



**MINUTES OF A HEALTH & GENERAL PURPOSES COMMITTEE MEETING,  
HELD IN THE UPSTAIRS MEETING AREA, ON WEDNESDAY, 6 MARCH 2002,  
COMMENCING AT 6.40PM.**

**H13. OPENING OF MEETING**

The Presiding Member opened the meeting.

**H13.1**

**Present**

Cr D Hogg	Presiding Member
Mr J O'Neill	Mayor
Cr M Carosella	
Cr A Fenna	
Cr E Lovell	
Mr V Andrich	Principal Environmental Health Officer

**H14. WELCOME TO GALLERY**

There were no members of the public in the gallery at the commencement of the meeting.

**H15. APOLOGIES**

S Wearne, Chief Executive Officer.

**H16. PRESENTATIONS/DEPUTATIONS/PETITIONS**

Nil.

**H17. PUBLIC QUESTION TIME**

Nil.

**H18. CONFIRMATION OF MINUTES**

**H18.1 Health & General Purposes Committee – 6 February 2002**

**RECOMMENDATION TO COUNCIL**

Cr Lovell – Cr Fenna

That the Minutes of the Health & General Purposes Committee Meeting held on 6 February 2002 as adopted at the Council meeting held on 19 February 2002.

CARRIED

**H19. CORRESPONDENCE (LATE RELATING TO ITEMS IN AGENDA)**

Nil.

**H20. REPORTS OF COMMITTEES**

**H20.1**

**Southern Metropolitan Regional Council**

**ATTACHMENT**

Cr Lovell – Cr Fenna

That the Minutes of the Southern Metropolitan Regional Council held on the 22 November 2001 be received.

CARRIED

**H21. REPORTS OF OFFICERS**

**H21.1**

**Receipt of Reports**

Cr Lovell – Cr Fenna

That the reports of officers be received.

CARRIED



6 March 2002

MINUTES

**H21.2**      **Project 2000 Status Report**      **H/HRW2**  
*By Vic Andrich, Principal Environmental Health Officer*

**PURPOSE**

To inform Council on the progress of Project 2000.

**BACKGROUND**

The Town of East Fremantle is a member of the Southern Metropolitan Regional Council and as such is required to keep abreast of progress towards completion of the Regional Resource Recovery Centre (RRRC) known as Project 2000.

**REPORT**

**Comments/Discussion**

The attached Project 2000 Status report was presented to the Southern Metropolitan Regional Council meeting held 28 February 2002.      **ATTACHMENT**

**Statutory Requirements**

Nil.

**Relevant Policies**

The activities of the Southern Metropolitan Regional Council are consistent with Council Policy 052 – Waste Minimisation.

**Principal Activity Plan Impact**

Nil.

**Strategic Plan Impact**

Nil.

**Financial/Budget Implications**

Nil.

**Options and Implications**

Decisions of the Southern Metropolitan Regional Council are binding on Council.

**CONCLUSION**

The Status Report on the development of the Regional Resource Recovery Centre (RRRC) is essential to ensure that time lines are achieved and the progress of developments can be monitored.

**RECOMMENDATION**

That the information be received.

**RECOMMENDATION TO COUNCIL**

**Cr Lovell – Cr Fenna**

That the information be received.

CARRIED

**H21.3**      **Local Laws Review**      **A/BLW1**  
*By Vic Andrich, Principal Environmental Health Officer*

**PURPOSE**

The purpose of this report is to commence the process of repealing obsolete, superfluous or defunct local laws and replace them with new local laws.



## BACKGROUND

### Description of Proposal/Application/Submission

It is proposed for Council to adopt the following:

1. A Local Law to repeal existing outdated local laws.
2. A Local Government Property Local Law
3. An Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law
4. a Urban Environment and Nuisance Local Law.

### PREVIOUSLY CIRCULATED

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

Nil.

## REPORT

### Introduction/Comments

The Local Government Act 1995 sets out the procedure to follow regarding the adoption/repeal of local laws. In short, the following procedure is to be followed:

1. At a Council meeting the person presiding is to read aloud a summary of the purpose and effect of each of the proposed local laws.
2. Advertisement of local laws for public comment/submissions. Copy to Minister for Local Government.
3. Incorporate submissions/comments into the local laws as appropriate and re-presented to Council for adoption. (special majority required)

### Issues

#### REPEAL LOCAL LAW

The purpose of this local law is to repeal local laws considered to be superfluous, obsolete or defunct, relating to the following:

- Old Refrigerators and Cabinets. [gazetted 23 August 1962]
- Limiting the height of Obstructions at corners of Streets, Roads or Right of Ways. [gazetted 14 March 1975]
- Regulating the keeping of Goats. [gazetted 4 September 1925]
- Long Service Leave [gazetted 21 May 1971]
- Construction, Establishment, Operation and Maintenance of Motels. [gazetted 20 January 1978]
- Rates - Payment [gazetted 25 June 1993]
- Control of Hawkers [gazetted 4 March 1977]
- Petrol Pumps [gazetted 1 October 1964 and 19 September 1966]
- Flats and Plot Ratios [gazetted 9 September 1965]
- TV Masts and Antennae [gazetted 27 May 1960]
- Holiday Accommodation. [gazetted 6 December 1975]
- Prevention of Damage to Streets [4 March 1977]
- Extractive Industries [gazetted 10 March 1978]
- Street Verandas [gazetted 19 December 1962]

#### LOCAL GOVERNMENT PROPERTY LOCAL LAW

The purpose of this Local Law is to regulate the care, control and management of all property of the Town of East Fremantle except thoroughfares in the interest of the whole community. In particular this local law will regulate the use of local government property in order to minimise:

- any interference with the environment;
- potential safety threats to the community; and
- the likelihood of fraudulent and misrepresentative trading.



**ACTIVITIES ON THOROUGHFARES AND TRADING IN THOROUGHFARES AND PUBLIC PLACES LOCAL LAW**

The purpose of this Local Law is to consolidate various local laws relating to activities in thoroughfares and trading in thoroughfares and public places. Its effect is to prohibit some activities, permit some activities only under permit in thoroughfares and public places. Also, the local law enables a local government to require house numbering and the erection of fences in certain circumstances.

**URBAN ENVIRONMENT AND NUISANCE LOCAL LAW**

The purpose of this Local Law is to make provision for the control of particular pollution and nuisance problems generally associated with the urban environment and not covered by other written law.

The particular problems are –

- Nuisance arising from amusements, reflective surfaces, use of floodlights, the parking of livestock trucks, truck noise by persons starting trucks in the middle of the night, and people dumping cabinets in an unsafe condition.

**Consultation**

The Local Laws will be advertised statewide as well as locally to ensure residents have the opportunity to provide submissions on the proposed local laws.

**Statutory Requirements**

The Local Government Act 1995 section 3.5 and 3.12 govern the adoption/repealing of local laws.

**Relevant Council Policies**

Nil.

**Principal Activity Plan Implications**

Nil.

**Strategic Plan Implications**

This review is consistent with Goal 6: Corporate Services and Resourcing. Strategy 6.5 To develop and implement improved management practices.

**Financial/Resource/Budget Implications**

Nil.

**Options and Implications**

N/A

**Discussion**

Nil.

**Conclusion(s)**

A review of local laws is long overdue and it is appropriate that Council's local laws are reviewed.

**RECOMMENDATION(S)**

That Council commence the process of repeal/adoption of local laws in accordance with the Local Government Act 1995 and advertise its intention to consider the adoption of the following:

1. A Local Law to repeal existing superfluous, obsolete or defunct local laws.
2. A Local Government Property Local Law
3. An Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law
4. An Urban Environment and Nuisance Local Law.



**RECOMMENDATION TO COUNCIL**

**Mayor O'Neill – Cr Lovell**

**That this matter be held over pending further assessment by Council officers.**

CARRIED

**H21.4**

**Trade Winds Hotel – Variation to Licence**

**CAN59**

*By Vic Andrich, Principal Environmental Health Officer*

**PURPOSE**

The purpose of this report is to advise Council of a proposal to vary the licence conditions of the Trade Winds Hotel and whether or not to provide comment to the Licensing Court.

**BACKGROUND**

**Description of Proposal/Application/Submission**

The Liquor Licensing Division of the Department of Racing, Gaming and liquor have advised that they had received an application to vary conditions of a licence in respect to the Trade Winds Hotel, 59 Canning Highway, East Fremantle. The Licensee seeks to vary the licence conditions to:

- Permit entertainment by one artist present and performing in the piazza area (fronting Canning Highway) until 10.30pm Monday to Saturday and until 8.30pm on Sunday; and
- Permit entertainment by more than one artist, inside the licensed premises until 8.30pm on Sunday (instead of the current 7.00pm).

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

Nil.

**REPORT**

**Introduction/Comments**

The area in question is the beer garden area located in front of the Trade Winds Hotel fronting Canning Highway, East Fremantle. The premises were visited and the General Manager advised:

- The intention was to attract patrons who were 25 years or older.
- Provide a venue that would attract local residents and re-establish the hotel as the "local" for nearby residents.
- The Hotel would be seeking feedback from residents regarding the type and nature of the music/entertainment.
- Noise levels would be maintained within limits set by the Environmental Protection (Noise) Regulations 1997.

