

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 20 APRIL 1999 AT 7:30 P.M.

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CITY OF COCKBURN

MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 20 APRIL 1999 AT 7:30 P.M.

PRESENT:

COMMITTEE MEMBERS

Mr J F Donaldson	-	Chairperson of Joint Commission
Ms J L Smithson	-	Joint Commissioner
Mr M A Jorgensen	-	Joint Commissioner

IN ATTENDANCE

Mr R W Brown	-	Chief Executive Officer
Mr D M Green	-	Director Community Services
Mr A T Crothers	-	Director, Finance & Corporate Services
Mr S M Hiller	-	Director, Planning & Development
Mr B K Greay	-	Director, Engineering
Mr A Blood	-	Strategic Planner
Mrs S Ellis	-	Secretary to Chief Executive Officer
Ms M Finucane	-	Promotions & Liaison Officer

1. OPENING OF MEETING

The Chairperson declared the meeting open at 7:30pm, introduced himself and the Joint Commissioners and explained their role. He assured the gallery that they will work with the staff to continue the business of Council in the manner they, the ratepayers/electors, expect and encouraged members of the community to continue giving input and participating in the running of their municipality.

WRITTEN DECLARATION OF FINANCIAL INTEREST

Commissioner Donaldson advised that he has received a written declaration of financial interests from Commissioner Smithson which will be read aloud at the appropriate time.



2. PUBLIC ADDRESS SESSION

Ms Heather Smedley spoke regarding Item CDC 9.3. She stated that the proponent is away and has asked for a deferment until his return so he can address the Council. Mr Donaldson responded that the matter will be discussed later in the meeting.

In addition, Ms Smedley asked the following questions :-

Q Who pays for the Commissioners - the ratepayers or the Government?

A (Mr Donaldson) Council has a budget item for elected members and that budget will be used to fund the Commissioners.

Q Can we ask what sort of figure is put on that?

A (Mr Donaldson) I am unable to tell you what the total sum is until the end of our term.

Q What about a weekly fee?

A (Mr Donaldson) Don't know exactly, we will take that on notice and have to advise you later.

Q Who do the Commissioners answer to - the Minister, the State Government or the ratepayers?

A (Mr Donaldson) Whilst the Commissioners were appointed by the Government, they are answerable to the electors.

Q Will the Commissioners continue to support the established Council stand on issues such as Jervoise Bay Southern Harbour, Northern Harbour and FRIARS?

A (Mr Donaldson) Can we leave that until the agenda item is discussed later?

Q Will all the decisions taken on behalf of the ratepayers be transparent and can ratepayers sit in on all meetings?

A (Mr Donaldson) Council intends to meet in the format which was approved by the Council which is 2 Council meetings per month and will continue to be open to the public.



Q So deputations will need to take place at the Council meeting and not Committee Meetings?

A (Mr Donaldson) That is correct.

Q Do the Commissioners have any special privileges not normally enjoyed by elected Council Members such as Parliamentary protection etc?

A (Mr Donaldson) Absolutely not.

Q Will the Commissioners give an undertaking to maintain the status quo in the Council's position on all developments in the municipality and not allow any controversial decisions to be taken or any controversial developments to proceed until the ratepayers have elected representatives back in control of the Council?

A (Mr Donaldson) I do not know how long this Commission will sit and in that time, we need to continue with the opportunities for developers to carry out business. If well reasoned arguments come to the Council and the staff give their recommendations, we the Commissioners, will act the same as your Councillors. However, I certainly cannot say there will be no controversial judgements.

Q Do any of the Commissioners have associations with or membership to any particular political party?

A (Mr Donaldson) I do not know, I am not aware.

Q We the ratepayers need to know because we are concerned about the implications of the Council being put aside to make room for the Government to push through their projects.

A (Mr Donaldson) When we were appointed, we were not asked of our political preference. We are here as independents, wholly objective individuals. We do not come with any agendas, infact, we are sworn to look after the requirements and the needs of the City of Cockburn.

Mr Paul Lloyd introduced himself as a ratepayer who ran for election in the previous Cockburn elections. He asked "are you or anyone that is now representing the Council, a member or have ever been a member of any political party?"



Mr Donaldson responded that he did not see the relevance. A person's political preference is entirely a personal matter and will not bring any issue to bear in the governance of the City of Cockburn. He assured the meeting that they are not briefed by the Government and are here as objective individuals.

Mr Lloyd stated that the reason he asked the question was because many people who were represented by the past Council, are concerned because the Government has got rid of those people and feel that now, possibly, some things can be steamrolled through.

Mr Donaldson reiterated that the Commissioners are independent and do not have an agenda. The only condition was the Oath of Allegiance they swore to the City of Cockburn.

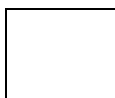
Mr Lloyd addressed Mr Donaldson and asked if he was the Mayor of the Town of Cottesloe when they gave a 50 year lease to the Indiana Tearooms? Mr Donaldson responded that he was very proud of being the Mayor of the Town of Cottesloe, still lives in the area and that whilst the Mayor, the Council did consider that matter but as it is the subject of a court case at the moment, he could not discuss it.

Ms Janice Muselin asked if the Commissioners have a copy of a letter dated the 11th April 1999 with regards to the acoustic barrier of the loading dock at the Phoenix Shopping Centre. Mr Donaldson responded that the Commissioners have been briefed on the matter and the agenda item will be the subject of a deferment because the Commissioners want to visit the site before making a decision.

Mr Leo Turley representing Pigeon Racing of WA, asked if the matter of keeping pigeons was on the agenda this evening? Mr Donaldson advised that it was listed as Item CDC 21.1 for consideration this evening.

Ms Felicity McGeorge spoke regarding bushland on the corner of Anoise and Parkway Road, Bibra Lake. She asked if the City of Cockburn was continuing negotiations with Satterleys and if not, has the Council considered that the developers have not complied with Item 9? The Director Planning responded that Council has not proceeded with negotiations for the lots because they were too expensive to purchase. In relation to the preservation of the bushland, the land has been identified as 10% public open space.

Ms McGeorge commented that surely Council identified that piece of land and Satterley's have some responsibility to make the purchase of that property possible and can Council pursue that with the WA Planning Commission to ensure that Satterley comply with the conditions. Director Planning advised that that is something staff can



take up with the Ministry but at this stage, the price of the lots is out of the Council's reach.

Ms McGeorge responded that on behalf of the community of Bibra Lake, that conclusion is not satisfactory to us. We would like the Council to pursue it further. Ms McGeorge then tabled a letter addressed to the Chief Executive Officer.

A Ratepayer of Spearwood asked the Commissioners, "What rights do you have. If we do not like what you do, how can we sack you? How can we sack you like the Councillors were sacked?"

Mr Donaldson responded that firstly, neither the staff of the City of Cockburn nor any of the Commissioners will make any comment with respect to the Inquiry or reference to the suspension. Secondly, the Commissioners are here and act in the same way as the elected members have been, in a somewhat unusual sense, but they will continue to do the job they have been appointed to do until such time as the Minister withdraws their Commission and there is an outcome of the current inquiry whether it be in 2, 4 or 6 months time. He added that should any person be dissatisfied with the recommendations this Commission passes, they have the same rights to dispute those decisions by meeting with or coming to the Council Chamber and debating with Council. The Commissioners are here to do the best job for the City that they can.

Mr John Smedley commented that the Commissioners have no or very limited knowledge of the area, they are not an elected member by the people, they are not their chosen representatives. Mr Donaldson replied that he could not argue with most of the points. They do not live in the area but they have been sworn to represent the people and they will do so.

Mr Smedley further asked what the Commissioners could do to make sure Cockburn return's to it's properly elected representatives as soon as possible? Mr Donaldson replied that the inquiry is not something the Commissioners can comment on or influence.

Clr Stephen Lee stated that he had been approached by a couple of ratepayers who had attempted to call his mobile phone number which now is diverted to Council's switchboard. He asked in front of those present, if Council staff could please give out his home phone number.

