

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 20 OCTOBER 1998 AT 7:30 P.M.

	Page
1. APPOINTMENT OF PRESIDING MEMBER [IF REQUIRED]	1
2. ELECTION OF DEPUTY MAYOR (1701) (RWB).....	2
3. PUBLIC ADDRESS SESSION	2
4. WRITTEN REQUEST FOR LEAVE OF ABSENCE	3
5. CONFIRMATION OF MINUTES.....	3
5.1 (OCM10/98) - MINUTES OF ORDINARY COUNCIL MEETING - 15/9/98	3
5.2 (OCM10/98) - MINUTES OF SPECIAL COUNCIL MEETING - 17/9/98	3
5.3 (OCM10/98) - MINUTES OF SPECIAL COUNCIL MEETING - 30/9/98	4
5.4 (OCM10/98) - MINUTES OF SPECIAL COUNCIL MEETING - 30/9/98	4
6. APOLOGIES AND LEAVE OF ABSENCE	4
7. ADDITIONS TO THE AGENDA.....	4
8. DEPUTATIONS	4
9. COUNCIL MATTERS	5
9.1 (OCM10/98) - STRATEGIC & POLICY COMMITTEE REPORT - 6/10/98 (1055)	5
Item 10.1 (SPC10/98) - STATEMENT OF RESOLVE AGAINST ILLICIT DRUG	5
Item 13.1 (SPC10/98) - DEVELOPER CONTRIBUTIONS TOWARDS INFRASTRUCTURE FOR OWNER DEVELOPMENT AREA NO.1 (902197) (AKG).....	5
Item 17.2 (SPC10/98) - FACSIMILE EDITION - COCKBURN THE MAKING OF A COMMUNITY (750500) (RWB)	7
Item 17.4 (SPC10/98) - VARIOUS ISSUES WITHIN COCKBURN (1054) (CLR PECOTIC).....	7
Item 10.2 (SPC10/98) - ILLUMINATED ADVERTISING / DIRECTIONAL SIGNS ON DECLARED MAIN ROADS - DELEGATED AUTHORITY (5418) (BKG)	7

Item 12.1	(SPC10/98) - DELEGATED AUTHORITY - LICENCE FOR DEMOLITION OF BUILDINGS - CHIEF EXECUTIVE OFFICER (3102) (VG)	8
Item 12.2	(SPC10/98) - DELEGATED AUTHORITY - DETERMINATION OF CLASSIFICATION OF BUILDINGS - CHIEF EXECUTIVE OFFICER (3109) (VG).....	8
Item 12.3	(SPC10/98) - REPEAL OF DELEGATED AUTHORITY DA - PD 27 ENVIRONMENTAL PROTECTION ACT (1986) - POWER TO SERVE POLLUTION ABATEMENT NOTICES - EXCESSIVE NOISE EMISSIONS (1050; 1054) (WJH) (ALL).....	9
Item 12.4	(SPCD10/98) - APPOINTMENT OF AUTHORISED PERSONS FOR THE PURPOSE OF CARRYING INTO EFFECT THE PROVISIONS OF CLAUSE 8.3 OF THE CITY OF COCKBURN (LOCAL GOVERNMENT ACT) BY-LAWS (1050; 1054) (WJH) (ALL).....	9
Item 17.1	(SPC10/98) - LEGAL OPINIONS (1157) (RWB).....	9
Item 17.3	(SPC10/98) - STATE CABINET MEETING TO BE HELD IN COCKBURN (10501) (DMG) (CLR PECOTIC).....	10
9.2	(OCM10/98) - COMMUNITY DEVELOPMENT COMMITTEE REPORT - 13/10/98 (1052).....	10
Item 7.1	(CDC10/98) - PROPOSED AMENDMENT NO. 198 - REZONING RURAL TO SPECIAL RURAL - LOTS 391-393 LIDDELOW ROAD, BANJUP - OWNERS: LOT 391 - MR & MRS KENNEDY, LOT 392 - MR & MRS KANNIS, LOT 393 - MR & MRS RODRIGUES - APPLICANT: CHRIS WEST CONSULTANT (92198) (AKG) (EAST)	11
Item 7.2	(CDC10/98) - PROPOSED CHANGES TO DISTRICT SCHEME NO.2 TO OVERCOME THE LIMITATIONS OF MCNEICE RULING - PROPOSED AMENDMENT NO.185 (92185) (4412617) (DW/SR)	12
Item 8.1	(CDC10/98) - RURAL SUBDIVISION - CSL 172; LOT 5 FAWCETT ROAD, MUNSTER - OWNER/APPLICANT: A INGRILLI (108133) (MT) (COASTAL) (MAP NO 9).....	12
Item 9.2	(CDC10/98) - OVERSIZE STEEL FRAMED POOL COVER - LOT 28 WILGA COURT, BANJUP - OWNER: MIKE ROONEY - APPLICANT: MODULAR METALS PTY LTD (5500144) (MT) (EAST) (MAP NO 21).....	13
Item 9.3	(CDC10/98) - HOME OCCUPATION (MINING VEHICLE ENGINE AND PARTS STORAGE) - LOT 3 MUIR COURT, BANJUP - OWNER: L & K CRANNAGE - APPLICANT: L CRANNAGE (5514613) (MT) (EAST) (MAP NO 21).....	13
Item 9.5	(CDC10/98) - PROPOSED RECYCLING OF GREEN WASTE, LIMESTONE RUBBLE AND ROUGH FILL - JAA 236; LOT 1 ROCKINGHAM ROAD, HENDERSON - OWNER: COMSE NOMINEES PTY LTD - APPLICANT: EVERY READY RESOURCES (3411117) (SA) (COASTAL) (MAP NO 10).....	14

