



City of Belmont
ORDINARY COUNCIL MEETING
MINUTES

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11 JUNE 2001

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ATTACHMENTS INDEX

****Attachment 1 – Item 13.3 refers**

****Attachment 2 – Item 14.1 refers**

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE, ON MONDAY, 11 JUNE 2001, COMMENCING AT 7.39PM

PRESENT

Cr P R Passeri, JP (Mayor)	West Ward
Cr M H Blair (Deputy Mayor)	Central Ward
Cr G Dornford	Central Ward
Cr M C Godsell	Central Ward
Cr G Doney	West Ward
Cr A T Richardson, JP	West Ward
Cr M M Bass	East Ward
Cr G J Godfrey	East Ward
Cr P Marks	East Ward
Cr A P Murfin, OAM, JP	South Ward
Cr E Teasdale	South Ward
Cr J Powell	South Ward

IN ATTENDANCE

Mr B Genoni	Chief Executive Officer
Mr N Hartley	Deputy Chief Executive Officer
Mr R Lutey	Director - Engineering
Mr N Deague	Director – Development
Mr S Cole	Director – Corporate Services

MEMBERS OF THE PUBLIC

There were 18 members of the public and 1 member of the press (Southern Gazette) present.

1. OFFICIAL OPENING

The Mayor opened the meeting and welcomed all those in attendance.

2. APOLOGIES & LEAVE OF ABSENCE

2.1 APOLOGIES

Nil.

2.2 LEAVE OF ABSENCE

Nil.

3. DECLARATIONS OF INTEREST

In accordance with the City of Belmont's Code of Conduct, Councillor Godsell declared an interest that could give rise to a reasonable belief that his impartiality may be adversely affected. The interest is in item 8.4.1 of the Works and Technical Services Committee meeting minutes dated 5 June 2001. The nature of the interest being that his company carries out work for the architects involved in the evaluation of the tenders for construction of the boardwalk.

Cr Dornford declared a financial interest. The interest being in item 13.3 (Proposed Family Day Care – Lot 41 (8) Morgan Road, Redcliffe) of tonight's Council meeting. The nature of the interest being that he operates in the child care industry within the City of Belmont.

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Mayor welcomed Mr Tom Winterborne (Relieving Editor of the Southern Gazette Newspaper) to the meeting. Mr Winterborne is relieving for Mrs Sue Emmett whilst she is on leave.

5. PUBLIC QUESTION TIME

*****7.41pm**

For the benefit of the public present the Chief Executive Officer stated the rules of Question Time.

5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING

5.1.1 Mr Mike Robson (Secretary – Residents and Ratepayers Association) – 24 Homewood Street, Cloverdale

Mr Robson asked the following questions at the Ordinary Council Meeting held on 23 April 2001, which were taken on notice. Mr Robson's questions were responded to in correspondence dated 7 June 2001. Details of the response are provided below.

- 1. Can Council advise the current stage of planning for parking facilities near the mosque which will assist the Muslim community?*

Council apologises for the omission of answers to this question earlier. Council is of the opinion that a Place of Public Worship is not an appropriate use in 'The Springs' redevelopment.

There is therefore no plan for parking facilities to serve the Mosque.

Item 5.1.1 continued...

2. *Can Council report on their mosquito control program for the past six months, particularly in reference to Tomato Lake and the open drains that exist throughout the City?*

Council apologises for the omission of answers to this question earlier.

The Health Department annually budgets for the control of mosquitoes over the summer months; the breeding season can be from September through to late April, depending on the climate conditions.

Although there are a number of species of mosquitoes that breed in the City of Belmont area, they are basically referred to as either salt marsh mosquitoes or fresh water breeders.

During the warmer months the Health Department has an Environmental Health Officer that specialises in mosquito control, these duties require the officer to monitor and arrange treatment of all known breeding sites and also follow up on any complaints in regard to excessive mosquito activity.

Last season the Health Department used contract labour to assist with the identification of breeding sites, and the monitoring and control of the mosquitoes at those sites. Blanket spraying, as carried out in the past by a pest control operator was avoided and instead, drainage channels within the flood plains were upgraded to allow natural water movement to eliminate the stagnant sites that provided suitable mosquito breeding environments. This also helped to reduce the amount of insecticides used over the last season.