Mr Donaldson responded that staff have to be sure they do not represent Councillors to act on Council matters. Clr Lee ask that if a person specifically asked for his home number, it be given to them. Mr Donaldson replied that he would not vouch for what the staff may or may not do as that is the position of the Chief Executive Officer, but his advice was not to give out that information. He added that the Council



cannot direct phone calls regarding Council business to people who do not represent the constituents of Cockburn.

Mr Kevin Allen asked if the Commissioners will be making themselves available to meet with the various Residents' Groups within the municipality, so that they can raise and discuss any issues. Mr Donaldson replied that he had received a letter from Mr Allen and that he would be contacted soon for a meeting. Mr Donaldson added that the very good work that associations do in a community should be encouraged and the Commissioners will be available to discuss issues.

Mr Chris Portelli advised that he was given a proposal to rezone a block from R15 to R30 behind his property. He asked Council if he could be assured that the units were for the "aged" and that those "aged" can be 55 years or over. He also requested that privacy be assured into his property. Mr Donaldson advised that the matter was listed on the agenda for discussion.

Clr Laurie Humphreys queried the availability of the Commissioners now that the Councillors would not be available. Mr Donaldson responded that they are available as required.

Clr Stephen Lee wished clarification with regards to Council on an absolute or special majority vote on certain issues and what would happen now. Mr Donaldson explained that there would be no requirement for absolute or special majority, the quorum for a meeting will be 2 Commissioners with the chair having a casting vote if necessary.

Mr Colin Crook regarding Item SPC 10.2 wished to ask a number of questions and the answers be replied either verbally or in writing.

- Q Despite always being classified as a blue road on the M.R.S, why is Spearwood Avenue (between Stock Road and Hamilton Road) not contained in the list?
- Q Why has Forrest Road been downgraded and calmed before an alternative truck route has been designated?
- Q Being aware of past complaints from residents, why is it that Council now seeks to designate Phoenix Road as the only east/west truck route in the area?
- Q If Jandakot Road is to be removed from the list, could the nomenclature of Cutler, Princep and Solomon Roads be classified?

Mr Donaldson advised that the questions would be taken on notice and responded to in writing. Mr Crook tabled his letter/questions.



3. WRITTEN REQUEST FOR LEAVE OF ABSENCE

Nil

4. CONFIRMATION OF MINUTES

4.1 (OCM4/99) - ORDINARY MEETING OF COUNCIL - 16/3/99

The Minutes of the Council Meeting of the 16th March 1999 are unable to be confirmed. However it is noted that the following corrections should be recorded:-

- Item 11.2 (SPC3/99) PROPOSAL TO MAKE A LOCAL LAW - STANDING ORDERS (1054) (DMG) (ALL WARDS)

The word "may" in the second last line should read "shall".

- Item 14.1 (SPC3/99) SUBMISSION ON PERTH'S BUSHPLAN (6119) (DW) (ALL)

The word "not" in the second last line should be omitted.

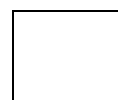
It should be noted that action by staff has been taken on Item 14.1 on the basis of the correct decision.

5. APOLOGIES AND LEAVE OF ABSENCE

Nil

6. ADDITIONS TO THE AGENDA

Moved Commissioner Jorgensen seconded Commissioner Smithson, that the following items be added to the Agenda:



8.2 COMMUNITY DEVELOPMENT COMMITTEE AGENDA

9.6 Proposed Factory and Office for Curing of Skins and Hides - Lot 20 Cockburn Road, Hamilton Hill - Mills and Hassall (SMH) (2200603)

20.6 Request for Donation - Lions Club of Cockburn (5300) (KL)

CARRIED

7. DEPUTATIONS

Mr David Lombardo addressed Council regarding CDC Item 6.1 - Amendment No. 203 - Proposed Additional Use: Recycling of Green Waste, Limestone Rubble and Rough Fill - Portion of Lot 1 of JAA 236 Rockingham Road, Henderson.

Mr Lombardo generally explained the location of the property and advised that he was pleased with the Officer's Recommendation supporting the application. He asked that given the fact this matter has been before Council for almost 12 months, that the Officer's Recommendation be supported with a minor modification dealing with advertising. He believed that the regulations have changed regarding advertising and Council is now empowered to put the matter to advertising which gives the community the opportunity to comment. The matter then comes back to Council for consideration before it is sent to the WA Planning Commission.

In light of these circumstances, Mr Lombardo sought Council's support of the recommendation with that change.

8. COUNCIL MATTERS

8.1 (OCM4/99) - STRATEGIC & POLICY COMMITTEE REPORT - 6/4/99 (1055)

Moved Commissioner Jorgensen seconded Commissioner Smithson, that the report of the Strategic and Policy Committee Meeting held on the 6th April 1999 be received and the following recommendations be adopted :-



8.1 (SPC4/99) - PRINCIPAL ACTIVITIES PLAN (5406) (ATC)

COUNCIL DECISION

That Council adopt the Draft Principal Activities Plan, as attached to the Agenda, and that the Plan be advertised for public comment.

10.1 (SPC4/99) - PEDESTRIAN AND CYCLIST FACILITIES - ROE HIGHWAY EAST OF KWINANA FREEWAY (STAGES 5 - 7) (9701) (AJB)

COUNCIL DECISION

That Council advise Main Roads WA that the provision of a dual use path on the north side of the Roe Highway with grade separated crossings of ramps and crossroads with connections to the Kwinana Freeway, Karel Avenue and Fern Leaf Court as outlined in the Pedestrian and Cyclist Report prepared by Main Roads WA for Roe Highway Stages 5, 6 and 7 is supported.

10.2 (SPC4/99) - DESIGNATED ROADS FOR TRUCK CARRYING FREIGHT (9307) (45000) (BKG)

COUNCIL DECISION

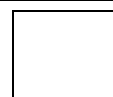
That Council :

- (1) adopt the following roads as primary and secondary truck routes within the City of Cockburn:

Primary Routes - to be used by trucks requiring permits

Armadale Road	Kwinana Freeway to Warton Road
Beeliar Drive	Kwinana Freeway to North Lake Road
Cockburn Road	North Boundary to South Boundary
Kwinana Freeway	North Boundary to South Boundary
North Lake Road	Beeliar Drive to Winterfold Road
Phoenix Road	Stock Road to North Lake Road
Rockingham Road	Stock Road to South Boundary
Russell Road	Cockburn Road to Kwinana Freeway
Stock Road	Rockingham Road to Winterfold Road
Warton Road	Armadale Road to East Bounday

Secondary Routes - to be used by trucks accessing industrial areas and shopping centres



Beeliar Drive	North Lake Road to Spearwood Avenue
Berrigan Drive	North Lake Road to Hope Road
Carrington Street	Rockingham Road to Winterfold Road
Cutler Road	Jandakot Road to Prinsep Road
Farrington Road	North Lake Road to Boundary East
Frankland Avenue	Wattleup Road to Rowley Road
Hammond Road	Beeliar Drive to North Lake Road
Hope Road	Berrigan Drive to Karel Avenue
Karel Avenue	Hope Road to Northern boundary
Miguel Road	Sudlow Road to Yangebup Road
Moylan Road	Wattleup Road to Russell Road
Murdoch Drive	Farrington Road to North Boundary
Phoenix Road	Stock Road to Rockingham Road
Postans Road	Wattleup Road to South Boundary
Prinsep Road	Solomon Road to Berrigan Drive
Rockingham Road	Cockburn Road to Stock Road
Rowley Road	Boundary East to Kwinana Freeway
Rowley Road	Kwinana Freeway to Frankland Avenue
Solomon Road	Armadale Road to Cutler Road
Spearwood Avenue	Stock Road to Sudlow Road
Spearwood Avenue	Yangebup Road to Beeliar Drive
Sudlow Road	Phoenix Road to Spearwood Avenue
Wattleup Road	Frankland Avenue to Moylan Road
Yangebup Road	Stock Road to Miguel Road
All roads in Bibra Lake, Jandakot and Henderson industrial estates.	
(2)	advise Main Roads WA that agreement to the classification of roads as truck routes does not mean Council has funds or accepts responsibility to make the roads suitable for carrying trucks. This is a State Government responsibility; and
(3)	include in its submission to Main Roads WA, comments based on the staff report.