Item 9.8	(CDC10/98) - PROPOSED LIQUID WASTE TREATMENT PLANT - LOT 197 COCOS DRIVE, BIBRA LAKE - OWNER/APPLICANT: WESTERN RESOURCE RECOVERY (4412617) (SR) (SOUTH) (MAP NO 8).....	14
Item 9.9	(CDC10/98) - PROPOSED HOME OCCUPATION - RESEARCH LABORATORY - CSL 133; LOT 18, 84 OCEAN ROAD, SPEARWOOD - OWNER: A & G CORONA - APPLICANT: F CORONA (3209223) (SA) (COASTAL) (MAP NO 8).....	14
Item 10.2	(CDC10/98) - SWIMMING POOL RETAIL AND STORAGE ON A SPECIAL RURAL LOT - LOT 1 FORREST ROAD, BANJUP - OWNER: G & J WHITE (5513724) (MT) (EAST) (MAP NO 20).....	14
Item 10.3	(CDC10/98) - BREACHES OF THE HEALTH (FOOD HYGIENE) REGULATIONS 1993 AND COUNCIL'S EATING HOUSE BY-LAWS - ROBERT MURRAY, BIBRA LAKE BURGER BAR (SOUTHERN CARPARK), BIBRA LAKE (6202) (1101399) (DD) (NORTH)	15
Item 11.1	(CDC10/98) - WITHDRAWAL OF EASEMENT - LOT 851 ROCKINGHAM ROAD, SPEARWOOD (3316863) (KJS)	15
Item 13.1	(CDC10/98) - PURCHASE OF NEW FAST ATTACK FIRE FIGHTING VEHICLE - JANDAKOT VOLUNTEER BUSH FIRE BRIGADE (1551) (JJ).....	15
Item 14.1	(CDC10/98) - CARRINGTON STREET BEND BETWEEN HEALY AND CLONTARF ROADS (450001) (JR) (WEST)	16
Item 14.2	(CDC10/98) - COUNCIL DRAINAGE EASEMENT - PT LOT 458 AND LOT 501 HAMMOND, SUCCESS (450012) (5500017) (JR) (EAST).....	16
Item 17.1	(CDC10/98) - CITY OF COCKBURN JUNIOR SPORTS SCHOLARSHIPS (LJCD) (8167).....	16
Item 18.2	(CDC10/98) - ABORIGINAL FAMILY VIOLENCE OUTREACH SERVICE (8504) (JG) (NORTH).....	17
Item 18.3	(CDC10/98) - FEDERATION COMMUNITY GRANTS PROGRAM (1063) (RA)	17
Item 19.3	(CDC10/98) - TENDER NO. 21/98 - SUPPLY AND INSTALLATION OF LANDFILL GAS EXTRACTION AND UTILISATION SYSTEM - HENDERSON LANDFILL (4900) (RNJ) (COASTAL)	18
Item 20.1	(CDC10/98) - REPORT ON FINANCIAL STATEMENTS (5505) (NM).....	18
Item 20.2	(CDC10/98) - LIST OF CREDITORS PAID (5605) (NM).....	18
Item 20.5	(CDC10/98) - EXEMPTION FROM RATES - LOT 10 CARRINGTON STREET (2211918) (NM).....	18
Item 22.1	(CDC10/98) - PETITION - GERALD STREET ACCESS (4500037) (CLR WHEATLEY) (JR).....	19
Item 9.1	(CDC10/98) - SAND EXCAVATION - LOT 130 JANDAKOT ROAD, BANJUP - OWNER: VINCENT NOMINEES PTY LTD - APPLICANT: NLG SAND SUPPLIES (5513178) (CC) (EAST).....	19

Item 9.4	(CDC10/98) - PROPOSED MEDICAL CENTRE - LOT 359, 7 LA FAYETTE BOULEVARD, BIBRA LAKE - OWNER: TAN & TAN PTY LTD - APPLICANT: STRAITS REAL ESTATE (1116731) (MT) (NORTH) (MAP NO 7)	19
Item 9.6	(CDC10/98) - OVERSIZE SHED EXTENSIONS - PT LOT 53 WATTLEUP ROAD, WATTLEUP - OWNER: J & S McLELLAN - APPLICANT: WA SHED COMPANY (4411396) (MT) (SOUTH) (MAP NO 17)	20
Item 9.7	(CDC10/98) - SAND EXCAVATION - LOT 77 JANDAKOT ROAD, JANDAKOT - OWNER: SCHAFFER CORPORATION - APPLICANT: DEVELOPMENT PLANNING STRATEGIES (5513079) (CC) (EAST) (MAP NO 19)	20
Item 10.1	(CDC10/98) - REPEAL OF LOCAL LAWS (1116) (DMG)	21
Item 14.3	(CDC10/98) - PROPOSED COCOS DRIVE CONNECTION TO NORTH LAKE ROAD - COCOS PARK INDUSTRIAL ESTATE - OWNER: CROWN/WHITE RIVER PTY LTD - APPLICANT: LOMBARDO & CO/ G BLACK & OTHERS (450010) (SR/JR)	21
Item 15.1	(CDC10/98) - ISSUE OF TIP PASSES FOR HENDERSON LANDFILL SITE (4900) (JR) (COASTAL)	22
Item 16.1	(CDC10/98) - AMENDMENT OF RESERVES 24309, 15741, 39455 AND 39584 - JERVOISE BAY DEVELOPMENT (KS) (9500) (450002)	22
Item 18.1	(CDC10/98) - COMMUNITY SAFETY/CRIME PREVENTION (8955) (RA) (JJ)	23
Item 19.1	(CDC10/98) - TENDER NO. 41/98 - CONSTRUCTION OF TOILET BLOCK ADDITION AT DAVILAK CLUBHOUSE (2201157) (JR) (WEST)	23
Item 19.2	(CDC10/98) - TENDER NO. 42/98 - SUPPLY & DELIVERY OF THREE SINGLE AXLE TRUCKS WITH SIDE LOADING REFUSE COMPACTOR (4409) (RNJ)	24
Item 20.3	(CDC10/98) - STAFF VEHICLE IMMOBILISER FUNDING SCHEMD (2801) (NM)	24
Item 20.4	(CDC10/98) - DEBT WRITE OFF - SOUTH LAKE LEISURE CENTRE COMPETITION FEES - ALL STARS SOCCER CLUB - PHILLIP RAGAN (5651) (NM)	25
9.3	(OCM10/98) - EASEMENT BETWEEN ROCKINGHAM AND COCKBURN ROADS, HAMILTON HILL (2212274; 2212276; 2212278; 2212292) (SA) (CLR PECOTIC)	25
10.	ADMINISTRATION	26
10.1	(OCM10/98) - NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 8-11 NOVEMBER 1998, CANBERRA (1027) (DMG)	26
10.2	(OCM10/98) - AMENDMENT TO LOCAL LAW RELATING TO DOGS (4313663) (DMG) (SOUTH)	27

10.3	(OCM10/98) - OCCASIONAL COMMITTEES - LAKELAND SENIOR HIGH SCHOOL CHAPLAINCY COUNCIL (8301) (RS)	29
10.4	(OCM10/98) - AUSTRALIAN MAYORAL AVIATION COUNCIL CONFERENCE - BROADBEACH, QUEENSLAND - 4-6 NOVEMBER 1998 (9161) (RWB)	30
11.	PETITIONS.....	31
12.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	32
13.	NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING IF GIVEN DURING THE MEETING	32
14.	CONFIDENTIAL MATTERS	32
15.	CLOSING	32

CITY OF COCKBURN**MINUTES OF ORDINARY COUNCIL MEETING HELD ON
TUESDAY, 20 OCTOBER 1998 AT 7:30 P.M.**

PRESENT:**COMMITTEE MEMBERS**

Mr J Grljusich	-	Mayor
Mrs S Hunt	-	Councillor
Mr J Gianoli	-	Councillor
Mr J Ostojich	-	Councillor
Mrs N Waters	-	Councillor
Mr B P Wheatley	-	Councillor
Mr S Lee	-	Councillor
Mr C Elpitelli	-	Councillor
Mr R A Lees	-	Councillor
Mr M Pecotic	-	Councillor
Mr L Howlett	-	Councillor
Mr L Humphreys	-	Councillor (Dep. 9.27 pm)

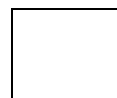
IN ATTENDANCE

Mr R W Brown	-	Chief Executive Officer
Mr A T Crothers	-	Director, Finance & Corporate Services
Mr S M Hiller	-	Director, Planning & Development
Mr B K Greay	-	Director, Engineering
Mrs B Pinto	-	Secretary to Chief Executive Officer

The Presiding Member declared the meeting open at 7.30 pm.