This year (for the second time) the Health Department used a fogging machine to control adult mosquitoes. This is very effective when the weather conditions are suitable.

Tomato Lake is not a mosquito-breeding site, however there is a major problem with biting midges and the fogging machine was used on a number of occasions to control these midges.

Road drains can breed fresh water mosquitoes and those that do cause a problem over the warmer months are treated with long term insecticides, these act over 90 to 120 days and are very effective in controlling this fresh water variety of mosquito.

Council sumps and also Metropolitan Water Supply (MWS) sumps are also monitored and if breeding is noticed they are treated by Council or by the MWS.

5.1.2 Mr Peter Stewart – 275 Peet Road, Roleystone (3 Hawksburn Road, Rivervale)

Mr Stewart asked the following questions at the Ordinary Council Meeting held on 28 May 2001, which were taken on notice. Mr Stewart's questions were responded to in correspondence dated 7 June 2001. Details of the response are provided below.

1. *As it has taken Council some seven weeks to provide an answer that, in relation to the adoption of TPS 13, "The Springs", legalities were properly considered in regard to the revocation and subsequent adoption of the Scheme (5.1.5 part 5): why did officers deny Council the opportunity of having the Planning Committee consider the revocation and then only give Councillors one working day to consider this Agenda item for their meeting on March 26, 2001?*

In the interest of all landowners in 'The Springs' Town Planning Scheme No. 13, it was important that the administrative process of the Scheme be expedited as quickly as possible. The objective of the Council was to pursue with the Minister for Planning and Infrastructure the specific request of landowners and that was for them to have more time to consider the viability analysis of the Scheme. The inclusion of the words to adopt Scheme 13 assisted the administrative process. The issue was not referred to the Planning and Development Committee as Council Administration was awaiting legal advice on the issue. This was received in time for referral to the Council meeting.

2. *Are Councillors aware that, despite the answer contained in question 1, that legalities were carefully considered, the decision of Council made at its meeting on March 26, 2001 to revoke decisions made at the February 27, 2001 meeting that subsequently adopt TPS 13, "The Springs", are contrary to the provisions of the City of Belmont (Standing Orders) Local Law 1998 gazetted on December 8, 1998?*

The City is not aware of any breach to the City's Standing Orders during the process of the revocation motion highlighted above.

3. *Are Councillors aware that, following the Council decision to adopt the six resolutions regarding the Springs, and not to adopt TPS 13 on February 27, 2001; action was taken in regard to resolution #2, and that the additional information referenced in the resolutions was sent to the WAPC on March 7, 2001, including a copy of the six resolutions and a request made of the Minister for Planning?*

No.

Item 5.1.2 continued...

4. *Are Councillors aware that Standing Orders of the City of Belmont at part 14.1 sub (3) prohibits a motion to revoke or change a decision, if at the time (being March 26, 2001) action has been taken to implement the decision (of February 27, 2001)?*

The City is not aware of any breach to the City's Standing Orders during the process of the revocation motion highlighted above.

5. *Will Councillors please consider the validity of the officer recommendation for the revocation, the decision to revoke and consequent adoption of TPS 13 on March 26, 2001 and the answers supplied by officers at item 5.1.5 in the Agenda for tonight, by requesting a formal assessment of the decision making process to adopt TPS 13 from the Department of Local Government Monitoring Branch?*

No.

5.1.3 Mr Ross O'Neil – 3 Glyde Street, South Perth (12 Rowe Avenue, Rivervale)

Mr O'Neil asked the following questions at the Ordinary Council Meeting held on 28 May 2001, which were taken on notice. Mr O'Neil's questions were responded to in correspondence dated 7 June 2001. Details of the response are provided below.

1. *When asking if Councillors would properly scrutinise the declarations of interests made by the Scheme Manager when reporting to The Springs Working Group in 1999, 2000, 2001; the Mayor advised that all declarations are taken seriously and that the new Springs Working Group committee could pursue any such review. I ask, if declarations are taken so seriously, why such a review would be carried out by the very committee that seems to have received no declarations of interest over the three years in which it has conducted dozens of meetings?*

'The Springs' Working Group provides an information source for the Planning and Development Committee. It is this Committee that will continue to ensure that the proper process will be followed when interests are declared.