11.1 (SPC4/99) - PROPOSED ORDER OF COUNCIL BUSINESS (1070) (DMG)

COUNCIL DECISION	
That Council adopt the following order of business for Ordinary Council Meetings effective from May 1999, pursuant to Clause 27 of Council's Standing Orders Local Law :-	
1.	Declaration of Opening - Presiding Member declares the meeting open.
2.	Appointment of Presiding Member (if required)



3. **Disclaimer (to be read aloud by Presiding Member) -**
"Members of the public who attend Council Meetings, should not act immediately on anything they hear at the Meetings, without first seeking clarification of Council's position. Persons are advised to wait for written advice from the Council prior to taking action on any matter that they may have before Council."
4. **Acknowledgment of Receipt of Written Declarations of Financial Interests (by Presiding Member) -** Presiding Member to state that they have received written notification of a Financial Interest from a Councillor(s).
5. **Apologies & Leave of Absence**
6. **Action Taken on Previous Public Questions Taken on Notice -** The Agenda for each meeting will provide a record of action taken on questions raised at Public Question Time of previous Council meetings.
7. **Public Question Time**
8. **Confirmation of Minutes**
9. **Written Requests for Leave of Absence**
10. **Deputations and Petitions**
11. **Business Left Over from the Previous Meeting (if adjourned)**
12. **Additions to the Agenda**
13. **Council Matters**
14. **Planning and Development Division Issues**
15. **Finance and Corporate Services Division Issues**
16. **Engineering and Works Division Issues**
17. **Community Services Division Issues**
18. **Executive Division Issues**
19. **Motions of Which Previous Notice Has Been Given**
20. **Confidential Business**

- 21. Questions of Which Due Notice Has Been Given Without Discussion**
- 22. Notices of Motion Given at the Meeting for Consideration at Next Meeting**
- 23. Matters to be Noted for Investigation, Without Debate**
- 24. Resolution of Compliance (Section 3.18(3) Local Govt. Act 1995) - Council is satisfied that resolutions carried at this Meeting and applicable to items concerning Council provided services and facilities, are:-**
 - (a) integrated and co-ordinated, so far as practicable, with any provided by the Commonwealth, the State or any public body;*
 - (b) not duplicated, to an extent Council considers inappropriate, services or facilities as provided by the Commonwealth, the State or any other body or person, whether public or private; and*
 - (c) managed efficiently and effectively.*
- 25. Closure of Meeting**

12.4 (SPC4/99) - PROPOSED SOUTH BEACH URBAN DEVELOPMENT AREA - OCEAN ROAD, O'CONNOR CLOSE, ISLAND STREET AND ROLLINSON ROAD - APPLICANT: MITCHELL GOFF AND ASSOCIATES - OWNER: VARIOUS (922201) (SR) (WEST) (MAP NO. 2)

COUNCIL DECISION

That Council :

- (1) adopt the following amendment:-

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

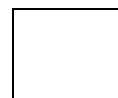
AMENDMENT NO. 201

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. Introducing a new zone titled "South Beach Re-development" Zone by:
 - (i) Adding "South Beach Re-development" Zone to the list of zones at sub-clause 3.1.1 of the Scheme Text.
 - (ii) Adding "South Beach Re-development" to the list of zones at the top of the Zoning Table at the First Schedule of the Scheme Text and in the column beneath adjacent to the various use classes adding the phrase "As Per Clause 8.16".
 - (iii) Adding the new zone "South Beach Re-development" to the legend on the Scheme Map as depicted on the Scheme Amendment Map.
2. Rezoning:
 - (i) Pt Lot 1815 Ocean Drive, Hamilton Hill from "General Industry" to "South Fremantle Re-development";
 - (ii) Lots 114 to 121 inclusive O'Connor Close and Lot 127 Rollinson Road, Hamilton Hill from "Light Industry" to "South Fremantle Re-development";
 - (iii) Lots 21 and 100 Rollinson Road, Hamilton Hill from "General Industry" to "South Fremantle Re-development";

as depicted on the Scheme Amendment Map.
3. Transferring Pt Reserve 11430 and Vacant Crown Land, Island Street and O'Connor Close from the "Railways" Reserve to the "South Fremantle Re-development" Zone as depicted on the Scheme Amendment Map.
4. Including the amendment area within an "Urban Development Area" as depicted on the Scheme Amendment Map.
5. Adding "South Fremantle Urban Development Area" to the list of Urban Development Areas at Clause 8.1 of the Scheme Text.
6. Adding Clause 8.16 to Part 8 of the Scheme Text as follows:



"8.16 South Fremantle Urban Development Area.

8.16.1 The purpose of the Urban Development Area is to provide for the redevelopment of the industrial area north of Rollinson Road ensuring compatibility of land use with adjoining uses, co-ordinating access to and through the area, creating an attractive and functional mixed use environment.

8.16.2 The objectives of the Urban Development Area are:

- a) To provide predominantly for residential uses.
- b) Establish appropriate land use buffers to existing industry south of Rollinson Road.
- c) To maintain existing light industries in the Urban Development Area as appropriate.
- d) Plan access to and through the Urban Development Area with particular regard to road connections to the north at South Fremantle, possible requirements for rail crossings and public access to the beach and local pedestrian, cycle and parkway systems.

8.16.3 The following uses are 'P' permitted uses:

- Aged or Dependent Persons Dwelling
- Grouped Dwelling
- Home Occupation
- Multiple Dwelling
- Single House

The following uses are 'AA' uses which are not permitted unless the Council has in its discretion granted Planning Consent.

- Civic Building
- Educational Establishment
- Health Studio
- Place of Public Worship
- Restaurant



- Office
- Advertisement or Sign
- Shop
- Shop with Dwelling or Flat above
- Showroom
- Consulting Rooms
- Medical Centre
- Garden Centre
- Nursery
- Motel
- Hotel
- Tavern
- Reception Centre
- Private Recreation
- Warehouse

The following uses are 'SA' uses which are not permitted unless the Council has in its discretion granted Planning Consent after notice of application has been given in accordance with Clause 6.2.

- Convenience Store
- Dry Cleaning Premises
- Industry - Cottage
- Industry - Light
- Industry - Service

All other uses are 'X' not permitted.

8.16.4 Residential development is to conform with the R60 Code except that higher densities may be permitted where nominated on the approved Structure Plan. The set back and open space provisions of the Codes may also be varied where 'Building and Access Guidelines (BAGs)' as defined in the 'Liveable Neighbourhoods - Community Design Code' (Western Australian Planning Commission, December 1997) are incorporated into the Structure Plan. As well as specifying set back requirements, BAGs may also specify the means of access to residential sites and the general location and forms of buildings.

Non-residential uses within the Urban Development Area should conform with the set back standards applying to residential development in the locality except that Council



may approve a nil set back to street alignments".

Dated this 20th day of April 1999.

Chief Executive Officer

- (2) forward a copy of a signed document to the Environmental Protection Authority in accordance with section 7A(1) of the Act;
- (3) forward copies of the signed documents to the Western Australian Planning Commission requesting consent to advertise be granted following receipt of written advice from the Environmental Protection Authority;
- (4) forward a copy of the Amendment to the City of Fremantle for information.

**13.1 (SPC4/99) - THOMSONS LAKE CITY CENTRE (9629)
(AJB) (MAPS 14, 15, 19, 20)**

COUNCIL DECISION

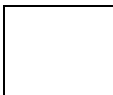
That Council :

- (1) confirm that Thomsons Lake will be planned and developed as the City Centre servicing the district;
- (2) advise the Implementation Committee that the modified Thomsons Lake City Centre Master Plan is supported;
- (3) include the Thomsons Lake City Centre on the Principal Activities Plan;
- (4) note Council's future financial commitments to infrastructure associated with the development of the City Centre and that the Director of Finance and Corporate Services in liaison with the Chief Executive Officer and Director of Engineering and Works, make appropriate provision for such works in future budgets.

