

CITY OF COCKBURN

SUMMARY OF MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 18 AUGUST 1998 AT 7:30 p.m.

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CITY OF COCKBURN

MINUTES OF ORDINARY COUNCIL MEETING HELD ON TUESDAY, 18 AUGUST 1998 AT 7:30 P.M.

PRESENT:

COMMITTEE MEMBERS

Mr J Grljusich	-	Mayor
Mr S Lee	-	Councillor
Mrs S Hunt	-	Councillor
Mr R A Lees	-	Councillor
Mr J Ostojich	-	Councillor
Mr L Howlett	-	Councillor
Mrs N Waters	-	Councillor
Mr B P Wheatley	-	Councillor
Mr M Pecotic	-	Councillor
Mr J Gianoli	-	Councillor
Mr J McNair	-	Councillor

IN ATTENDANCE

Mr R W Brown	-	Chief Executive Officer
Mr D M Green	-	Director, Administration & Community Services
Mr A T Crothers	-	Director, Finance
Mr S M Hiller	-	Director, Planning & Development
Mr B K Greay	-	Director, Engineering
Mr D Walsh	-	Manager, Environmental Services
Mrs S Ellis	-	Secretary to Chief Executive Officer

The Presiding Member declared the meeting open at 7:30pm.

1. APPOINTMENT OF PRESIDING MEMBER [IF REQUIRED]

Nil

2. PUBLIC ADDRESS SESSION



Mr Crook read a letter concerning CDC item 10.3 in regards to Gerald Road, Spearwood which he later tabled.

Mr Crook further commented that he has heard of difficulties experienced by ratepayers in contacting Councillors and asked why Councillors were so difficult to contact. Mayor Grljusich responded that Council has supplied mobile phones and answering machines so the public can contact them. Other Councillors also responded that they are contactable.

Mr Crook asked in regards to Item 8.3 of the Council Agenda, if the Council's letter to the Dept. of Local Government dated July 1998 was available for ratepayer's inspection. The Chief Executive Officer advised that it was available to the public.

There being no further questions, Mayor Grljusich wished to advise the Council and public of matters of interest. Firstly, he advised that the delegation's visit to the City of Split was very interesting and that they have come away with a very warm feeling about the City of Split and our Sister City Relationship. The formal signing of the documentation was done at an official ceremony and he presented those documents to Council. He also presented a gift from the City of Split to the City of Cockburn.

The Mayor also advised that the re-print of our book "Cockburn - The Making of a Community" was now available.

Clr Ostojich commented in regards to the Sister City visit, that apart from being received very warmly by the City of Split, the opportunity was taken to be introduced to a number of different commercial industries and the Chamber of Commerce which, he felt, could be of major benefit to this City.

3. REQUEST FOR LEAVE OF ABSENCE

3.1 (OCM8/98) - Leave of Absence - Clr M. Pecotic (1705)

Clr Pecotic has requested a leave of absence from the Special Meeting of Council to be held on the 25th August as he will be attending the Local Government Conference as Council's representative.



Moved Clr Wheatley seconded Clr Gianoli, that Leave of Absence be granted to Clr Pecotic for the 25th August 1998.

CARRIED

4. CONFIRMATION OF MINUTES

4.1 (OCM8/98) - Ordinary Meeting of Council - 21/7/98

Moved Clr Ostojich seconded Clr Pecotic, that the Minutes of the Ordinary Meeting of Council held on the 21st July 1998 be confirmed.

CARRIED

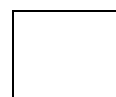
4.2 (OCM8/98) - Special Meeting of Council - 28/7/98

Clr Pecotic in reference to statements made at the end of this meeting stated firstly, that he believed Clr Lees expressed his appreciation and not Deputy Mayor Battalis to which Clr Lees agreed he made the statement. Clr Pecotic then stated that his comments were not adequately recorded and requested that they be amended.