Item 5.1.3 continued...

2. *At question 3 of item 5.1.4, I asked for details of the capital structure and entities associated with the nominee \$2 company charged with the Scheme Management of TPS 13, given that the City may have to consider pursuing any legal action to recompense landowners in The Springs for any losses that may be incurred in the Scheme, as per item 5.1.1, Council meeting of April 23, 2001. The question was taken on notice. Why, when Council engaged this contractor as Scheme Manager over two years ago and has paid them over \$400,000 for planning work on "The Springs", is Council unable to advise these basic risk management details three weeks after my question was put?*

Council is satisfied that the Management Agreement with Urban Focus adequately protects landowners and the Council. The Management Agreement was vetted by Council's Solicitors.

3. *At question 4 of item 5.1.4, I asked that Councillors please check that The Springs Working Group is and was a properly constituted and elected member chaired occasional committee of the Council from meeting number one, held after the May 3, 1999 declaration of the poll. The Mayor advised that he believed it was but would seek confirmatory advice. What is that advice?*

It is a Working Group of the Council and the aim at all times was to have representation from elected members.

5.1.4 Mr Kevin Morgan – (8 Malvern Road, Rivervale)

Mr Morgan asked the following questions at the Ordinary Council Meeting held on 28 May 2001, which were taken on notice. Mr Morgan's questions were responded to in correspondence dated 7 June 2001. Details of the response are provided below.

As Councillor Richardson's letter disclosing his interest in property in close proximity to The Springs whilst tendering his withdrawal from the Springs Group Committee amounted to a notice given under section 5.66 of the Local Government Act 1995, why hasn't the Chief Executive Officer caused such a notice to be included in the Agenda at item 3, Declarations of Interest?

The letter provided by Cr Richardson advising of his withdrawal from the Springs Working Group advised that he was withdrawing his membership because he believed he "may have a declarable interest". It is not considered that this is a notice given under section 5.66 of the Local Government Act 1995 and therefore, there is no requirement for this letter to be brought before the meeting in the manner suggested.

5.2 QUESTIONS ON WHICH WRITTEN NOTICE HAS BEEN GIVEN PRIOR TO THE MEETING

5.2.1 Mr Paul Hitt– 85 Fitzroy Road, Rivervale

With the current proposal by the developers of the Hardey Park site (see Council Minutes Monday, 28 May 2001) to alter their development in a way that differs from the original concepts/plans, I ask the following questions -

1. *Is it correct that the City of Belmont is at this present time, in the process of lifting the A class reserve status on Parry Field?*

No. The land on which the former Belmont International Baseball Stadium stands is a small part of Lot 49 (154) Great Eastern Highway and a very small portion of Lot 5 (160) Stoneham Street Ascot, both of which are owned in fee simple by the City of Belmont. **The land, therefore, is certainly not, nor ever has been, an 'A' class reserve.** There appears to be a trust deed over these two lots, which totals approximately 16ha (39 acres). Council records clearly show that in 1954, when the deed of "Trust" was registered, Council only intended to place 0.8 of a hectare (2 acres) in trust. Council is now in the process of removing 5.84 ha from the "Trust".

2. *Why was Parry Fields not returned to a useable state when the last occupiers vacated the site?*

As part of the Heads of Agreement reached with the Federal Government, the State Government, the City of Belmont and the Ascot Waters Consortium, part of Lot 49 (154) Great Eastern Highway and a very small portion of Lot 5 (160) Stoneham Street Ascot were to be offered for sale to the Consortium.

3. *Is the City of Belmont being pressured or manipulated by the developers with an interest in the land consisting of or surrounding Parry Fields?*

No. A significant portion of this land is reserved for 'Parks and Recreation' and Council is not being pressured or manipulated to alter this zoning. The balance, which is approximately $\frac{1}{3}$ of this 16ha area, is zoned 'Mixed Use'.

