes downwards to the north, and this is considered to result in a more aesthetically pleasing impact on the streetscape.

On this basis the following amended condition 1 is applicable:

1. prior to the issue of a building licence amended plans are to be submitted specifying that the visual permeability of the front fence complies with Local Planning Policy 143."

Mayor Ferris – Cr Nardi

That Council exercise its discretion in granting approval for a variation to the amount of fill in the front setback pursuant to the Residential Design Codes above 0.5m for a 7m long x 4.5m wide belowground swimming pool, and earthworks involving fill of more than 0.5m above natural ground level at No. 5 (Lot 5041) Chauncy Street, East Fremantle in accordance with the plans date stamp received on 25 July 2008 subject to the following conditions:

1. prior to the issue of a building licence amended plans are to be submitted specifying that the visual permeability of the front fence complies with Local Planning Policy 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 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. the proposed works for the swimming pool are not to be commenced until approval from the Water Corporation has been obtained and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.



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5. protective barriers to be erected and maintained around excavation and any accumulated materials until such time as permanent fencing has been erected in accordance with the legal requirements.
6. pool installer and/or property owner to whom this licence is issued are jointly responsible for all works to existing fencing, the repairs and resetting thereof as well as the provision of any retaining walls that are deemed required. All costs associated or implied by this condition are to be borne by the property owner to whom the building licence has been granted.
7. pool filter and pump equipment to be located away from boundaries as determined by Council and all pool equipment shall comply with noise abatement regulations.
8. swimming pool is to be sited a distance equal to the depth of the pool from the boundary, building and/or easement, or be certified by a structural engineer and approved by Council's Building Surveyor.
9. prior to the issue of a building licence the applicant is to submit a report from a suitably qualified practising structural engineer describing the manner by which the excavation is to be undertaken and how any structure or property closer than one and half times the depth of the pool will be protected from potential damage caused by the excavation/and or the pool construction.
10. pool contractor/builder is required to notify Council's Building Surveyor immediately upon completion of all works including fencing.
11. 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.
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) 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.

Amendment

Cr Olson – Cr Rico

That the following become Condition 2 of the motion and the original Conditions 2 -12 be renumbered accordingly:

“The front fence pillars be continued at equal spacing for the full length of the wall”. THE AMENDMENT WAS CARRIED AND FORMS PART OF THE MOTION

The motion, as amended, was put.

Mayor Ferris – Cr Nardi

That Council exercise its discretion in granting approval for a variation to the amount of fill in the front setback pursuant to the Residential Design Codes above 0.5m for a 7m long x 4.5m wide belowground swimming pool, and earthworks involving fill of more than 0.5m above natural ground level at No. 5 (Lot 5041) Chauncy Street, East Fremantle in accordance with the plans date stamp received on 25 July 2008 subject to the following conditions:

1. prior to the issue of a building licence amended plans are to be submitted specifying that the visual permeability of the front fence complies with Local Planning Policy 143.



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2. the front fence pillars be continued at equal spacing for the full length of the wall.
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 building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
5. the proposed works for the swimming pool are not to be commenced until approval from the Water Corporation has been obtained and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
6. protective barriers to be erected and maintained around excavation and any accumulated materials until such time as permanent fencing has been erected in accordance with the legal requirements.
7. pool installer and/or property owner to whom this licence is issued are jointly responsible for all works to existing fencing, the repairs and resetting thereof as well as the provision of any retaining walls that are deemed required. All costs associated or implied by this condition are to be borne by the property owner to whom the building licence has been granted.
8. pool filter and pump equipment to be located away from boundaries as determined by Council and all pool equipment shall comply with noise abatement regulations.
9. swimming pool is to be sited a distance equal to the depth of the pool from the boundary, building and/or easement, or be certified by a structural engineer and approved by Council's Building Surveyor.
10. prior to the issue of a building licence the applicant is to submit a report from a suitably qualified practising structural engineer describing the manner by which the excavation is to be undertaken and how any structure or property closer than one and half times the depth of the pool will be protected from potential damage caused by the excavation/and or the pool construction.
11. pool contractor/builder is required to notify Council's Building Surveyor immediately upon completion of all works including fencing.
12. 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.
13. this planning approval to remain valid for a period of 24 months from date of this approval.