Moved Clr Pecotic seconded Clr Gianoli, that the minutes of the Special Meeting of Council held on the 28th July 1998, be confirmed subject to the following amendments to statements made at the end of the meeting:

- (1) The words "Deputy Mayor Battalis" be deleted and substituted with the words "Clr Lees".
- (2) The words "Clr Pecotic reiterated his extreme disappointment in this year's Budget, and felt that the Chief Executive Officer and his Directors should ensure, that all endeavours in cost savings should be made in future budgets by reducing expenses such as consultancy fees, legal fees etc." be deleted and substituted with the words

"If Clr Lees has the right to put his comments praising the Committee's hard work and the Administration's hard work and I am not saying that they didn't work hard, we were here sitting and it was not easy for us, but I want to put my comments on record as well. I have to say again and reiterate that I am extremely disappointed that to be at a time when Australia has .8% of the inflation rate, we



increased our rates by 2.5%. I feel that we should have given compassion to those who are sick, disabled, unemployed and low income and we failed to do so. I also want to state on the record, that Directors and the Chief Executive Officer make every endeavour to save money that we put on this budget, that they make every effort to not spend too much money on consultants, legal fees and also make sure with the tendering process, they try to get the best price in the name or on behalf of the Cockburn ratepayers".

CARRIED

Moved Clr Pecotic seconded Clr McNair, that the issue regarding the Policy for the Packham Development Area be placed on the next SPC Agenda.

The Chief Executive Officer advised that this was not the correct part of the meeting to discuss this matter and that it should be dealt with in Additions To the Agenda.

MOTION WITHDRAWN BY PERMISSION OF COUNCIL

4.3 (OCM8/98) - Special Meeting of Council - 3/8/98

Moved Clr Lees seconded Clr Gianoli, that the Minutes of the Special Meeting of Council held on the 3rd August 1998 be confirmed.

CARRIED

5. APOLOGIES AND LEAVE OF ABSENCE

Deputy Mayor T. Battalis	-	Apology
Clr D. Elpitelli	-	Apology
Clr L. Humphreys	-	Leave of Absence

6. ADDITIONS TO THE AGENDA

8.4 Policy - Packham Urban Development Area (Clr Pecotic) (9235)



7. DEPUTATIONS

Nil

8. COUNCIL MATTERS

8.1 (OCM8/98) - Strategic & Policy Committee Report - 4/8/98

Moved Clr Waters seconded Clr McNair, that the report of the Strategic and Policy Committee meeting held on the 4th August 1998 be received and the recommendations therein adopted, with the exception of items 12.1, 12.2, 16.1 and 18.1 which are to be dealt with separately.

CARRIED

DECLARATION OF FINANCIAL INTEREST

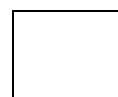
Mayor Grljusich declared a financial interest in Items 12.1 and 12.2. The nature being that he has a financial interest in the development of land in the district and these items may have an impact on his financial position.

AT THIS POINT THE TIME BEING 8:02PM, MAYOR GRLJUSICH LEFT THE MEETING.

Moved Clr Wheatley seconded Clr Lee, that Clr Lees assumes the position of Presiding Member for this item.

CARRIED

The Chief Executive Officer advised that the recommendation for Item 12.1 required a minor amendment being that item 12.1 referred to Part 9. SUBDIVISION which should read Part 10. SUBDIVISION and all the relevant numbering thereafter amended accordingly.



Item 12.1 (SPC8/98) PROPOSED AMENDMENT NO. 190 - DISTRICT ZONING SCHEME NO. 2 - NEW SUBDIVISION REQUIREMENTS (92190) (AG)

Moved Clr Pecotic seconded Clr McNair, that Item 12.1 of the Strategic and Policy Committee meeting held on the 4th August 1998 be deferred to the next appropriate committee and is dealt with in conjunction with the Packham Urban Development Policy.

MOTION WITHDRAWN BY PERMISSION OF COUNCIL

Moved Clr Howlett seconded Clr Gianoli, that Item 12.1 of the Strategic and Policy Committee meeting held on the 4th August 1998 be adopted subject to the following amendment:

That the words "Part 9. SUBDIVISION" be deleted and replaced with the words "Part 10. SUBDIVISION" and all the relevant numbering thereafter amended accordingly.

CARRIED

The Chief Executive Officer advised that the recommendation for Item 12.2 required a minor amendment being that Item 12.2 referred to Part 10. POLICIES which should read Part 11. POLICIES and all the relevant numbering thereafter amended accordingly.