4. *Is the Council's rezoning of Parry Fields for the purpose of providing an access road to future development of this area?*

No. There is no proposal to rezone any of the 'Parry Fields' area as has been stated in the answer to question 3. The re-construction of an existing access road (or new one) requires no rezoning.

Item 5.2.1 continued...

5. *Have the residents of Belmont been informed as to the Council's specific long term plans for the Parry Fields site? Or is the Council giving this change of zoning a low profile, so once again, the people of Belmont will be handed a fait accompli as in the Hardey Park rezoning?*

As stated in the answers to questions 3 and 4, there is no proposal to change the zoning of the 'Parry Fields' site. In 1993/1994 following the removal of the 'Industrial' zoning over part of the 'Ascot Fields' site and the modification of part of the 'Parks and Recreation' reserve by the State Government under the Metropolitan Region Scheme (MRS), Council initiated an Amendment under its Scheme to modify its zoning to comply with the State Government MRS. As part of this process, the Amendment was advertised and signs to this effect were erected on-site. Adjoining and nearby owners were notified in writing of the proposal and invited to make submissions, and the following government and other bodies were requested to make submissions on the proposal. They were:

- Environmental Protection Authority
- Swan River Trust
- Water Corporation of WA
- Western Power
- Main Roads WA
- Western Australian Turf Club

The State government and Council's initiation of the redevelopment of this area followed more than a decade of public pressure to have the blighted 'Ascot Fields' area rehabilitated and redeveloped.

Submissions from the community and the above bodies contained recommendations of issues to be taken into account when the detailed planning of the 'Ascot Fields' redevelopment was undertaken and on that basis the Minister's final approval for the rezoning was given.

6. *Is this low profile approach indicative of the current City of Belmont's planning strategies for the future?*

As previously stated there is no plan to rezone this area and the 1993/1994 rezoning was certainly not low profile.

The Council often does more consultation than required to do so by the statutory procedures. There are strict legal processes to be followed at all times and the Council is ultimately accountable to the Minister for Planning and Infrastructure, as the statutory function of town planning as a delegated authority from the State Government to local government.

Item 5.2.1 continued...

7. *How can the residents of Belmont have any faith in the planning procedures of the City of Belmont if the City of Belmont approves the present planning and zoning changes asked for by the developer as in the Hardey Park area? Is this a sign that once developers have existing plans approved they can come back and re-apply and the area will be zoned to their specific requirements and so will obtain the benefits that will flow from this?*

As answered previously there are no zoning changes proposed for the 'Ascot Fields' site.

5.2.2 Mrs Lorraine Hitt – 85 Fitzroy Road, Rivervale

In regard to the Focus Group for People with Disabilities:

1. *Has the Focus Group for People with Disabilities been disbanded and If so, why?*

The CEO advised that the Focus Group for People with Disabilities has not been disbanded.

2. *Does Council know why all but one of the serving members did not renominate and if not, do they intend to find out why?*

The CEO advised that all Focus Group for People with Disabilities members were invited to re-nominate. No reasons were supplied by the individuals in question, nor was it intended that Council would be seeking such information in regard to why people may not have re-nominated.

In regard to the recent Respite Study:

1. *Council commissioned a consultant to undertake a study of the respite needs within the City of Belmont. Of the twenty two recommendations in the consultant's report, Council rejected nine recommendations relating to people with disabilities. These recommendations require a commitment and demonstration of leadership rather than financial support – what strategies does Council have in place to facilitate an inclusive community welcoming of all?*

A couple of the consultant's recommendations could have resulted in the City being required to consider a financial commitment, for example, recommendation #3 states that "the City of Belmont and the Cloverdale Office of the Disability Service Commission come to an arrangement to share the provision of the resources required to sustain the work of the Belmont respite Forum – estimated at being the equivalent of one full-time staff position".

Item 5.2.2 continued...

The CEO advised that it was considered by Council that all of the nine recommendations were the responsibility of the Disability Service Commission, as the Commission's Strategic Plan 2000-2005 identified goals and strategies that provide a response to a number of recommendations in the report.

The CEO further advised that as part of Council's welcome to new residents, a Welcome Pack and a letter signed by himself, is sent to all new homeowners.