1. APPOINTMENT OF PRESIDING MEMBER [IF REQUIRED]

Nil



2. ELECTION OF DEPUTY MAYOR (1701) (RWB)

The Chief Executive Officer read out the three nominations that were received by the Mayor, those being Clr Ostojich, Clr Waters and Clr Howlett. Since there were three nominations a secret ballot was held. The result of that ballot was:

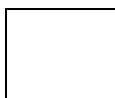
Clr Ostojich	6 votes
Clr Waters	4 votes
Clr Howlett	2 votes

Clr Ostojich receiving the highest number of votes was elected to the position of Deputy Mayor. He took the Declaration before Mayor Grljusich

3. PUBLIC ADDRESS SESSION

Mrs Temby, a resident of Spearwood, spoke to Item 9.4 of the Community Development Committee Minutes, expressing opposition to the development of the Proposed Medical Centre on Lot 359, 7 La Fayette Boulevard, Bibra Lake. When she purchased the block, she was told that it was zoned "residential". She was concerned that residents views were not taken into consideration, and that correspondence had been received that the development had been approved. She has requested Council to reconsider the matter. **Director, Planning and Development** responded that the correspondence was sent out in error, and since the required advertising had not been carried out prior to approvals being given, the matter will be reconsidered and responses provided to all the adjoining landowners.

Heather Smedley, representing ten community groups and ten supporting groups spoke to Item 16.1 of the Community Development Committee Minutes. She said that she had a 5,000 signature petition, strongly opposing this development. She stated that she had a series of questions that needed to be addressed. Mr Staple of CCM, which is public relations organisation, has been employed by Com-Net to carry out a survey of the concerned residents regarding this development. Mr Staple outlined the role that his organisation will be taking in obtaining the information from the residents. **Mayor Grljusich** replied that Councillors are aware of the questions that were to be raised tonight and have already been provided with the answers to those questions by the Director, Planning and Development. **Mayor Grljusich** asked Mrs. Smedley whether she would like to receive the answers to these questions in writing, to which she agreed.



John Smedley spoke on Item 16.1 of the Community Development Committee Minutes, requesting Council to support its community in the objection of the development of Jervoise Bay. Mayor Grijusich replied that at the present time Council is mainly dealing with infrastructure.

4. WRITTEN REQUEST FOR LEAVE OF ABSENCE

MOVED Clr Howlett SECONDED Clr Gianoli that Leave of Absence be granted to Clr McNair from 8.10 pm on 20 October 1998 to 25 October 1998, both days inclusive.

CARRIED

MOVED Clr Lees SECONDED Clr Gianoli that Leave of Absence be granted to Clr Hunt for the period 24 October 1998 to 29 October 1998, both days inclusive.

MOTION WITHDRAWN

Note: Clr Hunt withdrew the application after it was presented that leave was not required as there was no Ordinary Meeting of Council scheduled.

5. CONFIRMATION OF MINUTES

5.1 (OCM10/98) - MINUTES OF ORDINARY COUNCIL MEETING - 15/9/98

COUNCIL DECISION

MOVED Clr Gianoli SECONDED Deputy Mayor Ostojich that the Minutes of the Ordinary Council Meeting held on 15 September 1998 be confirmed.

CARRIED

5.2 (OCM10/98) - MINUTES OF SPECIAL COUNCIL MEETING - 17/9/98

COUNCIL DECISION

MOVED Clr Humphreys SECONDED Clr Lees that the Minutes of the Special Council Meeting held on 17 September 1998 be confirmed.

CARRIED



5.3 (OCM10/98) - MINUTES OF SPECIAL COUNCIL MEETING - 30/9/98

COUNCIL DECISION

MOVED Clr Wheatley SECONDED Clr Elpitelli that the Minutes of the Special Council Meeting held on 30 September 1998 be confirmed.

CARRIED

5.4 (OCM10/98) - MINUTES OF SPECIAL COUNCIL MEETING - 30/9/98

COUNCIL DECISION

MOVED Clr Humphreys SECONDED Clr Lee that the Minutes of the Special Council Meeting held on 30 September 1998 be confirmed.

CARRIED

6. APOLOGIES AND LEAVE OF ABSENCE

Clr J McNair

Leave of Absence

7. ADDITIONS TO THE AGENDA

MOVED Clr Wheatley SECONDED Clr Howlett that the following item be added to the Agenda:

9.3 Easement between Rockingham and Cockburn Roads, Hamilton Hill (221) (Clr Pecotic)

CARRIED

8. DEPUTATIONS

Nil



9. COUNCIL MATTERS

9.1 (OCM10/98) - STRATEGIC & POLICY COMMITTEE REPORT - 6/10/98 (1055)

COUNCIL DECISION

MOVED Cllr Howlett SECONDED Cllr Humphreys that the report of the Strategic and Policy Committee Meeting held on 6 October 1998 be received and the following recommendations be adopted.

Item 10.1 (SPC10/98) - STATEMENT OF RESOLVE AGAINST ILLICIT DRUG

COUNCIL DECISION

That Council adopt the Statement of Resolve Against Illicit Drug Use, and that the Statement be signed by both, the Mayor and Chief Executive Officer, as being Council's position.

Item 13.1 (SPC10/98) - DEVELOPER CONTRIBUTIONS TOWARDS INFRASTRUCTURE FOR OWNER DEVELOPMENT AREA NO.1 (902197) (AKG)

COMMITTEE RECOMMENDATION

That Council:

(1) adopt the following amendment:-

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED) RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME CITY OF COCKBURN – DISTRICT ZONING SCHEME NO.2

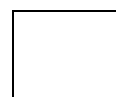
AMENDMENT NO. 197

Resolved that Council, in pursuance of Section 7 of the Town Planning and Development Act 1928 (as amended) amend the above Town Planning Scheme by:-

1. Inserting in the Scheme Text the following Schedule:

TENTH SCHEDULE – OWNER DEVELOPMENT AREAS

Ref No.	Scheme Name	Requirements
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ODA 1	Success North	<p>All landowners within ODA 1 shall make a proportional contribution to the widening and upgrading of Hammond Road between Beelias Drive and Bartram Road, Success. The contribution shall include the following works:-</p> <ul style="list-style-type: none"> • Land requirements as shown on the Metropolitan Regional Scheme • Full earth works • Construction of a two lane unkerbed road • Dual use path (one side only) • Pedestrian crossings(where appropriate) • Drainage crossings
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2. Amend the Scheme Map to include the Owner Development Area;

DATED THIS _____ DAY OF _____ 199_

CHIEF EXECUTIVE OFFICER

(2) sign the amending documents, and forward a copy to:-

1. The Environmental Protection Authority in accordance with Section 7A(1) of the Act; and
2. Advise the Western Australian Planning Commission of Council's resolution;

(3) forward a copy of the signed documents to the Western Australian Planning Commission with a request to advertise the amendment, following receipt of formal advice from the Environmental Protection Authority that the Scheme or Scheme Amendment should not be assessed under Section 48A of the Environmental Protection Act; and

(4) notwithstanding (3) the above, the Director of Planning and Development may refer a Scheme or Scheme Amendment to the Council for their consideration following formal advice from the Environmental Protection Authority that the Scheme or Scheme Amendment should not be assessed under Section 48A of the Environmental Protection Act.



**Item 17.2 (SPC10/98) - FACSIMILE EDITION - COCKBURN
THE MAKING OF A COMMUNITY (750500)
(RWB)**

COUNCIL DECISION

That the matter be recommitted to the next Strategic and Policy Committee Meeting, awaiting the outcome and advice from Manager, Library Services.