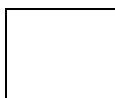
Item 12.2 (SPC8/98) PROPOSED AMENDMENT NO. 191 - DISTRICT ZONING SCHEME NO. 2 - ADOPTION OF POLICIES (92191) (AG)

Moved Clr Howlett seconded Clr Gianoli, that Item 12.2 of the Strategic and Policy Committee meeting held on the 4th August 1998 be adopted subject to the following amendment:

That the words "Part 10. POLICIES" be deleted and replaced with the words "Part 11. POLICIES" and all the relevant numbering thereafter amended accordingly.

CARRIED

AT THIS POINT THE TIME BEING 8:09PM, MAYOR GRLJUSICH RETURNED TO THE MEETING AND RESUMED THE PRESIDING MEMBER'S POSITION.



Item 16.1 (SPC8/98) REVIEW OF LOCAL (BY) LAW - SOUTH LAKE LEISURE CENTRE (8143) (GMac)

Mayor Grljusich read aloud the following statement:

"In accordance with Section 3.12 (2) of the Local Government Act 1995, the purpose of this proposed Local Law is to revoke the existing Local (By) Law relating to the Lakes Complex (Aquatic and Recreation Centre) as published in the Government Gazette of 20th September 1991 and to make a Local Law relating to the South Lake Leisure Centre.

The changes involved include the name of the law from the Lakes Complex (Aquatic and Recreation Centre) to the South Lake Leisure Centre and to allow the Manager or Deputy to refuse admission to or remove from the Centre, "a child under the age of ten (10) years and is not accompanied by a person over the age of sixteen (16) years".

The previous power stated that a child under the age of six (6) years must be accompanied by a person over fourteen (14) years of age."

Moved Clr Waters seconded Clr Howlett, that Item 16.1 of the Strategic and Policy Committee meeting held on the 4th August 1998 be adopted.

CARRIED

Item 18.1 (SPC8/98) NATIVE TITLE CLAIMS - CITY OF COCKBURN (9020) (SMG)

Moved Mayor Grljusich seconded Clr Howlett that Item 18.1 of the Strategic and Policy Committee meeting held on the 4th August 1998 be set aside and substituted with the following:

That Council

- (1) Receive the advice of McLeod & Co dated 4 June 1998; and
- (2) Advise McLeod & Co that Council would be prepared to consider a joint appointment of the firm in matters relating to Native Title Claims affecting the City of Cockburn once



other interested Local Governments have determined their position and advice as to the financial contribution is known.

MOTION LOST

Moved Clr Ostojich seconded Clr McNair, that Item 18.1 of the Strategic and Policy Committee meeting held on the 4th August 1998 be referred back to the Committee.

MOTION LOST

Moved Clr Howlett seconded Clr Wheatley, that Item 18.1 of the Strategic and Policy Committee meeting held on the 4th August 1998 be adopted subject to the word "Natural" in point (2) be amended to read "National".

CARRIED

8.2 (OCM8/98) - Community Development Committee Report - 11/8/98

Moved Clr Howlett seconded Clr Waters, that the report of the Community Development Committee meeting held on the 11th August 1998 be received and the recommendations therein adopted, with the exception of items 8.1, 10.2, 10.3, 14.3, 15.1, 17.3, 17.4, 19.1 and 22.4 which are to be dealt with separately.

CARRIED

Item 8.1 (CDC8/98) DANGEROUS BUILDING - LOT 2107 COCKBURN ROAD, COOGEE - RAILWAY RESERVE 11430 (2200389) (VG) (COASTAL)

Moved Mayor Grljusich seconded Clr Lees, that Item 8.1 of the Community Development Committee meeting held on the 11th August 1998 be adopted subject to the deletion of point (3).

MOTION LOST

Moved Clr Howlett seconded Clr McNair, that Item 8.1 of the Community Development Committee meeting held on the 11th August 1998 be set aside and substituted with the following:



That Council

- (1) Install a temporary fence to prevent public use of the walkway adjacent to the dangerous building on Lot 2107 Cockburn Road;
- (2) Cause written notice to be served on the owner of Lot 2107 on Cockburn Road, requiring him forthwith to take down the dangerous building referred to in (1) above, under Section 403(4) of the Local Government (Miscellaneous Provision) Act 1960; and
- (3) Takes the necessary action to recoup the monies spent on the supplying and erecting of the temporary fence if it can legally do so.