**14.2 (SPC4/99) - PROJECT PARTICIPANTS' AGREEMENT
FOR THE REGIONAL RESOURCE RECOVERY
CENTRE PROJECT OF THE SOUTHERN
METROPOLITAN COUNCIL (4904) (BKG)**

COUNCIL DECISION

That Council :



- (1) agree to the terms and conditions as outlined in the Project Participants' Agreement for the Regional Resource Recovery Centre project of the Southern Metropolitan Regional Council;
- (2) authorise the Chief Executive to agree to any minor variations to the document; and
- (3) authorise the Chief Executive Officer and Mayor to sign the agreement.

**18.1 (SPC4/99) - FREEHOLD LAND OWNED BY COUNCIL
(4814) (ATC)**

COUNCIL DECISION

That a review of Council's freehold land holdings take place with a report to a future meeting of Council, setting out details of land which has potential for development or sale.

**18.2 (SPC4/99) - FORMATION OF BUDGET COMMITTEE
(5402) (ATC)**

COUNCIL DECISION

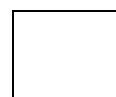
That at the first meeting of Council after the May 1999 elections:

- (1) a Budget Committee be established comprising of one Councillor from each Ward; and
- (2) the role of the Budget Committee is to oversee:
 1. Budget formulation and review;
 2. Formulation of Principal Activity Plans

18.4 (SPC4/99) - MAYORAL ALLOWANCE (5402) (ATC)

RECOMMENDATION

That Council resolve that a decision on the amount of Mayoral Allowance for 1999/00 be deferred, until the result of the Department of Local Government's Review of the Allowance is known.



12.2 (SPC4/99) - SOUTHERN SUBURBS STRUCTURE PLAN AND REZONING (9638) (AJB) (MAPS 15, 16, 17, 20, 21, 22)

COUNCIL DECISION

That Council :

- (1) support the lifting of the Urban Deferment in the Metropolitan Region Scheme for the area bounded by Russell Road, Kwinana Freeway, Gaebler Road and Thomsons Lake Reserve and to advise the Western Australian Planning Commission accordingly;
- (2) advise Taylor Burrell that Council is prepared to initiate rezoning of the Gaebler Road area subject to receiving written agreement to the following:-
 1. detailed development plans are to be prepared during the advertising of the Scheme Amendment for the approval of the Council and Western Australian Planning Commission;
 2. payment of \$4,000 rezoning fee;
 3. undertaking to meet all advertising costs associated with the rezoning of the land;
- (3) send a copy of the relevant portion of the Southern Suburbs District Structure Plan to all owners of land affected by the lifting of the Urban Deferment and amendments to Town Planning Scheme No. 2 for their comment;
- (4) 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. 207

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. Adding "Gaebler Road Urban Development" zone to Clause 3.1.1;
 2. Amending the Scheme Maps and Legend to include Lot



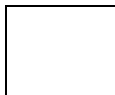
- 202 Russell Road, Lot 412 Gaebler Road, Pt Lot 8, Pt Lot 9, Pt Lot 10, Pt Lot 11, Pt Lot 203, Lot 203 and Pt Lot 458 Barfield Road, Pt Loc 458, Lot 22 and Lot 23 Russell Road and land reserved for Barfield Road within the "Gaebler Road Urban Development" zone.
3. Amending the First Schedule "Zoning Table" to include the "Gaebler Road Urban Development" zone with notation "as per the adopted Structure and Development Plans"
 4. Amending the Ninth Schedule to include Development Area No. 9 North - Gaebler Road (DA9 - North) as follows:

Ninth Schedule - Development Areas

Ref No	Area	Provisions
DA9 - North	Gaebler Road (Cell 29 - North)	<ol style="list-style-type: none"> 1. An approved Structure Plan and / or Development Plan together with all approved amendments shall apply in relation to the land within the area of the Structure Plan as if it was an Amendment of the Scheme and the Scheme provisions shall be given full effect within the area accordingly 2. The provisions of the Scheme shall apply to the zones created under the Structure Plan and / or Development Plan. 3. Council may adopt Design Guidelines for any defined development precincts as defined on the Structure Plan. All development in such precincts shall be in accordance with the adopted guidelines in addition to any other requirements of the Scheme, and where there is any inconsistency between the design guidelines and the Scheme, the Scheme shall prevail. 4. No subdivision or development of incompatible use will be permitted within the generic buffer zones associated with the kennels on Pt Lot 11 Barfield Road or the piggery on Pt Lot 15 Lyon Road as shown on the Structure Plan and Development Plan until the use of the land for such uses ceases or the buffer is scientifically determined and approved by the Department of Environmental Protection. Buffer



		<p>requirements associated with the market gardens on Lot 37 Gaebler Road to be determined in consultation with Council's Environmental Officer and DEP and shown on the Structure Plan.</p> <p>5. Shops (retail uses) within the Development Area will be to a maximum of 5,000m² NLA within the neighbourhood centre immediately south of Russell Road and 200m² maximum in other centres.</p>
<p>5. Amending the tenth schedule to include Owner Development Area No. 3 (ODA3) and include appropriate provisions.</p>		
<p>Tenth Schedule - Owner Development Areas</p>		
Ref No.	Scheme Name	Requirements
ODA 3	Gaebler Road	<p>All landowners within ODA 3 shall make a proportional contribution to the cost of common infrastructure including land and works for:</p> <p>1. • Hammond Road/Frankland Avenue between Russell Road and Gaebler Road; • 50% of Russell Road between Hammond Road / Frankland Avenue and the Freeway.</p> <p>This includes the following:</p> <ul style="list-style-type: none"> • Land as per Metropolitan Region Scheme • Full earthworks (stabilised) • Construction of a 2 lane road • Relocation of services as necessary • Dual use path (one side only) • Pedestrian crossings where appropriate • Drainage <p>2. Cost to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and audits and administration costs.</p> <p>3. A proportional contribution to a pedestrian/cyclist bridge across the Kwinana Freeway in the vicinity of Gaebler Road.</p>



		4. The cost of a set of traffic lights at the intersection of Russell and existing Hammond Road.
<p>6. Amending the Scheme Maps accordingly.</p> <p>Dated this 20 day of April 1999.</p> <p style="text-align: right;">Chief Executive Officer</p> <p>(5) sign the amending documents, and forward a copy to:-</p> <ol style="list-style-type: none"> 1. The Environmental Protection Authority in accordance with Section 7A(1) of the Act; and 2. The Western Australian Planning Commission for information. <p>(6) forward a copy of the signed documents for Amendment 207 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;</p> <p>(7) notwithstanding (6) above, the Director of Planning and Development may refer a Scheme or Scheme Amendment to the Council for further 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.</p>		

12.3 (SPC4/99) - SOUTHERN SUBURBS STRUCTURE PLAN AND REZONING - AMENDMENT NO. 206 (9638) (AJB) (MAPS 15, 16, 17, 20, 21, 22)

COUNCIL DECISION	
That Council :	
(1)	support the lifting of the Urban Deferment in the Metropolitan Region Scheme for the area bounded by Bartram Road, Kwinana Freeway, Russell Road and Thomsons Lake Reserve and to advise the Western Australian Planning Commission accordingly;
(2)	advise Taylor Burrell and Development Planning Strategies that Council is prepared to initiate rezoning of the Success Lakes area subject to receiving written agreement to the following:-



1. detailed development plans are to be prepared during the advertising of the Scheme Amendment for the approval of the Council and Western Australian Planning Commission;
 2. payment of \$4,000 rezoning fee;
 3. undertaking to meet all advertising costs associated with the rezoning of the land;
- (3) send a copy of the relevant portion of the Southern Suburbs District Structure Plan to all owners of land affected by the lifting of the Urban Deferment and amendments to Town Planning Scheme No. 2 for their comment;
- (4) 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. 206
- 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. Adding "Success Lakes Urban Development Zone" to Clause 3.1.1.
 2. Amending the Ninth Schedule to include Development Area No. 8 Success Lakes (DA8) as follows:

Ninth Schedule - Development Areas

Ref No	Area	Provisions
DA8	Success Lakes	<ol style="list-style-type: none"> 1. An approved Structure Plan and / or Development Plan together with all approved amendments shall apply in relation to the land within the area of the Structure Plan as if it was an Amendment of the Scheme and the Scheme provisions shall be given full effect within the area accordingly. 2. The provisions of the Scheme shall apply to the zones created under the Structure Plan and Development Plan. 3. Council may adopt Design Guidelines for any



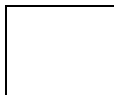
		<p>development precincts as defined on the Development Plan. All development in such precincts shall be in accordance with the adopted guidelines in addition to any other requirements of the Scheme, and where there is any inconsistency between the design guidelines and the Scheme, the Scheme shall prevail.</p> <ol style="list-style-type: none"> 4. No subdivision or development of incompatible use will be permitted within the generic buffer zones associated with the poultry farm on Lot 19 Hammond Road or the piggery on Pt Lot 15 Lyon Road as shown on the Structure Plan and the Development Plan until the use of the land for such purpose ceases or the buffer is scientifically determined and approved by the Department of Environmental Protection. 5. No residential development will be permitted within the midge buffer zone or Water Corporation treatment buffer zones as shown on the Structure Plan and the Development Plan. 6. Development of Shops (retail uses) within the development area shall be a maximum of 1000 m² for the local centre associated with the railway precinct and 200 m² maximum in other centres. Shops (retail uses) are not permitted within the business area located immediately north of Russell Road in the vicinity of existing Hammond Road. 7. As and when required, Council shall initiate procedures to close portion of the existing Russell Road upon construction of the deviation of Russell Road in accordance with the Metropolitan Region Scheme and shall recommend to DOLA that the land be amalgamated with the adjoining Lot 202 and transferred free of cost to that land owner.
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3. Rezoning Lot 501, Loc 458 Lots 1, 4, 5, 6, 7, 8, Pt 9, 500, 10, 11, 42, 19, 20, 21 and JAA Lot 261 Hammond Road, Ptn JAA Lot 202, CSL Loc Pt 458, JAA Pt Lot 212 and Pt 214 Russell Road from 'Rural' to 'Success Lakes Urban Development' zone, Lot 14 Hammond Road, Lot 258 Russell Road and Lot 13 Barfield Road from 'Lakes and Drainage' to 'Success Lakes Urban Development' zone and Portion of Russell and Bartram Roads from 'Local Road, POW, PAW' to 'Success Lakes Urban Development' zone;
4. Amending the First Schedule "Zoning Table" to include the "Success Lakes Urban Development" zone with notation "as per the adopted Structure and Development Plans"
5. Amending the Tenth Schedule to include Owner Development Area No2 (ODA 2) and include appropriate provisions as follows;

Tenth Schedule - Owner Development Areas

Ref No.	Scheme Name	Requirements
ODA 2	Success Lakes	<p>All landowners within ODA 2 with the exception of Lot 500 Hammond Road shall make a proportional contribution to the cost of common infrastructure including land and works for:</p> <ol style="list-style-type: none"> 1. <ul style="list-style-type: none"> • Hammond Road between Bartram and Russell Roads. • 50% of Russell Road between Hammond Road/Frankland Avenue and the Freeway. <p style="margin-left: 40px;">This includes the following:</p> <ul style="list-style-type: none"> • Land as per Metropolitan Region Scheme • Full earthworks (stabilised) • Construction of a 2 lane road • Relocation of services as necessary • Dual use path (one side only) • Pedestrian crossings where appropriate • Drainage 2. Cost to administer cost sharing arrangements including preliminary engineering design and costings, valuations, annual reviews and

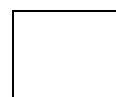


		audits and administration costs.
6.	Amending the Scheme Maps accordingly.	
	Dated this 20 day of April 1999.	
	Chief Executive Officer	
(5)	sign the amending documents, and forward a copy to:-	
	1. The Environmental Protection Authority in accordance with Section 7A(1) of the Act; and	
	2. The Western Australian Planning Commission for information.	
(6)	forward a copy of the signed documents for Amendment 206 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;	
(7)	notwithstanding (6) above, the Director of Planning and Development may refer a Scheme or Scheme Amendment to the Council for further 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.	

CARRIED

6.1 (SPC4/99) - JERVOISE BAY SOUTHERN HARBOUR DEVELOPMENT - COM-NET (9635) (SMH)

COUNCIL DECISION	
Moved Commissioner Smithson seconded Commissioner Jorgensen, that Council :	
(1)	receive the report; and
(2)	require a further report be prepared by the Director of Planning and Development to the Council, in response to the matters raised by Com-Net representatives to a subsequent meeting of Council.
<u>CARRIED</u>	



17.1 (SPC4/99) - PROPOSED AMENDMENT TO COUNCIL POLICY A5.11 - PAYMENTS TO EMPLOYEES (1030) (DMG)

COUNCIL DECISION

Moved Commissioner Jorgensen seconded Commissioner Smithson, that :-

- (1) the City of Cockburn will not make payments of gratuities to employees upon retirement or resignation;
- (2) the City of Cockburn will recognise will recognise long periods of service by its employees in the following manner upon voluntary termination after a period of 12 years completion of service;
 - a) by the provision of or towards a gift up to the value of \$15.00 for each year of service; and
 - b) by the provision of a function up to the value of \$15.00 per head, subject to the prior agreement of the Chief Executive Officer to the type of function being proposed.
- (3) in addition, the City may recognise long standing employees upon the achievement of 20 years or more service to the City, with a function and/or gift up to the value as deemed appropriate by the Chief Executive Officer and following consultation with the Mayor; and
- (4) the maximum value of any gift or function is not to exceed \$1,500.00 under any circumstances without the express approval of Council.

Council delegates administration of the Policy to the Chief Executive Officer.

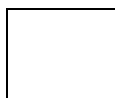
CARRIED

18.3 (SPC4/99) - PROPOSED MEETING DATES FOR THE 1999/2000 BUDGET (5402) (ATC)

COUNCIL DECISION

Moved Commissioner Jorgensen seconded Commissioner Smithson, that the 1999/2000 Draft Budget document be presented to the Ordinary Meeting of Council on the 27th July 1999 for consideration.

CARRIED



18.5 (SPC4/99) - INTERNAL AUDIT - CHARTER AND APPOINTMENT - ESTABLISHMENT OF AUDIT COMMITTEE (5017) (ATC) (ATTACH)

COUNCIL DECISION

Moved Commissioner Jorgensen seconded Commissioner Smithson, that Council :-

- (1) adopt the Internal Audit Charter as attached to the Agenda;
- (2) establish an Internal Audit Group with a brief:
 1. To review the proposed scope of the internal and external audit function, and review audit performance to ensure that no limitation on audit has been imposed by management.
 2. To appraise the effectiveness of the audit by discussing the approach to the examination and areas where special attention was considered necessary; review the co-ordinating of audit effort between the External and Internal Auditors.
 3. To review the management letter provided by the External Auditor on any weaknesses in internal accounting, organisation and operating controls, and consider the recommendations made by the auditor and the action taken by management in response to the auditor's suggestions.
 4. To review and or initiate any other act necessary to ensure:
 - (a) compliance with policies, plans, procedures, laws and regulations;
 - (b) safeguarding of Council assets;
 - (c) economic and efficient use of resources; and
 - (d) accomplishment of established objectives and goals for operations or programs.
 5. To draw attention to any failure to take prompt remedial action relating to previously identified shortcomings.
 6. To advise Council on matters relating to its annual financial statements..
- (3) appoint Commissioner Donaldson, Commissioner Jorgensen, the Chief Executive Officer and Director of Finance and

Corporate Services to the Internal Audit Group.