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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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- (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.*

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Mayor Ferris made the following impartiality declaration in the matter of 31 Sewell Street: "As a consequence of my friendship with the designer for this project and my children attending the same school as his children, there may be a perception that my impartiality on the matter may be affected. I



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declare that I will consider this matter on its merits in terms of the benefit to the Town and vote accordingly.”

310.5 T80.14 Sewell Street No. 31 (Lot 232)**Applicant: John Chisholm Design****Owner: D & D Colling****Application No. P132/2008****Cr Olson – Mayor Ferris****The adoption of the Committee’s recommendation which is as follows:****That Council exercise its discretion in granting approval for a variation to the north side boundary setback pursuant to the Residential Design Codes from 1.5m to 1.4m for the construction of minor additions to the single storey house at 31 Sewell Street comprising:**

- add on a 1.4m extension to form a better functioning kitchen;
- pop out a 0.4m extension to the south to help the existing laundry and bathroom work better;

in accordance with the plans date stamp received on 9 July 2008 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 building licence and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
3. the proposed extensions are 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.
4. 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.
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) ***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) ***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).***

CARRIED**310.6 T80.9 Glyde Street No. 19 (Lot 27)****Applicant/Owner: Lynndy Young****Application No. P207/2006****Cr Olson – Cr Nardi****The adoption of the Committee’s recommendation which is as follows:****That Council, pursuant to sub-clause 10.5.2 of Town Planning Scheme No 3, grants an extension of the term of the planning approval for the following:**

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- (a) variation to the south side boundary pursuant to Local Planning Policy 142 for a boundary wall for an alfresco area 4m long X 3.2m high;
- (b) variation to the Residential Design Codes for retaining walls and fill up to 0.675m above natural ground level;
- (c) variation to Council Policy 143 to permit boundary walls along the north, west and south side boundaries varying in height up to 2.475m above natural ground level;

for works to 19 Glyde Street (Lot 27), East Fremantle comprising:

- carport with a 7.2m long parapet wall up to 2.75m high on the north side boundary;
- retaining walls at the rear along the north, west and south side boundaries varying up to 0.675m above natural ground level;
- boundary walls along the north, west and south sides at the rear higher than 1.8m (varying up to 2.475m above natural ground level);
- a 10m long X 5m wide below ground swimming pool;
- alfresco area with a 4m long parapet wall adjacent to the south side boundary varying in height between 2.75m and 3.2m;

in accordance with the plans date stamp received on 19 October 2006 subject to the following conditions:

1. the works 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. the proposed additions are 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.
4. works for the proposed swimming pool are not to be commenced until approval from the Water Corporation has been obtained and the building licence issued in compliance with the conditions of this planning approval unless otherwise amended by Council.
5. protective barriers to be erected and maintained around excavation and any accumulated materials until such time as permanent fencing has been erected in accordance with the legal requirements.
6. pool installer and/or property owner to whom this licence is issued are jointly responsible for all works to existing fencing, the repairs and resetting thereof as well as the provision of any retaining walls that are deemed required. All costs associated or implied by this condition are to be borne by the property owner to whom the building licence has been granted.
7. pool filter and pump equipment to be located away from boundaries as determined by Council and all pool equipment shall comply with noise abatement regulations.
8. swimming pool is to be sited a distance equal to the depth of the pool from the boundary, building and/or easement, or be certified by a structural engineer and approved by Council's Building Surveyor.
9. prior to the issue of a building licence the applicant is to submit a report from a suitably qualified practising structural engineer describing the manner by which the excavation is to be undertaken and how any structure or property closer than one and half times the depth of the pool will be protected from potential damage caused by the excavation/and or the pool construction.
10. pool contractor/builder is required to notify Council's Building Surveyor *immediately upon completion of all works* including fencing.
11. all stormwater 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.