CARRIED

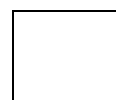
**Item 10.2 (CDC8/98) ACCESS TO PHOENIX
ROAD/GRANDPRE CRESCENT/PHOENIX PLAZA
INTERSECTION (450005) (JR) (WEST)**

Moved Clr Pecotic seconded Clr McNair, that Item 10.2 of the Community Development Committee meeting held on the 11th August 1998 be referred back to the next CDC meeting.

MOTION LOST

Moved Clr Wheatley seconded Clr Waters, that Council:

- (1) Approve the Access Alternative B.2 treatment developed by Uloth and Associates for the Phoenix Road/Grandpre Crescent/ Phoenix Plaza intersection;
- (2) Advise the owner of Phoenix Sports World and Legends Gym of Council's decision and to negotiate with the owner of the Caltex Service Station to further integrate their car parks to improve accessibility to Rockingham Road;
- (3) Advise Saracen Properties, developer of Phoenix Plaza, of Council's decision and to confirm their contribution of 100% of the cost of the works; and



- (4) Subject to receiving the funds from Saracen Properties in accordance with (3) above, Council proceed with the works in accordance with the Access Alternative B.2 treatment.

CARRIED

CLRS PECOTIC, MCNAIR, GIANOLI, OSTOJICH AND MAYOR GRLJUSICH REQUESTED THAT THEIR VOTE AGAINST THE MOTION BE RECORDED.

DECLARATION OF FINANCIAL INTEREST

Chief Executive Officer declared a financial interest in Item 10.3. The nature being that he owns property and lives in Gerald Street, Spearwood.

AT THIS POINT THE TIME BEING 9:09PM, CLR WATERS LEFT THE MEETING AND RETURNED AT 9:10PM DURING DISCUSSION OF THE FOLLOWING ITEM.

AT THIS POINT THE TIME BEING 9:10PM, CLR LEE LEFT THE MEETING AND RETURNED AT 9:12PM DURING DISCUSSION OF THE FOLLOWING ITEM.

Item 10.3 (CDC8/98) GERALD STREET ACCESS (450037) (JR) (WEST)

Moved Clr Pecotic seconded Clr Howlett, that Item 10.3 of the Community Development Committee meeting held on the 11th August 1998 be adopted.

CARRIED

Item 14.3 (CDC8/98) STATEMENT OF RESOLVE AGAINST ILLICIT DRUG USE (RA) (8954)

Moved Mayor Grljusich seconded Clr Pecotic, that Item 14.3 of the Community Development Committee meeting held on the 11th August 1998 be set aside and substituted with the following:

- (1) The Council makes no decision on this matter at the time.



- (2) That the matter be recommitted to the next SPC meeting for consideration.
- (3) That the Hon. Simon O'Brien, MLC and a spokesperson for the Cockburn Drug Action Group, be invited to address the SPC meeting and/or Council meeting on the subject.

MOTION LOST

Moved Clr Howlett seconded Clr Wheatley, that Item 14.3 of the Community Development Committee meeting held on the 11th August 1998 be set aside and substituted with the following:

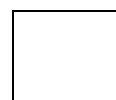
- (1) That Council advise the Hon. Simon O'Brien, MLC that it is very concerned about the abuse of legal and illegal drugs in our society and it believes that a range of strategies and approaches need to be put in place to address this very serious issue;
- (2) Mr O'Brien be advised that Council supports the Cockburn Local Drug Action Group by providing free accommodation on a six month trial basis while awaiting Government funding; and
- (3) That Mr O'Brien and a spokesperson for the Cockburn Drug Action Group be invited to address the SPC meeting and/or Council meeting on the subject.