2. *On the 6th of February 2001 Council resolved that nine recommendations of the consultant's report were the responsibility of the Disability Services Commission – is Council aware that many people with disabilities are not registered with the Disability Services Commission or eligible for their services?*

The CEO advised that Council is not aware of the exact number of people with disabilities in the City, or which ones are registered (or able to be registered) with the Disability Service Commission.

3. *If so, why has Council suggested that setting up of a respite forum is the sole responsibility of the Disability Services Commission?*

The CEO advised that it was highlighted in the Council decision on the consultant's report (refer to the Administration and Community Services Committee minutes of 4th December 2000) that *"the City should be an active participant in such a Forum"*, although it was felt that the Disability Service Commission should have the responsibility to establish the Forum.

4. *Was Council aware that recurrent funding of \$400,000 was recently made available for respite? If so, did Council encourage, support and/or endorse community groups' applications to the Disability Services Commission for recurrent respite funding?*

The CEO advised that he was not personally aware of the funding outlined in the question, however if the City was notified of the availability of such funds and was requested to advise its community, it would have. It is hoped that the Cloverdale Office of the Disability Service Commission would also have a database of local groups and that they would also attempt to highlight these ongoing grants.

(Note: A subsequent check of our incoming mail system reveals no record of any advice of the recurrent funding mentioned above).

5.2.3 Mr Peter Stewart – 275 Peet Road, Roleystone (3 Hawksburn Road, Rivervale)

I refer to Council minutes of meetings generally and specifically in relation to the published minutes of meeting of the Ordinary Council meeting of 28 May 2001 and ask:

- 1. At item 5.2.5 in answer to question 1 from Mr Morgan, the Mayor advised the meeting that Cr Richardson's property interests were not in the Springs development, but are adjacent to it. The record of meeting changed the answer given from 'adjacent to' and substituted 'nearby to'. Will Council please correct the record this evening?*

The Chief Executive Officer advised that if any Councillors present this evening wished to pursue this suggestion, it could be put forward at tonight's meeting at item 6.1.

- 2. At item 5.2.5 in answer to question 2 from Mr Morgan, Cr Richardson provided a detailed explanation from typed notes on his property interests adjacent to the Springs development. The notes were handed to the Deputy Chief Executive Officer during the meeting. The record of the meeting fails to provide Cr Richardson's answer, will Council please correct the record this evening by incorporating Cr Richardson's written response to the question?*

The Chief Executive Officer advised that if any Councillors present this evening wished to pursue this suggestion, it could be put forward at tonight's meeting at item 6.1. Cr Richardson added further, that he did not provide the Deputy Chief Executive Officer with any written notes at or after the meeting in question.

- 3. At item 5.2.5 in answer to question 3 from Mr Morgan as to whether Cr Richardson or his wife acquired properties in close proximity to the Springs development, the Mayor advised that this question was answered in the previous question. The difficulty is that, whilst this was the Mayoral response at the time, the record of meeting makes this answer intelligible. Will Council please correct the record this evening by incorporating Cr Richardson's written response to the question?*

The Chief Executive Officer advised that if any Councillors present this evening wished to pursue this suggestion, it could be put forward at tonight's meeting at item 6.1.

Item 5.2.3 continued...

4. *At item 5.1.2 in the agenda for this evening's meeting, my question number 3, asking if Councillors were aware of a letter sent by the City to the WAPC on 7 March 2001, the answer was ..."No". Will Council please correct the record of meeting to a "Yes" answer; or conversely correct the record of the Springs Committee meeting of 12 March 2001, and subsequent Planning and Development Committee and Council meetings at item 5.1 "Submission of TPS 13 to WAPC" of the Springs Committee? Item 5.1 of 12 March 2001 states, and I quote:*

"The WAPC were advised of Council's resolutions of 27 February 2001 on 7 March 2001. The advise letter was accompanied by a copy of the Minutes from the Special Meeting, a Schedule of Submissions on the Scheme and a complete copy of all submissions lodged during the advertising period."

The Mayor advised that he would take the question on notice.

5. *Will Council please consider the use of a tape recorder or other means to assist officers in making a complete and accurate record of meetings so that Council is at least seen as being more open and accountable?*

The Mayor advised that Council's current position is that its meetings are not taped for minute taking purposes.