**Item 17.4 (SPC10/98) - VARIOUS ISSUES WITHIN
COCKBURN (1054) (CLR PECOTIC)**

COUNCIL DECISION

That reports be presented to the appropriate Committee in due course, in relation to:

- (1) a disabled people's ramp policy to be formulated, in order that all commercial and industrial buildings be required to construct a disabled people's ramp, and for Council to ensure that this is complied with;
- (2) a Business Plan for a Cultural Arts Centre, incorporating a cinema;
- (3) a Business Plan for a recycling transfer station at the Henderson Rubbish Tip;
- (4) funds required for the widening of Carrington Street between Winterfold and Rockingham Roads;
- (5) a Study to be undertaken to dig out three rubbish tips previously located around Bibra Lake; and
- (6) addressing the publication of telephone numbers for Council contacts.

CARRIED

**Item 10.2 (SPC10/98) - ILLUMINATED ADVERTISING /
DIRECTIONAL SIGNS ON DECLARED MAIN
ROADS - DELEGATED AUTHORITY (5418)
(BKG)**

COUNCIL DECISION

MOVED Mayor Grljusich SECONDED Cllr Gianoli that Council accept



responsibility for the installation of illuminated advertising/directional signs on Declared Main Roads.

MOTION LOST

MOVED Clr Howlett SECONDED Clr Waters that Council:

- (1) advise Main Roads WA that the Council is not prepared to accept delegated authority for the installation of Illuminated Advertising/Directional Signs on Declared Main Roads;
- (2) advise Perth Sign Company and Claude Neon of the decision not to accept delegated authority.

CARRIED

Item 12.1 (SPC10/98) - DELEGATED AUTHORITY - LICENCE FOR DEMOLITION OF BUILDINGS - CHIEF EXECUTIVE OFFICER (3102) (VG)

COUNCIL DECISION

MOVED Clr Humphreys SECONDED Clr Gianoli that Council:

- (1) grant delegated authority to the Chief Executive Officer to enable him to approve applications and issue licences for the demolition of buildings under Section 374A of the Local Government (Miscellaneous Provisions) Act 1960;
- (2) include (1) above in Council's Register of Delegated Authority.

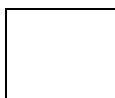
CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

Item 12.2 (SPC10/98) - DELEGATED AUTHORITY - DETERMINATION OF CLASSIFICATION OF BUILDINGS - CHIEF EXECUTIVE OFFICER (3109) (VG)

COUNCIL DECISION

MOVED Clr Wheatley SECONDED Clr Gianoli that Council:

- (1) grant delegated authority to the Chief Executive Officer to enable him:
 1. to determine Classification of buildings under Section 374C of the Local Government (Miscellaneous Provisions) Act 1960; and
 2. to issue a Certificate of Classification in accordance with



Part 5 of the Building Regulations 1989;

- (2) include (1) above in Council's Register of Delegated Authority.
CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

Item 12.3 (SPC10/98) - REPEAL OF DELEGATED AUTHORITY DA - PD 27 ENVIRONMENTAL PROTECTION ACT (1986) - POWER TO SERVE POLLUTION ABATEMENT NOTICES - EXCESSIVE NOISE EMISSIONS (1050; 1054) (WJH) (ALL)

COUNCIL DECISION

MOVED Clr Humphreys SECONDED Clr Gianoli that delegated authority DA - PD 27 Environmental Protection Act (1986) - Power To Serve Pollution Abatement Notices - Excessive Noise Emissions be repealed.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

Item 12.4 (SPCD10/98) - APPOINTMENT OF AUTHORISED PERSONS FOR THE PURPOSE OF CARRYING INTO EFFECT THE PROVISIONS OF CLAUSE 8.3 OF THE CITY OF COCKBURN (LOCAL GOVERNMENT ACT) BY-LAWS (1050; 1054) (WJH) (ALL)

COUNCIL DECISION

MOVED Clr Humphreys SECONDED Clr Howlett that the matter be deferred to the next Strategic and Policy Committee.

CARRIED

Item 17.1 (SPC10/98) - LEGAL OPINIONS (1157) (RWB)

COUNCIL DECISION

MOVED Clr Wheatley SECONDED Clr Lee that the Committee recommendation be adopted subject to:

- (1) after the word Part 1 in the recommendation include the words "where it appears for a second time";
- (2) at the end of the recommendation add the words "and that a note the item is the subject of legal advice being included in the relevant Agendas or Minutes"; and

and the inclusion of:

- (5) the matter in relation to administrative issues seeking legal advice in relation to the above be placed on the Strategic and Policy Agenda for consideration.

AMENDMENT TO MOTION

MOVED Mayor Grijusich SECONDED Clr Elpitelli that advice sought on administration matters be in writing to Council's Solicitors and those responses also be attached and placed on the appropriate file.

MOTION WITHDRAWN

ORIGINAL MOTION PUT AND LOST

MOVED Clr Howlett SECONDED Clr Elpitelli that the matter be referred to the Strategic and Policy Committee taking into consideration matters raised at the full Council Meeting.

CARRIED

Item 17.3 (SPC10/98) - STATE CABINET MEETING TO BE HELD IN COCKBURN (10501) (DMG) (CLR PECOTIC)

COUNCIL DECISION

MOVED Clr Lee SECONDED Clr Elpitelli that the matter be referred to the Strategic and Policy Committee, with the exclusion of:

- (3) Rezoning parts of Wattleup and Henderson into light industrial and commercial estates.

which is to be deleted.

CARRIED

9.2 (OCM10/98) - COMMUNITY DEVELOPMENT COMMITTEE REPORT - 13/10/98 (1052)

MOVED Clr Humphreys SECONDED Clr Wheatley that the report of the Community Development Committee Meeting held on 13 October 1998 be received and the following recommendations be adopted:



- Item 7.1 (CDC10/98) - PROPOSED AMENDMENT NO. 198 - REZONING RURAL TO SPECIAL RURAL - LOTS 391-393 LIDDELOW ROAD, BANJUP - OWNERS: LOT 391 - MR & MRS KENNEDY, LOT 392 - MR & MRS KANNIS, LOT 393 - MR & MRS RODRIGUES - APPLICANT: CHRIS WEST CONSULTANT (92198) (AKG) (EAST)**

COUNCIL DECISION

That Council:

- (1) adopt the following amendment: -

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)
RESOLUTION DECIDING TO AMEND CITY OF COCKBURN TOWN PLANNING SCHEME – DISTRICT ZONING SCHEME NO. 2

AMENDMENT NO. 198

Resolved that Council, in pursuance of Section 7 of the Town Planning and Development Act 1928 amend the above Town Planning Scheme by

1. rezoning lots 391-393 Liddelow Road, Banjup from “Rural” to “Special Rural” and amend the Scheme Map accordingly;
 2. amending the “Sixth Schedule: No 13- Beenyup Road, Banjup”, as follows:
 - i) Clause 13.1: include the following wording after the word “Beenyup” – “Road and Lots 391, 392 and 393 Liddlelow Road, Banjup”;
 - ii) Clauses 13.2.4, 13.2.10(3) and 13.2.10 (4): include the wording “as amended” after “Guide Plan No. 1393/4”;
 3. amending the subdivision Guide Plan No. 1393/4;
- (2) sign the amendment documents, and forward a copy to:-
1. The Environmental Protection Authority in accordance with Section 7A(1) of the Act; and
 2. The Western Australian Planning Commission for



information;

- (3) forward a copy of the signed documents to the Western Australian Planning Commission with a request to advertise the amendment, following the receipt of a formal advice from the Environmental Protection Authority that the Scheme or Scheme Amendment should not be assessed under Section 48A of the Environmental Protection Act;
- (4) notwithstanding (3) above, the Director of Planning and Development may refer a Scheme or Scheme Amendment to the Council for their consideration following formal advice from the Environmental Protection Authority that the Scheme or Scheme Amendment should not be assessed under Section 48A of the Environmental Protection Act;
- (5) advise the applicants of the Council's decision.