CARRIED

Item 15.1 (CDC8/98) MURDOCH PINES GOLF AND RECREATION PARK - NON COMPLIANCE AUDIT PART LOT 172 BAKER COURT, NORTH LAKE - OWNER: WESTERN AUSTRALIAN PLANNING COMMISSION - APPLICANT: INTERNATIONAL GOLF INVESTMENTS PTY LTD (1113119) (1117347) (DMG/SR) (NORTH)

Moved Clr Howlett seconded Clr Lee, that Item 15.1 of the Community Development Committee meeting held on the 11th August 1998, be referred back to Committee to consider further information received from Murdoch Pines Golf and Recreation Park.

CARRIED



Item 17.3 (CDC8/98) COOLBELLUP SPORTING ASSOCIATION (1101743) (RA) (NORTH)

Moved Clr Waters seconded Clr Howlett, that Item 17.3 of the Community Development Committee meeting held on the 11th August 1998, be adopted.

CARRIED

DECLARATION OF FINANCIAL INTEREST

Clr Gianoli declared a financial interest in Item 17.4. The nature being that Mrs Zuvela is a client of Southside Realty of which he is a partner.

AT THIS POINT THE TIME BEING 9:31PM, CLR GIANOLI LEFT THE MEETING.

Item 17.4 (CDC8/98) RATES ON LAND - MRS F R ZUVELA, 39 GOLDSMITH ROAD, SPEARWOOD (3317041) (KL)

Moved Clr Howlett seconded Clr Pecotic, that Item 17.4 of the Community Development Committee meeting held on the 11th August 1998 be adopted.

CARRIED BY ABSOLUTE MAJORITY OF COUNCIL

AT THIS POINT THE TIME BEING 9:32PM, CLR GIANOLI RETURNED TO THE MEETING.

Item 19.1 (CDC8/98) MINOR MODIFICATION TO AMENDMENT NO. 170 TO DISTRICT ZONING SCHEME NO.2 - MODIFICATION OF THE THIRD SCHEDULE (RESTRICTED USE) - CSL 1843 & 2197; PT LOT 2 COCKBURN ROAD, HENDERSON - OWNER: LANDCORP - APPLICANT: GRAY & LEWIS (92170) (SA) (COASTAL)

Moved Clr Lee seconded Clr Lees, that Council does not proceed with the amendments.

MOTION LOST



CLR LEE REQUESTED THAT HIS VOTE IN FAVOUR OF THE MOTION BE RECORDED.

Moved Clr Wheatley seconded Clr Waters, that Council:

- (1) Request that the Hon. Minister for Planning reconsider Council's resolution of 17 March 1998 that the area be restricted to Ship Building.
- (2) Request that the Hon. Minister for Planning grant final approval to the amendment, on the basis of the following revised 'Marine Related Industry' definition:-

Marine Related Industry restricted to the carrying out of any process for and incidental to the fitting out, maintenance and repair of ships, including the construction of boats, and the manufacture, fabrication and assembly of components for use by the offshore petroleum industry.

CARRIED

CLR LEE REQUESTED THAT HIS VOTE AGAINST THE MOTION BE RECORDED.

Item 22.4 (CDC8/98) EXTENSION OF TIME FOR RELOCATION OF NON-APPROVED TRANSPORT DEPOT - LOT 10 FALCON PLACE, JANDAKOT - JAA 158, LOT 10 F PLACE, JANDAKOT - OWNER: G & D GOODCHILD (5514587) (SA) (EAST) (MAP NO 19)

Moved Clr Lee seconded Clr McNair, that Council:

- (1) Advise the landowners of Lot 10 Falcon Place that they have until 31 October 1998 to cease the not permitted "transport" depot use on the subject lot;
- (2) Instruct its solicitors to initiate legal action against the owners of Lot 10 Falcon Place, Jandakot for;
 - (a) contravening Council's District Zoning Scheme No. 2 provisions for Special Rural Zones;

if the owners do not comply with Council's DZS No.2 requirement for Special Rural Zone - 3.0 Solomon Road by 31 October 1998.



- (3) Inform the landowners and Waters and Rivers Commission of Council's decision accordingly.

CARRIED

DECLARATION OF FINANCIAL INTEREST

Mayor Grljusich declared a financial interest in Item 8.3 of the Council Agenda. The nature being that he is a partner of a company subdividing within the Packham area.