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12. all parapet walls 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.
13. this planning approval is 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 of Council 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 neighbours' side of the parapet wall it is recommended that the applicant consult with the neighbour to resolve a mutually agreed standard of finish.*

CARRIED

310.7 Town Planning & Building (Private Domain) Committee – 9 September 2008 - Adoption

Cr Rico – Cr Nardi

That the recommendations contained in the Minutes of the Town Planning & Building (Private Domain) Committee meeting held on 9 September 2008 be adopted except for the recommendations pertaining to the following, which have already been dealt with:

T80.3	MB Ref 310.3	Alexandra Road No 34 (Lot 61)
T80.4	MB Ref 307.2 & 310.1	View Terrace No 64A (Lot 2)
T80.9	MB Ref 310.6	Glyde Street No 19 (Lot 27)
T80.12	MB Ref 310.4	Chauncy Street No 5 (Lot 5041)
T80.14	MB Ref 310.5	Sewell Street No 31 (Lot 232)
T80.15	MB Ref 310.2	Duke Street No 23 (Lot 480)
T80.17	MB Ref 307.1	Alexandra Road No 42 (Lot 1001)

CARRIED

310.8 Preston Point Road No. 56A (Lot 1)

Applicant: Kensington Design

Owner: Coolgardie Avenue Pty Ltd

Application No. P158/2006

By Chris Warrener, Town Planner on 19 September 2008

BACKGROUND**Description of Proposal**

A request for an extension of the term of Planning Approval for a 3-level house comprising an undercroft with double garage, bedroom, guest room and cellar, ground floor with living, kitchen, study and balcony, and upper floor with lounge, bedroom and balcony.

Statutory Considerations

Town Planning Scheme No. 3 – sub-clause 10.5.2

Documentation

Request date stamp received on 19 September 2008

Date Application Received

14 August 2006

No. of Days Elapsed between Lodgement & Meeting Date

4 days

Any Relevant Previous Decisions of Council and/or History of an Issue or Site

- 17 July 2001: Council decides to advise the WAPC that it conditionally supports the subdivision of 56 Preston Point Road into 3 survey strata lots;
- 18 March 2003: Council grants approval for demolition of dwelling and outbuilding on 56 Preston Point Road;
- 20 August 2004: WAPC grants final approval to Strata Survey Plan 44512;
- 19 Sep. 2006: Council grants conditional approval for a 2-storey house at 56B Preston Point Road.
- 17 October 2006: Council grants approval for a 3-level house at 56A Preston Point Road

Site Inspection

By Town Planner on 4 March 2008

REPORT**Issues**Planning Approval

At its Ordinary Meeting held on 17 October 2006, Council considered an application for a 3-level house at 56A Preston Point Road and resolved as follows:

"That subject to confirmation of wall heights Council exercise its discretion in granting approval for the following:

- (a) variation to the front boundary setback pursuant to the Residential Design Codes for the undercroft wall for a garage, bedroom 3 and a guest room, and the ground floor wall for a balcony and study from 7.5m to 6m, and the upper floor balcony from 7.5m to 6.3m;*
- (b) variation to the rear boundary setback pursuant to the Residential Design Codes for the ground floor wall for a kitchen from 6m to 1.1m, a living room from 6m to 4.5m the upper floor wall for a stairwell from 6m to 3.6m, an en-suite from 6m to 1.2m and for bedroom 1 from 6m to 4.5m;*
- (c) variation to the north side boundary setback pursuant to the Residential Design Codes for a balcony from 7.5m to 1.5m;*
- (d) variation to wall height for an open turret pursuant to Local Planning Policy 142 from 5.6m to 5.8m;*

for the construction of a 3-level house comprising an under-croft with double garage, bedroom, guest room and cellar, ground floor with living, kitchen study and balcony, and upper floor with lounge, bedroom and balcony at 56A Preston Point Road (Lot 1), East Fremantle in accordance with the plans date stamp received on 14 August 2006 subject to the following conditions:

- 1. the works 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.*
- 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 stormwater 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.*
- 6. all parapet walls 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. 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. If Council refuses to approve such works, then this condition cannot be satisfied and this planning approval is not valid.*
- 8. any new crossovers which are constructed under this approval to be a maximum width of 3.0m, the footpath (where one exists) to continue uninterrupted across the width of the site*

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and the crossover to be constructed in material and design to comply with Council's Policy on Footpaths & Crossovers.