CARRIED

WRITTEN DECLARATION OF FINANCIAL INTEREST

Commissioner Donaldson read aloud the following written declaration of financial interest from Commissioner Smithson :-

Commissioner Smithson

SPC Item 14.1. The nature being that as her employer, BSD Consultants has been engaged by the Department of Resources Development to provide environmental advice on industry emissions at Kwinana which is being considered as part of the review of the EPP buffer.

SPC Item 12.1. The nature being that as her employer, BSD Consultants prepared the original Jervoise Bay Marine Technology Park Feasibility Study for the Department of Commerce and Trade in 1995.

AT THIS POINT THE TIME BEING 8:20PM, COMMISSIONER SMITHSON LEFT THE MEETING.

14.1 (SPC4/99) - REVIEW OF KWINANA (ATMOSPHERIC WASTES) ENVIRONMENTAL PROTECTION POLICY (6101) (9322) (DW) (COASTAL / SOUTH)

COUNCIL DECISION

Moved Commissioner Jorgensen seconded Commissioner Donaldson, that Council forward a submission to the Environmental Protection Authority and the Minister for the Environment on the Review of the Environmental Protection (Kwinana) (Atmospheric Wastes) Policy 1992, that deals with the following key issues as outlined in the officer's report:

- The clear lack of scientific basis for the boundaries of the existing buffer.
- The demonstrated need to review the boundaries of the existing buffer on the basis of existing and likely future emission scenarios and to provide clarity for land use planning.
- The need to re-determine permissible sulphur dioxide emission allocations to industry to remove surplus allocations in order to protect existing air quality and protect against possible



unacceptable air quality in residential areas to the north-east of the existing buffer.

- The need to implement the NEPM standards for sulphur dioxide within the current buffer area.

CARRIED

12.1 (SPC4/99) - PROPOSED AMENDMENT NO. 177 TO DISTRICT ZONING SCHEME NO. 2 - MARINE TECHNOLOGY PARK (MTP) (92177) (SA) (COASTAL)

COUNCIL DECISION

Moved Commissioner Jorgensen seconded Commissioner Donaldson, that Council :-

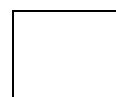
- (1) defer consideration of the proposed amendment No. 177 to District Zoning Scheme No. 2, until such time as the review of the design guidelines and the Marine Skills Training and Research Centre, and revision of the MTP Urban Development Area Clause has been finalised;
- (2) advise the Western Australian Planning Commission, the applicant and those who made submissions of Council's decision accordingly.

CARRIED

AT THIS POINT THE TIME BEING 8:21PM, COMMISSIONER SMITHSON RETURNED TO THE MEETING.

8.2 (OCM4/99) - COMMUNITY DEVELOPMENT COMMITTEE AGENDA - 13/4/99 (1052)

Moved Commissioner Jorgensen seconded Commissioner Smithson, that the Agenda of the Community Development Committee Meeting scheduled to take place on the 9th April 1999 be received and the following recommendations adopted :-



7.1 (CDC4/99) - PROPOSED AMENDMENT NO. 208 - DISTRICT ZONING SCHEME NO 2 - VARIOUS LOTS, CORNER OF MELL ROAD AND HAMILTON ROAD, SPEARWOOD - OWNER: VARIOUS - APPLICANT: MR & MRS GRIDA (92208) (SR) (WEST)

COUNCIL DECISION

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. 208

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:-

rezoning Lots 2 and 506 Hamilton Road and Lots 6, 41 and 42 Mell Road from "Rural" to "Residential R30"

Dated this 20th day of April 1999.

Chief Executive Officer

- (2) refer the amendment to the Environmental Protection Authority for assessment under Section 7A2 of the Town Planning and Development Act;
- (3) subject to the advice of the Environmental Protection Authority the amendment be advertised for public comment in accordance with the Town Planning Regulations and Western Australian Planning Commission Bulletin No. 29 dated December 1998.

9.1 (CDC4/99) - APPEAL OF COUNCIL REFUSAL OF MEDICAL CENTRE - LOT 359; 7 LA FAYETTE BOULEVARD, BIBRA LAKE - OWNER: TAN & TAN PTY LTD (1116731) (MT) (NORTH) (MAP NO. 7) (ATTACH)

COUNCIL DECISION

That Council endorse the Minister's Planning Appeals Office report, dated 23 March 1999, that the recommendation contained therein should be taken to the Minister.



9.4 (CDC4/99) - PROPOSED SMALLGOODS FACTORY AND OFFICE - LOTS 179 AND 193 COOLIBAH WAY, BIBRA LAKE - OWNER: ZILLAH NOMINEES PTY LTD - APPLICANT: CHIPPENDALE CONSTRUCTIONS AND MANAGEMENT (4412631 / 4412661) (SR) (SOUTH) (MAP 8)

COUNCIL DECISION

That Council :

- (1) Refuse the application for a proposed smallgoods factory and office for the following reason :
 1. The proposed use (Smallgoods manufacture) is classified as a "Special Industry A" use. Under the provisions of Council's District Zoning Scheme No 2 this is classified as an "X" (not permitted) use in the General Industry zone.
- (2) Issue a MRS Form 2 Notice of Refusal accordingly.

11.1 (CDC4/99) - RELOCATION AND ADDITIONAL MANAGEMENT CRITERIA - RESERVE 31607 - SPEARWOOD AVENUE, BIBRA LAKE - BUNNINGS (1117498) (KJS) (ATTACH)

COUNCIL DECISION

That Council :

- (1) request the Department of Land Administration to relocate Drainage Reserve 31607 from its current position to a location north of its current location and abutting Spearwood Avenue;
- (2) issue a management order (vesting) for the purpose of drainage and parking for the City of Cockburn with a power to lease;
- (3) on completion of (2) and (3) above, enter into negotiations with Bunnings to lease portion of the reserve for parking purposes associated with the development on Lot 301 Spearwood Avenue; and
- (4) that Bunnings pay all costs associated with (1), (2) and (3) including legal and construction costs.



11.2 (CDC4/99) - PEDESTRIAN ACCESSWAY - ELDERBERRY DRIVE TO TREVALLYN GARDENS, SOUTH LAKE (450421) (KJS)

COUNCIL DECISION

That Council not close pedestrian accessway from Elderberry Drive to Trevallyn Gardens, South Lake.

13.1 (CDC4/99) - BUSH FIRE LEVY EXEMPTION - SOUTH COOGEE AND JANDAKOT VOLUNTEER BUSH FIRE BRIGADES (1550) (ATC) (ATTACH)

COUNCIL DECISION

That :

- (1) a donation be made to each Active Member of the Jandakot and South Coogee Volunteer Bush Fire Brigades equivalent to the amount of Fire and Rescue Service levy or Volunteer Fire Brigade levy payable on a property within the City of Cockburn owned by the Member at which they presently reside.
- (2) a donation be made to each Active Member of the Jandakot and South Coogee Volunteer Bush Fire Brigades equivalent to the amount of Fire and Rescue Service levy or Volunteer Fire brigade Levy payable on a property within the City of Cockburn owned by a company of which a member is a director and at which they reside;
- (3) a list be prepared by the Brigade Captains and the Chief Bush Fire Control Officer and submitted to Council by 30 April each year listing the Active Members of the Jandakot and South Coogee Volunteer Bush Fire Brigades, this list to be used to determine who should receive the donation for the following financial year; and
- (4) a set of guidelines be established by the Brigade Captains and the Chief Bush Fire Control Officer which will be used to determine who is an active member of the brigades, the guidelines being submitted to Council for endorsement.



16.1 (CDC4/99) - REPLACEMENT DEED - SPEARWOOD DALMATINAC CLUB (INC.) (2200281) (LJCD)

COUNCIL DECISION

That Council recommit this matter pending a report being presented to Council on the current position of both parties.