Item 7.2 (CDC10/98) - PROPOSED CHANGES TO DISTRICT SCHEME NO.2 TO OVERCOME THE LIMITATIONS OF MCNEICE RULING - PROPOSED AMENDMENT NO.185 (92185) (4412617) (DW/SR)

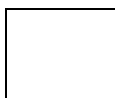
COUNCIL DECISION

That Council defer this item to allow a report to be prepared informing Council which businesses currently operate in the industrial areas outside of the McNiece ruling.

Item 8.1 (CDC10/98) - RURAL SUBDIVISION - CSL 172; LOT 5 FAWCETT ROAD, MUNSTER - OWNER/APPLICANT: A INGRILLI (108133) (MT) (COASTAL) (MAP NO 9)

COUNCIL DECISION

That Council support the application on the basis of extreme hardship.



Item 9.2 (CDC10/98) - OVERSIZE STEEL FRAMED POOL COVER - LOT 28 WILGA COURT, BANJUP - OWNER: MIKE ROONEY - APPLICANT: MODULAR METALS PTY LTD (5500144) (MT) (EAST) (MAP NO 21)

COUNCIL DECISION

That Council:

- (1) approve the proposed pool cover on Lot 28 Wilga Court, Banjup subject to the following conditions:

Standard Conditions

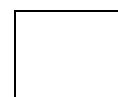
1. Standard conditions contained in Council Policy PD20 as determined appropriate to this application by the delegated officer under clause 7.6 of Council's District Zoning Scheme N^o 2;
- (2) issue an MRS Form 2 Notice of Approval valid for 24 months.

Item 9.3 (CDC10/98) - HOME OCCUPATION (MINING VEHICLE ENGINE AND PARTS STORAGE) - LOT 3 MUIR COURT, BANJUP - OWNER: L & K CRANNAGE - APPLICANT: L CRANNAGE (5514613) (MT) (EAST) (MAP NO 21)

COUNCIL DECISION

That Council:

- (1) refuse the application for a Home Occupation (Mining Vehicle Engine and Parts Storage) on Lot 3 Muir Court, Banjup for the following reasons:
 1. The proposed use is not compatible with the objectives of the Rural – Water Protection Zone;
- (2) advise the owners of Lot 3 Muir Court they have 3 months in which to cease the use;
- (3) in the event that the owners do not comply with Council's decision to cease the use within 3 months, instruct its solicitors to initiate legal action against the owners of Lot 3 Muir Court, Banjup.



Item 9.5 (CDC10/98) - PROPOSED RECYCLING OF GREEN WASTE, LIMESTONE RUBBLE AND ROUGH FILL - JAA 236; LOT 1 ROCKINGHAM ROAD, HENDERSON - OWNER: COMSE NOMINEES PTY LTD - APPLICANT: EVERY READY RESOURCES (3411117) (SA) (COASTAL) (MAP NO 10)

COUNCIL DECISION

That Council defer this item to the November Community Development Committee Meeting pending further advice from Council solicitors in relation to the opinion of the proponent's solicitor.

Item 9.8 (CDC10/98) - PROPOSED LIQUID WASTE TREATMENT PLANT - LOT 197 COCOS DRIVE, BIBRA LAKE - OWNER/APPLICANT: WESTERN RESOURCE RECOVERY (4412617) (SR) (SOUTH) (MAP NO 8)

COUNCIL DECISION

That Council defer the matter to a Special Meeting of Council and that Denis McLeod be invited to attend the meeting to discuss this issue.

Item 9.9 (CDC10/98) - PROPOSED HOME OCCUPATION - RESEARCH LABORATORY - CSL 133; LOT 18, 84 OCEAN ROAD, SPEARWOOD - OWNER: A & G CORONA - APPLICANT: F CORONA (3209223) (SA) (COASTAL) (MAP NO 8)

COUNCIL DECISION

That Council request the applicant to provide a risk assessment at the applicant's cost to the satisfaction of the Health Department of Western Australia and once the assessment results are available Council then reconsider the application at the next appropriate committee meeting.

Item 10.2 (CDC10/98) - SWIMMING POOL RETAIL AND STORAGE ON A SPECIAL RURAL LOT - LOT 1 FORREST ROAD, BANJUP - OWNER: G & J WHITE (5513724) (MT) (EAST) (MAP NO 20)

COUNCIL DECISION

That Council:



- (1) instruct its solicitors in initiate legal action against the owners of Lot 1 Forrest Road, Banjup for the use of the lot for the retail and storage of swimming pools which is in contravention of the provisions of "Special Rural Zone No. 4 – Tapper Road" as contained in Council's District Zoning Scheme No.2;
- (2) advise the landowner of Council's decision accordingly;
- (3) advise the complainants of Council's decision.

Item 10.3 (CDC10/98) - BREACHES OF THE HEALTH (FOOD HYGIENE) REGULATIONS 1993 AND COUNCIL'S EATING HOUSE BY-LAWS - ROBERT MURRAY, BIBRA LAKE BURGER BAR (SOUTHERN CARPARK), BIBRA LAKE (6202) (1101399) (DD) (NORTH)

COUNCIL DECISION

That Council advise the proprietor that if the legal action pending against him is successful, that the Eating House and Stallholders licences for the vehicle will be revoked.

Item 11.1 (CDC10/98) - WITHDRAWAL OF EASEMENT - LOT 851 ROCKINGHAM ROAD, SPEARWOOD (3316863) (KJS)

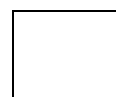
COUNCIL DECISION

That the City of Cockburn agree to the withdrawal of Easement of right of carriageway and car parking burdening Lot 851 Rockingham Road, Spearwood subject to the owner of Lot 851 paying Council's costs to prepare and lodge the necessary documents.

Item 13.1 (CDC10/98) - PURCHASE OF NEW FAST ATTACK FIRE FIGHTING VEHICLE - JANDAKOT VOLUNTEER BUSH FIRE BRIGADE (1551) (JJ)

COUNCIL DECISION

That Council purchase a new Fast Attack Fire Fighting Vehicle for the Jandakot Volunteer Bush Fire Brigade at a changeover cost of \$3,393.00.



**Item 14.1 (CDC10/98) - CARRINGTON STREET BEND
BETWEEN HEALY AND CLONTARF ROADS
(450001) (JR) (WEST)**

COUNCIL DECISION

That Council:

- (1) prepare a report in relation to the cost of a proposal for the widening or treatment of Carrington Street between Dodd Street and Healy Road;
- (2) include the necessary kerb and profile adjustments on the bend in undertaking the current Budget project to resurface Carrington Street between Dodd Street and Forrest Road; and
- (3) advise Main Roads WA of Council's decision.

**Item 14.2 (CDC10/98) - COUNCIL DRAINAGE EASEMENT
- PT LOT 458 AND LOT 501 HAMMOND,
SUCCESS (450012) (5500017) (JR) (EAST)**

COUNCIL DECISION

That Council defer this item to the next Community Development Committee meeting to allow for consideration of further information presented on this matter.