**Issues**

The venue currently provides this type of entertainment inside the venue. Expanding to the outside area will be trialled for three months then evaluated to ascertain if it will continue. The main issues of concern are

1. the impact on parking in the area should the outside events attract more non-local patrons that what are currently attending.
2. potential noise issue even though much of the residential area would be shielded by the building itself.

The General Manager of the Trade Winds hotel is prepared to arrange for a noise consultant to assess the venue and specify the noise levels to ensure compliance with the Environmental Protection (Noise) Regulations 1997.



Council may only provide comment on the variation. The final approval is by the Licensing Court. Closing date for comments is 24 March 2002.

**Consultation**

A letterbox drop to residents living in streets surrounding the Trade Winds Hotel was conducted on 27 February 2002. Comments were requested by Tuesday 12 March 2002. A report detailing the comments received will be prepared for the Council meeting.

**Statutory Requirements**

Nil.

**Relevant Council Policies**

Nil.

**Principal Activity Plan Implications**

Nil.

**Strategic Plan Implications**

Nil.

**Financial/Resource/Budget Implications**

Nil.

**RECOMMENDATION(S)**

That the information be received at this stage and Council await residents' comments in a further report to be presented at the March Council meeting.

**Cr Hogg – Cr Lovell**

That the matter be held over to the March Council Meeting pending the preparation of a further report following the close of the comment period. CARRIED

H21.5

**IFEH World Congress on Environmental Health**  
*By Vic Andrich, Principal Environmental Health Officer*

H/HTH1

**PURPOSE**

The purpose of this report is to inform Council that I will be attending the International Federation of Environmental Health 6<sup>th</sup> World Congress on Environmental Health in San Diego, California from 17– 24 May 2002.

**BACKGROUND**

**Description of Proposal/Application/Submission**

To attend the World Congress, I will be taking Long Service Leave and annual leave entitlements commencing 10 May 2002 returning 21 June 2002.

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

Nil.

**REPORT**

**Introduction/Comments**

The International Federation of Environmental Health hosts World Congresses every two years. As “Chairman” of the IFEH Council it is expected that I would attend the World Congress and associated meetings of the Council.

My term as "Chairman" expires in San Diego and I have been requested to participate in the opening ceremony of the congress. This is the first time that the World Congress has been held in the United States.

Topics to be covered at the World Congress include:

- Air pollution
- Disaster preparedness
- Disease vectors, vector control
- Drinking water
- Education and training
- Emerging environmental health issues
- Emerging pathogens
- Empowerment strategies
- Environment and health audits
- Environmental health legislation
- Environmental health management
- Environmental monitoring
- Epidemiological surveillance
- Erosion, sedimentation control
- Food and consumer protection
- Globalization
- Hazardous materials/wastes
- Health impact assessment
- Housing and institutions
- Indoor air quality
- Land development
- Liquid waste
- Local mobilization and involvement
- Plan check
- Public information and communication
- Recreational health
- Risk management
- Sanitation
- Solid and infectious waste
- Swimming pools
- Underground tanks
- Urbanization
- Waste management, recycling
- Waste water treatment
- Occupational health and safety
- Noise
- Water pollution

Full details relating to the Congress are available on the Internet at [www.ifeh2002.org](http://www.ifeh2002.org)

**Issues**

During my absence, the Chief Executive Officer will assume responsibility for all health related matters that may arise and has arranged for environmental health officers from the City of Fremantle to be called upon in the case of an emergency.

**Consultation**

N/A

**Statutory Requirements**

For the City of Fremantle Environmental Health Officers to have authority to act in the Town of East Fremantle they need to be appointed by Council (Section 27 Health Act 1911) and those appointments then approved by the Executive Director, Public Health (Section 28 Health Act 1911).

**Relevant Council Policies**

N/A

**Principal Activity Plan Implications**

N/A

**Strategic Plan Implications**

N/A

**Financial/Resource/Budget Implications**

The cost of utilising the environmental health officers from the City of Fremantle is by invoice of the actual time spent here in East Fremantle. An agreement will be drafted to ensure insurance and other issues are covered.

Actual costs for the World Congress have not yet been released but indications are as follows:

- Registration \$US275 = \$550 per delegate
- Accommodation \$US141 = \$282 per room per night (at Congress Hotel)



**Options and Implications**

N/A

**Conclusion(s)**

The World Congress on Environmental Health provides an excellent opportunity for those interested to come together and network environmental health issues that have cross border implications.