18.1 (CDC4/99) - RESPITE HOUSE, JEAN WILLIS CENTRE - RENT ARRANGEMENTS (8410) (RA)

COUNCIL DECISION

That Council adjust the amount owed by Bell Healthcare for the use of the Ngalla Maya Respite House to \$34,598 payable prior to the 30th June, 1999 and the budget be adjusted accordingly.

18.3 (CDC4/99) - AMENDMENT TO COCKBURN/YEUYANG SISTER CITY COMMITTEE GUIDELINES (1029) (LCD)

COUNCIL DECISION

That Council :

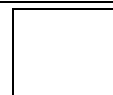
1. amend the Guidelines for the management of the Cockburn/Yueyang Sister City Committee by amending the number of Committee Members from five to seven;
2. appoint Mr Bill Thomas and Mr Simon Lee as General Members to the Cockburn/Yueyang Sister City Committee; and
3. that the Cockburn/Yueyang Sister City Committee meet on the first Tuesday of every second month or as required.

18.5 (CDC4/99) - AZELIA LEY MUSEUM - MAINTENANCE (1960) (DMG)

COUNCIL DECISION

That Council :

- (1) make arrangements through its Building Maintenance Section to undertake an inspection of the exterior area of the Azelia Ley Museum in order to ascertain remedial maintenance work required;
- (2) add the cleaning of the museum building to the list of buildings



to be cleaned by Council under contract at the time of the expiry of the current tender;

- (3) as an interim measure, request Council's Building Maintenance Section to liaise with the Curator to ensure the works being requested are undertaken with associated costs funded from Account 635431 (Azelia Ley Building Maintenance); and
- (4) liaise with the Historical Society prior to any future events being held at the Music Shell, in order to ensure the kiosk is publicised as being open for any such events.

18.6 (CDC4/99) - 1999/2000 BUDGET REQUEST - AZELIA LEY MUSEUM (1960) (DMG) (WEST)

COUNCIL DECISION

That Council :

- (1) place the amount of \$2,710 on the 1999/2000 list of budget estimates for consideration for the Azelia Ley Museum;
- (2) in future years the Minutes of the Azelia Ley Museum Committee be included in Councillors Info Newsletter and any matters arising therefrom be dealt with administratively.

20.1 (CDC4/99) - REPORT ON THE FINANCIAL STATEMENTS (5505) (NM) (ATTACH)

COUNCIL DECISION

That Council receive the Report on the Financial Statements for the month of February 1999.

20.2 (CDC4/99) - LIST OF CREDITORS PAID (5605) (KL) (ATTACH)

COUNCIL DECISION

That Council receive the List of Creditors Paid for March 1999 for information.



20.3 (CDC4/99) - DEBT WRITE OFF - DISPOSAL SITE ENTRY CHARGE - SPOT ON EARTHMOVING (5651) (KL)

COUNCIL DECISION

That Council write off an amount of \$237.63 owed by Spot-On Earthmoving.

20.4 (CDC4/99) - REQUEST FOR DONATION - AUSTRALIAN NATIONAL KOREAN WAR MEMORIAL (5300) (KL)

COUNCIL DECISION

That Council donate \$500.00 towards the Australian National Korean War Memorial Committee.

20.5 (CDC4/99) - REQUEST FOR DONATION - LORD MAYOR'S APPEAL FUNDS - MOORA FLOODS AND VICTIMS OF CYCLONE VANCE (5300) (KL)

COUNCIL DECISION

That Council :

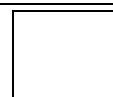
- (1) donate \$2,000.00 towards the Moora Floods and victims of cyclone Vance; and
- (2) draw this amount from monies held in Trust, being donations received from a previous flood appeal.

21.1 (CDC4/99) - KEEPING OF PIGEONS - 11 STEINBECK WAY, SPEARWOOD - REQUEST TO REVIEW LOCAL HEALTH LAWS RELATING TO PIGEONS (3313194) (1125) (WJH) (COASTAL) (ATTACH)

COUNCIL DECISION

That Council :

- (1) consider the adoption of the principles of the HDWA and pigeon racing fraternity Common Local Health Law 29B regarding the keeping of pigeons, and the amendment of clause 5 to read 600m², during the current review of Council's Health Local Laws;



- (2) refuse to grant a special non-conforming licence to Mr Ledo; and
- (3) advise Mr Ledo, Mr. Turley and Mrs. Moleirinho of Council's decision in this matter.

**22.1 (CDC4/99) - PROPOSED CHANGE OF BOUNDARY
MUNSTER / COOGEE (1050) (RS) (ATTACH)**

COUNCIL DECISION

That Council :

- (1) receive the Petition signed by residents of Seaview Terrace, The Cove and Shoal Court requesting that the name of their suburb be changed from Munster to Coogee;
- (2) recommend to the Geographic Names Committee that the Southern boundary of Coogee be altered from Mayor Road (between Cockburn and Hamilton Roads) to the future Beeliar Drive alignment as per the attached map.

CARRIED

**6.1 (CDC4/99) - DEPUTATION - AMENDMENT NO. 203 -
PROPOSED ADDITIONAL USE: RECYCLING OF
GREEN WASTE, LIMESTONE RUBBLE AND ROUGH
FILL - PORTION OF LOT 1 OF JAA 236 ROCKINGHAM
ROAD, HENDERSON - OWNER: COMSE NOMINEES -
APPLICANT: EVERY READY RESOURCES (92203)
(CC) (COASTAL)**

COUNCIL DECISION

Moved Commissioner Smithson seconded Commissioner Jorgensen, that Council :

- (1) adopt the following amendment:-

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



AMENDMENT NO. 203

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. Adding to Schedule 2 of the Scheme Text under the headings the following:

STREET	PARTICULARS OF LAND	ADDITIONAL USE PERMITTED
Rockingham Road	Portion of Lot 1 of JAA 236	<p>Recycling facility which is limited to the recycling of green-waste (not including manures), limestone rubble, topsoil and rough fill and does not involve composting or waste disposal, on a portion of the site not greater than 5 hectares.</p> <p>In granting development approval to the recycling facility Council shall limit the approval to a period not extending beyond the operation of the adjacent waste disposal site.</p> <p>Upon cessation of the waste disposal site the Council shall initiate an amendment to the District Zoning Scheme to delete the additional use 'Recycling Facility' from Lot 1 Rockingham Road, Henderson.</p>

2. Adding to the Scheme Map the additional use symbol over portion of Lot 1 of JAA 236 Rockingham Road, Henderson.

- (2) forward a copy of a signed document to the Environmental Protection Authority in accordance with section 7 A(1) of the Act;
- (3) subject to the advice of the EPA, the amendment be advertised for public comment in accordance with the Town Planning Regulations and the WAPC Bulletin No. 29 dated December



1998; and

- (4) advise the applicant of the Council's resolution and of the requirement to submit a rehabilitation program in accordance with Council Policy for the balance of the site with a development application for the proposed activity.

CARRIED

**7.2 (CDC4/99) - PROPOSED AMENDMENT NO. 200 -
REZONING LOT 42 JEAN STREET, HAMILTON HILL
FROM RESIDENTIAL R15 TO RESIDENTIAL R40 -
OWNER: MORADA PTY LTD - APPLICANT:
HOMESWEST (92200) (SR) (WEST) (MAP NO 6)**

COUNCIL DECISION

Moved Commissioner Smithson seconded Commissioner Jorgensen, that Council :

- (1) dismiss the submission opposing the Amendment, with the exception of the point referring to privacy and overlooking;
- (2) uphold the submission supporting the Amendment;
- (3) uphold in part, the submission requesting revised plans to address privacy and overlooking;
- (4) request the Hon. Minister for Planning to grant final approval to the Amendment;
- (5) require the submission of revised plans at the Development Approval stage showing the screening of the balconies of Units 4, 7, 8, 11, 12, 15, 16, 19 and 20;
- (6) advise the Western Australian Planning Commission, the applicant, the City of Fremantle and person/s who made submissions accordingly; and
- (7) enter into a suitable arrangement with Homeswest to ensure that residents of the development are 55 years of age or older.