Clr Gianoli declared a financial interest in Item 8.3 of the Council Agenda. The nature being that he is acting as a selling agent for a number of owners within the Packham Scheme through Southside Realty of which he is a partner.

AT THIS POINT THE TIME BEING 9:49PM, MAYOR GRLJUSICH AND CLR GIANOLI LEFT THE MEETING.

Moved Clr Wheatley seconded Clr Pecotic, that Clr Lees assumes the position of Presiding Member for this item.

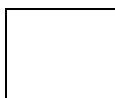
CARRIED

8.3 (OCM8/98) - Packham Urban Development Area - Department of Local Government Audit of Payments by Council (9235) (RS)

RECOMMENDATION

That Council resolve to:

- (1) receive the advice from the Department of Local Government as per their letter dated 17th July 1998;
- (2) request the Department of Local Government to engage an independent consultant to conduct an audit of monies paid by Council in relation to the Packham Urban Development Area in accordance with the agreed terms of reference;
- (3) advise the Department that we do not require to nominate a liaison for the purposes of appointing a Consultant;



- (4) transfer \$8,000 from Councillors Conference Expenses Account 110290 to provide for the cost of the independent audit.

TO BE CARRIED BY AN ABSOLUTE MAJORITY OF COUNCIL

COUNCIL DECISION

Moved Clr Waters seconded Clr Wheatley, that the recommendation be adopted.

Amendment To The Motion

Moved Clr Ostojich seconded Clr Waters, that point (2) be amended to read:

- (2) request the Department of Local Government to engage an independent consultant to conduct an audit in relation to the Packham Urban Development Area in accordance with the agreed Terms of Reference.

Amendment To The Motion

Moved Clr Lee seconded Clr Wheatley, that an additional point (5) be included to read:

- (5) that all of the above being subject to the Chief Executive Officer not being able to have the issue added to the Terms of Reference of the Inquiry into this Council by the Department of Local Government.

AMENDMENT PUT AND CARRIED

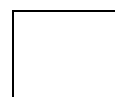
CLR HOWLETT REQUESTED THAT HIS VOTE AGAINST THE MOTION BE RECORDED.

**AMENDED MOTION PUT AND LOST
DUE TO LACK OF ABSOLUTE MAJORITY OF COUNCIL**

CLRS HOWLETT AND HUNT REQUESTED THAT THEIR VOTE AGAINST THE AMENDED MOTION BE RECORDED.

Moved Clr Ostojich seconded Clr Wheatley, that this matter be referred to the Department of Local Government requesting that the issue be included in the Terms of Reference of the Inquiry into this Council in accordance with Council's previous advice to the Department on this matter.

CARRIED



AT THIS POINT THE TIME BEING 10:11PM, MAYOR GRLJUSICH AND CLR GIANOLI RETURNED TO THE MEETING. MAYOR GRLJUSICH RESUMED THE PRESIDING MEMBER'S POSITION.

DECLARATION OF FINANCIAL INTEREST

Mayor Grljusich declared a financial interest in Item 8.4 of the Council Agenda. The nature being that he is a partner of a company subdividing within the Packham area.

Clr Gianoli declared a financial interest in Item 8.4 of the Council Agenda. The nature being that he is acting as a selling agent for a number of owners within the Packham Scheme through Southside Realty of which he is a partner.

AT THIS POINT THE TIME BEING 10:13PM, MAYOR GRLJUSICH AND CLR GIANOLI LEFT THE MEETING.

Resolved that Clr Lees assumes the Presiding Member's position for this item.

8.4 (OCM8/98) - Policy - Packham Urban Development Area (Clr Pecotic) (9235)

COUNCIL DECISION
Moved Clr Pecotic seconded Clr McNair, that this matter be referred to the next Strategic and Policy Committee meeting for further consideration.

CARRIED

AT THIS POINT THE TIME BEING 10:14PM, MAYOR GRLJUSICH AND CLR GIANOLI RETURNED TO THE MEETING. MAYOR GRLJUSICH RESUMED THE PRESIDING MEMBER'S POSITION.