**RECOMMENDATION(S)**

That

1. the information received
2. Council appoint the following officers pursuant to section 27, Health Act 1911 for the period 10 May to 21 June 2002 inclusive to cover the period that the Principal Environmental Health Officer is on leave:
  - a) Glen Lange
  - b) Dan Bolton

**RECOMMENDATION TO COUNCIL**

**Mayor O'Neill – Cr Carosella**

**That:**

1. the information received
2. Council appoint the following officers pursuant to section 27, Health Act 1911 for the period 10 May to 21 June 2002 inclusive to cover the period that the Principal Environmental Health Officer is on leave:
  - a) Glen Lange
  - b) Dan Bolton

CARRIED  
ABSOLUTE MAJORITY REQUIRED

**H21.6**

***Budget Items 2002/2003***

*By Vic Andrich, Principal Environmental Health Officer on 1 March 2002*

**PURPOSE**

To prioritise budget items for 2002/2003

**REPORT**

Attached is a summary of items considered relevant for inclusion in 2002/2003 budget.

**ATTACHMENT**

**RECOMMENDATION(S)**

That elected members prioritise the submitted items for inclusion in the draft budget.

**RECOMMENDATION TO COUNCIL**

**Mayor O'Neill – Cr Fenna**

**That the matter held over to allow the Chief Executive Officer and relevant officers to:**

1. prioritise the listed budget items
2. prepare a four year plan for major projects which includes matters such as sources of funding, depreciation, maintenance etc.

CARRIED

**H22. DELEGATIONS OF AUTHORITY**

**H22.1**

***Delegations Notation***

***C/DEL1***

**BACKGROUND**

Under the provisions of the Local Government Act, Officers who exercise delegated authority are required to advise Council of such action.





6 March 2002

MINUTES

**COMMENTS**

The delegations as shown on the attachment have been exercised for **February 2002.**

**ATTACHMENT**

**RECOMMENDATION**

That Council note the Officers' use of delegated authority for the period 1 December 2001 to 31 January 2002.

**RECOMMENDATION TO COUNCIL**

**Cr Hogg – Cr Lovell**

That Council note the Officers' use of delegated authority for the period 1 February to 28 February 2002. CARRIED

**H23. REFERRED BUSINESS**

Nil.

**H24. BUSINESS WITHOUT NOTICE BY PERMISSION OF THE MEETING**

**H24.1 *East Fremantle Family Playgroup***

The Principal Environmental Health Officer advised that a request had been received from the East Fremantle Family Playgroup to alter their operating hours on Monday and Friday afternoons from 2-4pm to 3-5pm.

**RECOMMENDATION TO COUNCIL**

**Mayor O'Neill – Cr Lovell**

That this matter be referred to the Sumpton Green Management Committee for consideration and a meeting of that committee be called prior to 19 April 2002. CARRIED

**H24.2 *Lauder & Howard***

The Principal Environmental Health Officer tabled a letter from Lauder & Howard, previously circulated to all elected members requesting that future East Fremantle Festivals not be held in George Street. This was due to the fact that their customers were unable to access their premises resulting in a downturn in trade and reports of petty pilfering and damage suffered during this event in past years.

**RECOMMENDATION TO COUNCIL**

**Cr Lovell – Cr Fenna**

That this letter be referred to the next meeting of the East Fremantle Festival Committee. CARRIED

**H24.3 *Post Box Corner of Fraser and Windsor Road***

The Principal Environmental Health Officer advised that an approach had been made by Mr Dave Tindale of 29 Wolsely Road for Council support in having Australia Post reinstate the post box at the corner of Fraser Street and Windsor Road which had been relocated to the corner of Clayton Street and View Terrace. Mr Tindale advises that there are many elderly people who live in the vicinity of the original site and have considerable difficulty in walking to the new location. The Principal Environmental Health Officer further advised that enquiries with Australia Post revealed that the post box had been moved because of a problem with vandalism. Mr Tindale had refuted this claim.

**RECOMMENDATION TO COUNCIL**

**Cr Lovell – Mayor O'Neill**

That Council support the relocation of the post box to its original position (corner of Fraser Street and Windsor Road) and representations be made to Australia Post for its reinstatement. CARRIED



**H24.4 Mooring Pens**

The Principal Environmental Health Officer advised that in relation to the matter of increased mooring pen rentals, held over at the February round of meetings to allow the Chief Executive Officer and Mayor to make representations to relevant government departments in relation to the massive pen fees being imposed, it would be necessary at this stage to resolve to advise all mooring pen holders that their existing lease will be terminated to allow a new lease and price structure to be in place as from 1 July 2002.

**RECOMMENDATION TO COUNCIL**

**Mayor O'Neill – Cr Carosella**

**That the matter be held over pending a response from relevant government departments in relation to Council's representations regarding the massive pen fees being imposed.**

CARRIED

*There being no further business the meeting closed at 7.22pm.*

*I hereby certify that the Minutes of the meeting of the **Health & General Purposes Committee** of the Town of East Fremantle, held on **6 March 2002**, Minute Book reference **H13. to H24.4** were confirmed at the meeting of the Council on*

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*Presiding Member*