CARRIED



WRITTEN DECLARATION OF FINANCIAL INTEREST

Commissioner Donaldson read aloud the following written declaration from Commissioner Smithson :-

Commissioner Smithson

CDC Item 9.2. The nature being that as her employer, BSD Consultants has previously been employed by Volley Investments as consultants associated with future development options for the Phoenix Park Shopping Centre.

AT THIS POINT THE TIME BEING 8:37PM, COMMISSIONER SMITHSON LEFT THE MEETING.

- 9.2 (CDC4/99) - ACOUSTIC BARRIER FOR LOADING DOCK - LOT 63; 254 ROCKINGHAM ROAD, SPEARWOOD - OWNER: VOLLEY INVESTMENTS PTY LTD - APPLICANT: KEN PATERSON ARCHITECTS (2206913) (MT) (WEST) (MAP NO. 7) (ATTACH)**

COUNCIL DECISION

Moved Commissioner Jorgensen seconded Commissioner Donaldson, that this matter be deferred and listed on the next Council Agenda and that an inspection of the property be arranged by the Planning Staff.

CARRIED

AT THIS POINT THE TIME BEING 8:39PM, COMMISSIONER SMITHSON RETURNED TO THE MEETING.

- 9.3 (CDC4/99) - PROPOSED CONFERENCE / FUNCTION CENTRE - LOT 9 WATTLEUP ROAD, WATTLEUP - OWNER/APPLICANT: V LOMBARDO (4412312) (SA) (SOUTH) (ATTACH)**

COUNCIL DECISION

Moved Commissioner Smithson seconded Commissioner Jorgensen, that this matter be deferred until the owner has returned to Perth and has the opportunity to put a deputation to the next meeting of Council.

CARRIED



9.5 (CDC4/99) - SAND EXTRACTION - PT LOT 135 ARMADALE ROAD, BANJUP - OWNER: CSR READYMIX CONCRETE - APPLICANT: CSR READYMIX QUARRIES (5513296) (CC) (EAST) (MAP 20) (ATTACH)

COUNCIL DECISION

Moved Commissioner Donaldson seconded Commissioner Jorgensen, that Council :

- (1) defer consideration of the proposal to excavate from the Armadale Road Important Regional Road Reservation until the Planning Application Fee has been paid; and
- (2) advise the applicant accordingly.

CARRIED

9.6 (CDC4/99) - PROPOSED FACTORY AND OFFICE FOR CURING OF SKINS AND HIDES - LOT 20 COCKBURN ROAD, HAMILTON HILL - MILLS AND HASSALL (SMH) (2200603)

COUNCIL DECISION

Moved Commissioner Smithson seconded Commissioner Jorgensen, that Council :

- (1) defer the application for a Curing of Skins and Hides premises on Lot 20 Cockburn Road, Hamilton Hill on the basis that the property is located within the Coogee Master Plan area which is currently the subject of a comprehensive review being undertaken by the Ministry for Planning;
- (2) seek the urgent advice of the Ministry for Planning on the approach to be taken in relation to the processing of this application and any other applications received in the Coogee Master Plan Area while the review is being undertaken;
- (3) advise the applicant of the Council's decision;
- (4) invite the proponent to meet with the Director of Planning and Development to discuss alternative approaches in relation to the establishment of the Curing of Skins and Hides Business.

CARRIED



18.2 (CDC4/99) - THE CROATIAN DRAMA GROUP - CITY OF SPLIT SISTER CITY COMMITTEE - DONATION (5300) (LCD)

COUNCIL DECISION

Moved Commissioner Smithson seconded Commissioner Jorgensen, that Council :

- (1) make a donation of \$3,000 to the Croatian Drama Group to give fourteen performances in Austria, Croatia, Bosnia and Hercegovina, including the City of Split; and the fund be drawn from Sister City Expenses Account 110462;
- (2) that the Cockburn/Split Sister City Committee be requested to address a Policy / Criteria for consideration by Council regarding further payments for administration supported by the Sister City Committee.

CARRIED

18.4 (CDC4/99) - ACQUISITION OF CHINESE TRANSLATION SOFTWARE AND ASSOCIATED EQUIPMENT - YUEYANG SISTER CITY COMMITTEE (1029) (LCD)

COUNCIL DECISION

Moved Commissioner Smithson seconded Commissioner Jorgensen, that Council :

- (1) purchase a Chinese translation program and a Motorola WisdomPen from the Yueyang Sister City Committee Account;
- (2) that the Cockburn/Yueyang Sister City Committee be requested to address a Policy / Criteria for consideration by Council regarding further payments for administration supported by the Sister City Committee.

CARRIED



20.6 (CDC4/99) - REQUEST FOR DONATION - LIONS CLUB OF COCKBURN (5300) (KL)

COUNCIL DECISION

Moved Commissioner Jorgensen seconded Commissioner Smithson, that Council donate to the Lions Club of Cockburn, up to \$500.00 for their Rural Lot Numbering Project.

CARRIED

21.2 (CDC4/99) - ONGOING EXCESSIVE NOISE AND DUST COMPLAINTS - LOT 206 GIBBS ROAD, BANJUP (SHIRLEY BALLA SWAMP) - OWNER: L & A GIGLIA (5513186) (SG) (EAST) (MAP 28.043) (ATTACH)

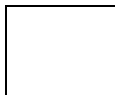
COUNCIL DECISION

Moved Commissioner Smithson seconded Commissioner Jorgensen, that Council :

- (1) give consent for Council's Health Section to collect evidence at Lot 206 Gibbs Road, Banjup of breaches of the City's Local Law Part VIII 8.3 NUISANCE and if warranted, prosecute under the provision of Section 79 of the Environmental Protection Act 1986 subject to further complaints in relation to dust nuisance and/or excessive noise being received;
- (2) request the Ministry for Planning to acquire Lot 206 Gibbs Road, Banjup as a conservation reserve, as a priority, given it is the source of numerous complaints and is being severely degraded;
- (3) advise the complainants of Council's decision;
- (4) advise the owners of Lot 206 Gibbs Road, Banjup of Council's decision accordingly.

CARRIED

9. ADMINISTRATION



9.1 (OCM4/99) - DELEGATE TO SOUTHERN METROPOLITAN REGIONAL COUNCIL (6109) (BKG)

RECOMMENDATION

That Council resolve to appoint Commissioner _____ as the member for Council of the Southern Metropolitan Regional Council in place of Clr Ray Lees and Commissioner _____ as the deputy member.

COUNCIL DECISION

Moved Commissioner Smithson seconded Commissioner Donaldson, that Council appoint Commissioner Smithson as the member for Council of the Southern Metropolitan Regional Council in the place of Clr Ray Lees and Commissioner Jorgensen as the deputy member.

CARRIED

Background

The Southern Metropolitan Regional Council is comprised of the local governments of Canning, Melville, Fremantle, East Fremantle, Cockburn, Kwinana and Rockingham.

The establishment agreement states that each member local government has one elected member as its representative on the Regional Council.

When elected to the Regional Council, that delegate is then a Regional Councillor and represents the region in matters on the Regional Council Agenda.

Submission

N/A

Report

Clr Ray Lees was the previous delegate and Regional Councillor from Cockburn.

Meetings are held bi-monthly.



The Regional Council is presently embarking on a major project of establishing a waste processing facility at Canning Vale to achieve an expected 80% diversion of domestic waste from landfill.

There is a meeting fee paid to Regional Councillors.

Strategic Plan/Policy Implications

There is a commitment in the Corporate Plan to protect the environment.

Budget/Financial Implications

The costs of belonging to the Regional Council are included in the budget.

Implications of Section 3.18(3) Local Government Act, 1995

N/A

10. PETITIONS

Nil

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

13. CONFIDENTIAL MATTERS

Nil



14. CLOSING

Meeting closed at 8:48pm

CONFIRMATION OF MINUTES

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

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