9. 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.
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 of Council 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."

Pursuant to condition 10 of the above, the planning approval expires on 17 October 2008.

Discussion

TPS 3 includes a provision which allows Council to consider a request for an extension to a planning approval. It states:

"10.5.2. A written request may be made to the local government for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 10.5.1."

The applicant advises that it has *"been unable to commence work due to the limitations in our programme resulting from booming housing activity construction activity over the past two years"*, and seeks the maximum extension of the term.

The maximum extension permitted is 2-years.

In regard to this particular request Council has not adopted any new policies which might affect consideration of the proposal, TPS 3 has not been amended to affect the application, nor has the state government introduced any new laws or planning policies which might also affect it.

The request is considered reasonable and can be supported.

RECOMMENDATION

That Council advises Kensington Design that it is prepared, pursuant to Town Planning Scheme No 3, sub-clause 10.5.2, to grant a two year extension to the planning approval granted on 17 October 2006 for a 3-level house comprising an undercroft with double garage, bedroom, guest room and cellar, ground floor with living, kitchen, study and balcony, and upper floor with lounge, bedroom and balcony at 56A Preston Point Road (Lot 2), East Fremantle subject to the same terms and conditions applicable to that approval.

Cr Olson – Cr Rico

That Council advises Kensington Design that it is prepared, pursuant to Town Planning Scheme No 3, sub-clause 10.5.2, to grant a two year extension to the planning approval granted on 17 October 2006 for a 3-level house comprising an undercroft with double garage, bedroom, guest room and cellar, ground floor with

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living, kitchen, study and balcony, and upper floor with lounge, bedroom and balcony at 56A Preston Point Road (Lot 2), East Fremantle subject to the same terms and conditions applicable to that approval. CARRIED

311. FINANCE**311.1 Accounts for Payment**

By John Roberts, Executive Manager Finance & Administration on 12 September 2008

PURPOSE

To endorse the lists of payments for the period 1 August 2008 to 31 August 2008.

BACKGROUND

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

ATTACHMENT**REPORT****Comments/Discussion**

The Lists of Accounts for the period beginning 1 August 2008 and ending 31 August 2008 require endorsement by the Council.

RECOMMENDATION TO COUNCIL

That the List of Accounts for the period beginning 1 August 2008 and ending 31 August 2008, be received, as per the following table:

<i>August 2008</i>		
Voucher Nos	Account	Amount
3276 – 3302	Municipal (Cheques)	\$25,747.83
EFT9528 – EFT99620	Electronic Transfer Funds	\$290,712.27
Payroll	Electronic Transfer Funds	\$105,204.70
	Municipal Total Payments	\$421,664.80

Cr Olson – Cr Nardi

That the List of Accounts for the period 1 August 2008 and ending 31 August 2008 be received. CARRIED

311.2 Monthly Financial Activity Statement for Period Ending 31 August 2008

By John Roberts Executive Manager Finance & Administration on 17 September 2008

PURPOSE

To provide financial information to the Council in the form of a financial activity statement for revenues and expenditures, both operating and capital, in accordance with statutory requirements.

BACKGROUND

The monthly Financial Activity Statement for the period ending 31 August 2008 is appended and includes the following:

- Financial Activity Statement
- Notes to the Financial Activity Statement including schedules of investments and rating information.
- Capital Works/Major Capital Project Status 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 August 2008 year to date report shows an overall surplus of \$5,092,390 compared to the year to date budget of \$5,030,313 - as adopted by Council at its Special Council Meeting of 9 July 2008. Revenue and expenditure variances are generally small and favourable early in the financial year as a consequence of staff undertaking planning activities. 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 2008/09 as it is used to fund expenditure providing works and services.