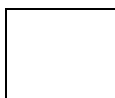
**Item 17.1 (CDC10/98) - CITY OF COCKBURN JUNIOR
SPORTS SCHOLARSHIPS (LJCD) (8167)**

COUNCIL DECISION

That:

- (1) Council set the value for the September 1998 round of the City of Cockburn Junior Sports Scholarships at \$200.00 per recipient;
- (2) the City of Cockburn Junior Sports Scholarship for the September 1998 round be awarded to:

Samantha O'Neil:	Clayton Robinson:	Justin Bruce Uttley
Andrew Musulin:	David William Patullo:	Tino Ausage
Paul George Ilich:	Mark Louwen:	Erin Louise McSevich
Lucas Lang:	Steven Marchese:	David Neil Tarka



Vanessa Marie Cahill: Mark Temma: Scott Robert Taylor.

- (3) item 3 of the “information for Applicants” be amended to reflect that assistance will be provided to applicants selected to represent Western Australia or Australia intrastate or overseas.

**Item 18.2 (CDC10/98) - ABORIGINAL FAMILY VIOLENCE
OUTREACH SERVICE (8504) (JG) (NORTH)**

COUNCIL DECISION

That Council enter a service agreement with Family and Children’s Services to become the sponsor of the Aboriginal Domestic Violence Service, on the understanding that the Lotteries Commission will provide funds for capital items and for the requisite modifications to the building.

**Item 18.3 (CDC10/98) - FEDERATION COMMUNITY
GRANTS PROGRAM (1063) (RA)**

COUNCIL DECISION

That Council:

- (1) submit applications to the Federation Community Projects Program for the following projects:-
- Alan Thomas Music Shell facilities upgrade;
 - Civic Courtyard - Public Arts Project;
 - Beeliar Wetlands Heritage Trail;
- (2) submit an application to the State Government Centennial Celebrations Fund for a multicultural festival;
- (3) place on its 1999/2000 budget funds for Council's contribution toward project(s) funded by the Commonwealth Federation Community Projects Program and/or State Government Program.



Item 19.3 (CDC10/98) - TENDER NO. 21/98 - SUPPLY AND INSTALLATION OF LANDFILL GAS EXTRACTION AND UTILISATION SYSTEM - HENDERSON LANDFILL (4900) (RNJ) (COASTAL)

COUNCIL DECISION

That Council:

- (1) defer this item until such time as meaningful discussions have been held with Cockburn Cement in relation to the future extension to the Henderson Tip Site and the utilisation of gas from the landfill site.
- (2) arrange a meeting with Cockburn Cement and representatives of the Council to discuss these matters as soon as possible.

Item 20.1 (CDC10/98) - REPORT ON FINANCIAL STATEMENTS (5505) (NM)

COUNCIL DECISION

That Council receive the Report on the Financial Statements for the month of August 1998.

Item 20.2 (CDC10/98) - LIST OF CREDITORS PAID (5605) (NM)

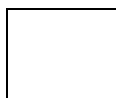
COUNCIL DECISION

That Council receive the List of Creditors Paid for September 1998 for information.

Item 20.5 (CDC10/98) - EXEMPTION FROM RATES - LOT 10 CARRINGTON STREET (2211918) (NM)

COUNCIL DECISION

That Council write to the Minister for Local Government requesting him to declare Lot 10 Carrington Street, Hamilton Hill exempt from rates, on the basis that, it is a right of way and cannot be used for any other purpose.



DECLARATION OF FINANCIAL INTEREST

Chief Executive Officer declared an a financial interest in CDC10/98 Item 22.1. The nature of the interest being, that he lives and owns property in the area.

Item 22.1 (CDC10/98) - PETITION - GERALD STREET ACCESS (4500037) (CLR WHEATLEY) (JR)

COUNCIL DECISION

That Council:

- (1) supply information to the residents in relation to the progress of Gerald Street access as shown on the petition dated 29 September 1998 addressed to the West Ward Councillors; and
- (2) request Mr Colin Crook to supply the addresses of the petitioners to Council administration, to enable the information to be supplied.

CARRIED

ITEM 9.1 (CDC10/98) - SAND EXCAVATION - LOT 130 JANDAKOT ROAD, BANJUP - OWNER: VINCENT NOMINEES PTY LTD - APPLICANT: NLG SAND SUPPLIES (5513178) (CC) (EAST)

COUNCIL DECISION

MOVED Clr Elpitelli SECONDED Clr Lee that the matter be recommitted to the next Community Development Committee Meeting.

CARRIED

Item 9.4 (CDC10/98) - PROPOSED MEDICAL CENTRE - LOT 359, 7 LA FAYETTE BOULEVARD, BIBRA LAKE - OWNER: TAN & TAN PTY LTD - APPLICANT: STRAITS REAL ESTATE (1116731) (MT) (NORTH) (MAP NO 7)

COUNCIL DECISION

MOVED Clr Waters SECONDED Mayor Grljusich that the matter be recommitted to the next Community Development Committee Meeting for further consideration.

CARRIED

DURING DISCUSSION OF THE FOLLOWING ITEM CLR HUMPHREYS LEFT THE MEETING THE TIME BEING 9.27 PM AN DID NOT RETURN

Item 9.6 (CDC10/98) - OVERSIZE SHED EXTENSIONS - PT LOT 53 WATTLEUP ROAD, WATTLEUP - OWNER: J & S McLELLAN - APPLICANT: WA SHED COMPANY (4411396) (MT) (SOUTH) (MAP NO 17)

COUNCIL DECISION

MOVED Clr Elpitelli SECONDED Clr Ostojich that this matter be recommitted to the next Community Development Committee meeting for further consideration.

MOTION LOST

CLR ELPITELLI WISHED HIS VOTE IN FAVOUR OF THE MOTION TO BE RECORDED

MOVED Mayor Grijusich SECONDED Clr Waters that Council:

- (1) approve the application for an oversize rural shed extension on Part Lot 53 Wattleup Road, Wattleup;
- (2) issue an MRS Form 2 Notice of Approval to the applicant;
- (3) advise the landowner that Council would be prepared to consider a request for an "additional use" for the land as an amendment to District Zoning Scheme No. 2 to provide for the storage of drilling equipment associated with the drilling business.

CARRIED

CLR ELPITELLI WISHED HIS VOTE AGAINST THE MOTION TO BE RECORDED

Item 9.7 (CDC10/98) - SAND EXCAVATION - LOT 77 JANDAKOT ROAD, JANDAKOT - OWNER: SCHAFFER CORPORATION - APPLICANT: DEVELOPMENT PLANNING STRATEGIES (5513079) (CC) (EAST) (MAP NO 19)

COUNCIL DECISION

MOVED Clr Elpitelli SECONDED Clr Lee that the matter be



recommitted to the next Community Development Committee Meeting with an officer's report, giving details of existing buffers along Jandakot Road, including the eastern boundary and the northern boundary.

CARRIED

**Item 10.1 (CDC10/98) - REPEAL OF LOCAL LAWS (1116)
(DMG)**

COUNCIL DECISION

MOVED Clr Howlett SECONDED Clr Elpitelli that Council make a Local Law to Repeal the following Local Laws:-

- (1) Erection and Use of Petrol Pumps in or near any Street or Way, as published in the Government Gazette on 11 April, 1935, and amended, and;
- (2) Long Service Leave to be Granted to Employees of the Fremantle District Road Board as published in the Government Gazette on 18 July, 1952 and amended.