9. ADMINISTRATION

9.1 (OCM8/98) - Southern Metropolitan Regional Council - Member Representation (RWB) (4904)

RECOMMENDATION

That Council resolve to appoint Clr as its representative to the Southern Metropolitan Regional Council with Clr as the Deputy Member for the period 19th August 1998 to 30th April 1999.

COUNCIL DECISION

Moved Clr Lee seconded Clr Wheatley, that Clr Lees be appointed as Council's representative to the Southern Metropolitan Regional Council.

MOTION LOST

Moved Clr Ostojich seconded Clr Wheatley, that this matter be deferred until the September Meeting of Council and that nominations be open for all Councillors to be given the opportunity to nominate.

CARRIED

9.2 (OCM8/98) - (SPC7/98 16.1) Proposed Amendments To Local Laws (8950) (DMG)

RECOMMENDATION

That Council resolve to:

- (1) disagree with the objection against the Proposed Local Law Amendment on the grounds that it is not uncommon for Local Laws to contain police enactment powers; and
- (2) make a Local Law to amend Part XIV, Division 1, of the City of Cockburn (Local Government Act) Local Laws, as published in the Government Gazette on 14 October 1994, as follows:
 1. Clause 14.1 is to become Clause 14.1.1;
 2. By inserting after Clause 14.1.1, the following 14.1.2. A member of the Western Australian Police Service, either with or without a warrant, is authorised to arrest and



remove persons offending against Part IV of these Local Laws.

SPECIAL MAJORITY OF COUNCIL REQUIRED

COMMITTEE RECOMMENDATION (SPC7/98)

MOVED Clr Howlett SECONDED Clr Humphreys that Council adopt the recommendation.

CARRIED

SPECIAL MAJORITY OF COUNCIL REQUIRED

COUNCIL DECISION

Moved Clr Howlett seconded Clr McNair, that the recommendation be adopted.

CARRIED BY SPECIAL MAJORITY OF COUNCIL

**9.3 (OCM8/98) - Regional Forest Agreement (6119) (DW)
(Attach)**

RECOMMENDATION

That Council resolve to:

- (1) Adopt the following position in relation to the Regional Forest Agreement process:
 - a) support the submission on the Regional Forest Agreement prepared by the Western Australian Municipal Association;
 - b) not comment on the impacts of forest management approaches on old growth and high conservation value forests, or on the sustainability of current and proposed forest management approaches; and
 - c) support the broadening of the scope of the forestry management options currently being considered to allow assessment of the impacts of forestry activities in old growth and high conservation value forest areas.



COUNCIL DECISION

Moved Clr Howlett seconded Clr Wheatley, that the recommendation be adopted.

CARRIED

DECLARATION OF FINANCIAL INTEREST

Clr Gianoli declared a financial interest in Item 9.4 of the Council Agenda. The nature being that Gianoli & Evans, of which he is a partner, acts as property developers for various owners in the scheme.

AT THIS POINT THE TIME BEING 10:38PM, CLR GIANOLI LEFT THE MEETING.

9.4 (OCM8/98) - Construction of Beeliar Drive / Spearwood Avenue to Watson Road (450953) (BKG/KJS)

RECOMMENDATION

That Council resolve to refer the acquisition of the land for Beeliar Drive from Spearwood Avenue to Watson Road to the September Community Development Committee meeting.

COUNCIL DECISION

Moved Clr Lee seconded Clr Howlett, that the recommendation be adopted.

CARRIED

AT THIS POINT THE TIME BEING 10:39PM, CLR GIANOLI RETURNED TO THE MEETING.



10. PETITIONS

10.1 (OCM8/98) - Gerald Street, Spearwood Petition (Clr Wheatley) (450037)

Clr Wheatley tabled a petition in regards to re-opening of left hand turns into Gerald Road from Phoenix Road together with a gap in the Phoenix Road median to facilitate right hand turns to the East. Also that Freeth, Leo and Doolette Streets be included in any proposed traffic study.

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

Before closing the meeting, Clr Ostoich wished to add to his earlier comments regarding the visit to the City of Split. He advised Council that the gift of Aboriginal Art that this Council presented to the delegation when they visited Cockburn, is now taking pride of place on the wall in the Mayor's office.

Meeting closed at 10:40pm.



CONFIRMATION OF MINUTES

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

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