The variance can be analysed as follows:

- The YTD Operating Revenue is \$4,998,668 compared to the YTD budget of \$5,147,042, an unfavourable variance of \$148,374. The variance is due primarily to the receipt of grant income earlier than budgeted, offset by lower than anticipated fee income.
- The YTD Operating Expenditure is \$915,085 compared to the YTD budget of \$1,104,413, a favourable variance of \$189,328. The variance is due primarily to parks, reserves and road maintenance, waste collection and the timing of administration projects.
- The YTD Capital Expenditure is \$3,431 when compared to the YTD budget of \$31,886, a favourable variance of \$28,185. The variance is due primarily to delays in commencing capital expenditure projects. Infrastructure projects are not budgeted to commence until September 2008, due to planning, tendering and scheduling activities.

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 August 2008 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 2008 to 31 August 2008 presented to the Council for information.

RECOMMENDATION

That the Financial Activity Statement for the period ending 1 July 2008 to 31 August 2008 be received.

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Cr Olson – Cr Nardi

That the Financial Activity Statement for the period ending 1 July 2008 to 31 August 2008 be received. CARRIED

312. REPORTS OF CHIEF EXECUTIVE OFFICER

312.1 **Senator Scott Ludlum – Light Rail**

By Stuart Wearne, Chief Executive Officer, on 21 September 2008

During last week's trip to Canberra, the Mayor and I attended the Senate Chamber to hear the inaugural speech of Western Australia's recently elected Greens' Senator Scott Ludlum.

Attached is a copy of this speech.

ATTACHMENT

Together with other members of the delegation the Mayor and I also met with Senator Ludlum to discuss a number of regional issues.

One of these issues was light rail.

The South West Group's views in this regard were of particular interest to Senator Ludlum, as he had already proposed a very ambitious light rail project for the entire greater Perth metropolitan area.

I subsequently obtained more details on this project, which are attached. **ATTACHMENT**

When I say "more details" the proposal is still at the embryonic stage and would require considerable additional work for it to be considered further. Nevertheless Senator Ludlum is very interested in any local government feedback with respect to this proposal.

This is a \$5.4 billion project (according to Senator Ludlum's costings) of which about \$1.5 billion involves the South West Metropolitan Region.

Funding would thus be a major issue, in addition to careful route planning and links to other transport systems.

It is intended Council discuss this proposal at an appropriate time. This should occur after an assessment in a regional context by the South West Group. Meanwhile any individual comments received will be retained and/or forwarded on to Senator Ludlum if wished.

Cr Rico – Cr Olson

That the CEO's report be received. CARRIED

312.2 **Signage re Tree Vandalism**

The CEO advised that a complaint had been received from a resident living directing in front of one of the signs erected along Jerrat Drive regarding tree vandalism and the matter was currently being reviewed by Council and Swan River Trust officers.

313. CONFIDENTIAL BUSINESS

313.1 **Left Bank Bar & Café**

Cr Arnold – Cr Rico

That this matter be dealt with on a confidential basis, in accordance with Section 5.23(2)(d) of the Local Government Act. CARRIED

The CEO provided an update on the current situation.

- 313.2 **East Fremantle Town Centre**
Cr Arnold – Cr Rico
That this matter be dealt with on a confidential basis, in accordance with Section 5.23(2)(e) of the Local Government Act. CARRIED

The CEO provided an update on the current situation.

- 314. **OPENING OF MEETING TO PUBLIC**
Cr Nardi – Cr Rico
That the meeting be reopened to members of the public. CARRIED

- 315. **NOTICES OF MOTION BY ELECTED MEMBERS FOR CONSIDERATION AT THE FOLLOWING MEETING**
Nil.

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

- 317. **CLOSURE OF MEETING**
There being no further business, the meeting closed at 10.50pm

*I hereby certify that the Minutes of the meeting of the **Council** of the Town of East Fremantle, held on **23 September 2008**, Minute Book reference **293. to 317.** were confirmed at the meeting of the Council on*

.....

Presiding Member