CARRIED BY A SPECIAL MAJORITY OF COUNCIL

CLR PECOTIC LEFT THE MEETING AT THIS STAGE THE TIME BEING 9.46 PM AND RETURNED AT 9.49 PM

Item 14.3 (CDC10/98) - PROPOSED COCOS DRIVE CONNECTION TO NORTH LAKE ROAD - COCOS PARK INDUSTRIAL ESTATE - OWNER: CROWN/WHITE RIVER PTY LTD - APPLICANT: LOMBARDO & CO/ G BLACK & OTHERS (450010) (SR/JR)

COUNCIL DECISION

MOVED Clr Lee SECONDED Clr Lees that Council:

- (1) support in principle "Option A' subject to:
 1. the environmental and planning conditions outlined in the officer's report and any subsequent environmental issues that may have been raised at the on-site meetings being resolved to the Council's satisfaction.
 2. the outcome of discussions between Council officers and representatives of Main Roads WA about a road connection between North Lake Road and Spearwood

Avenue south of Phoenix Road.

- (2) require the Director, Planning and Development to provide a report on the discussions referred to in (1) above at the next Community Development Committee Meeting;
- (3) advise White River Pty Ltd, Mr. G. Black, Yangebup Progress Association, D. Tweedle, Main Roads WA, the Department of Environmental Protection and other groups who were invited to the discussions accordingly; and
- (4) advise all parties in (3) above, that Council is opposed to any road for industrial traffic use, east of North Lake Road adjacent to Cocos Park Industrial Area.

CARRIED

CLR HOWLETT WISHED THAT THE VOTES BE RECORDED:

**FOR: MAYOR GRLJUSICH, DEPUTY MAYOR OSTOJICH,
 CLRS HUMPHREYS, WHEATLEY, LEE, HUNT,
 GIANOLI, PECOTIC AND LEES**

AGAINST: CLRS WATERS, HOWLETT AND ELPITELLI

**Item 15.1 (CDC10/98) - ISSUE OF TIP PASSES FOR
 HENDERSON LANDFILL SITE (4900) (JR)
 (COASTAL)**

COUNCIL DECISION

MOVED Clr Elpitelli SECONDED Clr Howlett that the issuing of Tip Cards of 6 vouchers for entry to the Henderson Landfill Site for commercial/industrial properties be referred to the Strategic and Policy Committee for consideration

CARRIED

**Item 16.1 (CDC10/98) - AMENDMENT OF RESERVES
 24309, 15741, 39455 AND 39584 - JERVOISE
 BAY DEVELOPMENT (KS) (9500) (450002)**

COUNCIL DECISION

MOVED Deputy Mayor Ostojich SECONDED Clr Hunt that the matter be recommitted to the next Community Development Committee Meeting for further consideration.



MOVED Clr Waters SECONDED Clr Lee that, the motion be put.

CARRIED

MOTION PUT AND CARRIED

Item 18.1 (CDC10/98) - COMMUNITY SAFETY/CRIME PREVENTION (8955) (RA) (JJ)

COUNCIL DECISION

MOVED Mayor Grljusich SECONDED Clr Howlett that:

- (1) a Steering Group be established comprising Clr Humphreys and Clr Wheatley with Clr Elpitelli as deputy, Manager Community Services and Administrator, Ranger Services; and
- (2) the Steering Group be given delegated authority to appoint consultants to carry out an investigation and report on Community Safety and Crime Prevention in accordance with the process outlined.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

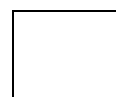
Item 19.1 (CDC10/98) - TENDER NO. 41/98 - CONSTRUCTION OF TOILET BLOCK ADDITION AT DAVILAK CLUBHOUSE (2201157) (JR) (WEST)

COUNCIL DECISION

MOVED Clr Waters SECONDED Mayor Grljusich that Council:

- (1) accept the tender from Aspect Constructions for Tender No. 41/98 - Construction of Toilet Block Addition at Davilak Clubhouse in the sum of \$57,245; and
- (2) reallocate an amount of \$16,000 from Account No. 580851 (Baker Square - Toilet Block) to Account No. 580861 (Davilak Oval - Toilet Block) on the current Budget and adjust the Budget accordingly.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL



Item 19.2 (CDC10/98) - TENDER NO. 42/98 - SUPPLY & DELIVERY OF THREE SINGLE AXLE TRUCKS WITH SIDE LOADING REFUSE COMPACTOR (4409) (RNJ)

COUNCIL DECISION

MOVED Cllr Waters SECONDED Cllr Wheatley that Council:

- (1) accept the tender from Skipper Trucks of three (3) Inter ACCO 2350G/250 trucks with MacDonald Johnston compactor bodies for Tender No. 42/98 - Supply and Delivery of Three (3) Single Axle Trucks with Side Loading Refuse Compactor at a changeover price of \$435,423 and remove Fleet Nos. 50, 53 and 54 from the Assets Register;
- (2) fit an Elphinstone weight sensor system to each of these new trucks at a cost of \$9,000 each (\$27,000 total); and
- (3) transfer an amount of up to \$46,423 from the Plant Replacement Reserve to facilitate the purchase of the replacements for Fleet Nos. 50, 53 and 54, and the Budget be amended accordingly.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

Item 20.3 (CDC10/98) - STAFF VEHICLE IMMOBILISER FUNDING SCHEMD (2801) (NM)

COUNCIL DECISION

MOVED Cllr Waters SECONDED Cllr Wheatley that Council:

- (1) introduce a Staff Vehicle Immobiliser Funding Scheme under the following conditions:

Maximum Advance:	\$250
Purpose of Advance:	To pre-fund the installation of vehicle immobilisers (with or without alarms) to staff members' vehicles. Receipt to be provided as proof of purchase.
Repayment Terms:	to be deducted via payroll over a maximum of 10 fortnights. Advance must be fully repaid within the financial year it was made;

- (2) amend the budget to reflect expenditure of \$3,000 and income



of \$3,000 under the Scheme;

- (3) determine participation in the scheme subject to the merits of each participant as determined by the Director, Finance and Corporate Services.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

Item 20.4 (CDC10/98) - DEBT WRITE OFF - SOUTH LAKE LEISURE CENTRE COMPETITION FEES - ALL STARS SOCCER CLUB - PHILLIP RAGAN (5651) (NM)

COUNCIL DECISION

MOVED Clr Elpitelli SECONDED Clr Waters that Council write off the amount of \$125.10 owed by All Stars Soccer Club.

CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

CLR LEE LEFT THE MEETING AT THIS STAGE THE TIME BEING 10.17 PM AND RETURNED AT 10.23 PM

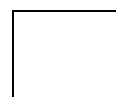
9.3 (OCM10/98) - EASEMENT BETWEEN ROCKINGHAM AND COCKBURN ROADS, HAMILTON HILL (2212274; 2212276; 2212278; 2212292) (SA) (CLR PECOTIC)

COUNCIL DECISION

MOVED Clr Pecotic SECONDED Clr Gianoli that subject to the Chief Executive Officer being satisfied with regard to the legality of the following, that :

- (1) a letter be sent to the grantor ordering him to remove the obstruction on the easement; and
- (2) Council request the grantor to construct and pave the easement as per Council's specifications within two weeks; and
- (3) action be taken accordingly to address (1) and (2) above.

CARRIED



10. ADMINISTRATION

10.1 (OCM10/98) - NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT 8-11 NOVEMBER 1998, CANBERRA (1027) (DMG)

RECOMMENDATION

That Council nominate Clr(s) _____ as delegate(s) to attend the National General Assembly of Local Government to be conducted in Canberra from 8-11 November 1998.

COUNCIL DECISION

MOVED Clr Howlett SECONDED Clr Waters that Clr(s) Humphreys and Pecotic be nominated as delegate(s) to attend the National General Assembly of Local Government to be conducted in Canberra from 8-11 November 1998.

CARRIED

Background

Councillors were circulated with information on this Conference some time ago and requested to respond in time for the matter to be considered by Council, if interested in attending.

Submission

N/A

Report

Director, Community Services will be attending the Conference. Nominations to attend have also been received from Councillor Humphreys and Councillor Pecotic. In accordance with Council Policy, the matter is now referred to Council for further consideration.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

Funds are provided for in Councillors' Conference Account (approximately \$28,000 unexpended). The cost per delegate is estimated at \$3,000.



10.2 (OCM10/98) - AMENDMENT TO LOCAL LAW RELATING TO DOGS (4313663) (DMG) (SOUTH)

RECOMMENDATION

That Council resolve to:

- (1) Make a Local Law to amend its Local Law Relating to Dogs by amending the Sixth Schedule, as follows:
 1. By deleting Reserve 36587 Yangebup Road, Yangebup (known as The Perena Rocchi Reserve); and
 2. By adding Reserve 40452 Yangebup Road, Yangebup (known as Milgun Reserve).

COMMITTEE RECOMMENDATION (CDC9/98)

Moved Councillor McNair seconded Councillor Elpitelli that Council resolve to adopt the recommendation.

CARRIED

STATEMENT READ ALOUD BY PRESIDING MEMBER

The purpose and effect of the amendment is to delete the Perena Rocchi Reserve in Yangebup as a dog exercise area and substitute Milgun Reserve as the dog exercise Reserve for that area.

This proposal has come about as a result of an investigation carried out by Council's Environmental Officers in response to concerns by local residents who feared adverse impact on wildlife located in Rocchi Reserve as the result of dogs also utilising the Reserve.

Following the investigation, it was considered that the potential for adverse impact on wildlife was sufficiently great for the dog exercise Reserve in Yangebup to be relocated from Rocchi Reserve to the nearby Milgun Reserve.

COUNCIL DECISION

MOVED Cllr Gianoli SECONDED Cllr Waters that:

- (1) Council make a Local Law to amend its Local Law Relating to Dogs by amending the Sixth Schedule, as follows:



1. By deleting Reserve 36587 Yangebup Road, Yangebup (known as The Perena Rocchi Reserve); and
2. By adding Reserve 40452 Yangebup Road, Yangebup (known as Milgun Reserve).

CARRIED

Background

At the Council Meeting of 21 July 1998 it was resolved that Council;

- (1) Approve in principle the removal of the gazettal of Perena Rocchi Reserve, Yangebup as a dog exercise area;
- (2) Approve in principle the gazettal of Milgun Reserve, Yangebup as an alternative dog exercise area;
- (3) Require Council's Administration Division to carry out all necessary administration to affect recommendations (1) and (2).

This matter has already been submitted to the Community Development Committee Meeting in September 1998, and subsequently was approved by Council. However, Section 3.12 of the Local Government Act, 1995 requires a summary of the purpose and effect of any proposed Local Law amendments to be read aloud at a Council Meeting. Therefore, this matter is submitted to this Meeting to enable the formality to be completed.

Submission

Two letters of complaint relating to wildlife destruction have been received in respect of Perena Rocchi Reserve.

Report

It appears that on occasions wildlife are attacked by dogs in the wetland contained within Perena Rocchi Reserve. An adjacent area, Milgun Reserve, does not contain wetland areas and the associated wildlife, and would therefore be a more suitable location for this type of dog exercise. Perena Rocchi and Milgun Reserves are only separated by Yangebup Road thereby



causing minimal inconvenience to dog owners wishing to exercise their dogs in this way. Both reserves contain playground equipment for children and are managed by Council.

In order to minimise the impact of dog attacks on wildlife it is recommended that Perena Rocchi Reserve have its dog exercise status removed and that Milgun Reserve be gazetted a dog exercise area in its place.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

10.3 (OCM10/98) - OCCASIONAL COMMITTEES - LAKELAND SENIOR HIGH SCHOOL CHAPLAINCY COUNCIL (8301) (RS)

RECOMMENDATION
 That the following Councillors be appointed to the Lakeland Senior High School Chaplaincy Council:

Councillor S Hunt	Delegate
Councillor C Elpitelli	Deputy

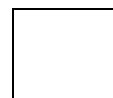
COUNCIL DECISION
 MOVED Cllr Lees SECONDED Cllr Waters that the following Councillors be appointed to the Lakeland Senior High School Chaplaincy Council:

Councillor S Hunt	Delegate
Councillor C Elpitelli	Deputy

CARRIED

Background

The Lakeland Senior High School in conjunction with the Church's Commission on Education, local churches and the City



of Cockburn, will fund a Chaplaincy appointment beginning in the first term of 1999. \$7,000 has been approved as a donation in the 1998/99 budget.

Submission

Reverend Tim Spencer of the St James Anglican Church has written to Cllr Hunt, advising of the intention to form "The Lakeland's District Council". Membership is open to the Church's Commission on Education (CCE), churches and schools in the district (recognised by the CCE), student nominees of the Lakeland Senior High School, a nominee from each school parent association, and a nominee from the City of Cockburn. Rev. Spencer has requested that Councillor Hunt join the District Council representing the City of Cockburn.

Report

The Special Council Meeting in May 1997 appointed respective Councillors, as delegates on Occasional Committees. Council also resolved that members of Standing and Occasional Committees, as nominated by the Ward Councillors to represent the Ward, be so appointed.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

N/A

10.4 (OCM10/98) - AUSTRALIAN MAYORAL AVIATION COUNCIL CONFERENCE - BROADBEACH, QUEENSLAND - 4-6 NOVEMBER 1998 (9161) (RWB)

RECOMMENDATION

That Council nominate Councillor Elpitelli as delegate to attend the 16th Annual Australian Mayoral Aviation Council Conference to be conducted in Broadbeach, Queensland from 4-6 November 1998.



COUNCIL DECISION

MOVED Cllr Pecotic SECONDED Cllr Gianoli that Mayor Grljusich and Cllr Elpitelli be nominated as delegates to attend the 16th Annual Australian Mayoral Aviation Council Conference to be conducted in Broadbeach, Queensland from 4-6 November 1998.

CARRIED**Background**

Councillors were circulated with information on this Conference in the Councillors' Info on 2 October 1998.

Submission

N/A

Report

Councillor Elpitelli has requested the item be considered by Council for his attendance.

Councillor Elpitelli is Council's delegate to the Perth Airport Municipalities Group and the Jandakot Airport Group.

Council has in the past been represented at the Conference.

Strategic Plan/Policy Implications

N/A

Budget/Financial Implications

Funds are provided for in the Councillors' Conference Account (approximately. \$28,000 unexpended). The cost per delegate is estimated at \$3,000.

11. PETITIONS

Nil



12. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING IF GIVEN DURING THE MEETING

Nil

14. CONFIDENTIAL MATTERS

Nil

15. CLOSING

MEETING CLOSED 10.36 PM

CONFIRMATION OF MINUTES

I, (Presiding Member) declare that these minutes have been confirmed as a true and accurate record of the meeting.

Signed:

Date:/...../.....