The Mayor advised the meeting that the 30 minutes allocated for question time had elapsed.

BLAIR MOVED, BASS SECONDED, that Public Question Time be extended for 15 minutes.

CARRIED 9 VOTES TO 3

For: Blair, Bass, Teasdale, Murfin, Richardson, Marks, Powell, Dornford, Godfrey
Against: Godsell, Doney, Passeri

5.2.4 Mr William Foy - (14 Hawksburn Road, Rivervale)

I refer to the Minutes of Meeting for Council for 7 May 2001 and 28 May 2001 in relation to elector questions and the escort agency opposite the Springs in Rivervale, and ask:

1. *Was the 13 year old child charged under the Prostitution Act 2000 by Vice Squad detectives on 17 May 2001 with having sex with eight men on 21 April this year, working at the escort agency in Rivervale which was approved by Council at it's meeting on 28 May 2001?*

The Mayor advised that he was not aware that this was the case.

2. *Was the 41 year old proprietor charged by Vice Squad detectives on 22 May 2001 with committing a child to act as a prostitute, the manager of the escort agency in Rivervale approved by Council at it's meeting on 28 May 2001?*

The Mayor advised that he was not aware that this was the case.

3. *Will Council please provide to the Police Service Vice Squad all documents it holds in relation to the premises at 33-35 Great Eastern Highway, Rivervale in relation to the management or assistance in the management of these premises for the purposes of prostitution?*

The Chief Executive Officer advised that Council's records generally relate to the planning issues of the site in question. The Mayor further advised, that he did not believe Council would have a problem with the release of this information if it was requested by the Police.

4. *Will Council please revoke the approval given to the escort agency on 28 May 2001 so that ratepayers are not seen as a party to the continued use of such premises, or any part thereof for purposes of prostitution?*

The Mayor advised that if any Councillors present this evening wished to pursue this suggestion, it could be put forward at tonight's meeting.

5. *Will Councillors please ask the responsible officer why no consideration was given to the effect of the Prostitution Act 2000 (WA) when recommending approval of these premises for this escort agency? The officer recommendation is based on flawed legal advice, any decision based on such advice is similarly flawed, will Councillors please make their own inquiry into the deficits of the recommendation?*

The Director – Development advised that Council acted on the best legal advice it could obtain.

Item 5.2.4 continued...

6. *Will Councillors please ask why the officer recommendation to approve the premises as an escort agency provided false and misleading information in relation to the City of Belmont Town Planning Scheme 14? Why did the officer advise Councillors that there was no alternative other than to approve the escort agency? Why did the officer further advise that there was a lack of planning control over legal land uses and that the City should enlist the support of the Minister to include a separate use class designed to control sex related industries in Town Planning Scheme 14? Please note that Part 11, Schedule 1 Interpretations of Town Planning Scheme 14 includes:*

Restricted Premises: *meaning any land or building, or parts thereof used for the sale or hire or delivery of materials, compounds, preparations or articles which are used or intended to be used in connection with any form of sexual behaviour or activity. According to the Zoning Table of the City of Belmont, Restricted Premises may only be used at the discretion of Council and then only in the town Centre, Commercial or Mixed Use zones.*

The Mayor advised that the land use was for an “office” not an “escort agency”. The Director – Development further advised, that the definition of “restricted premises” as highlighted in the question does not apply in this particular case. It is intended in the instance of shops selling goods as described and for the proposes outlined above.

7. *When I asked at the Special Meeting held on 7 May 2001 that Councillors properly scrutinise officer recommendations, the Mayor advised that this has always occurred and that the new committees will no doubt take note of the question; I ask, in relation to the Springs development and the escort agency, why elected members have not properly scrutinised officer recommendations?*

The Mayor advised that Councillors did scrutinise the officer recommendations on the instance in question. The issue was discussed at length at the meeting in question.

8. *To avoid continued allegations that Council’s passive indifference to Springs landowners amounts to wilful default in discharging their obligations to ratepayers, will Council please revoke the approval for the escort agency and ask for a Local Government Department inquiry into officer recommendations?*

The Mayor advised that Council did not approve an “escort agency”, it approved an “office”.

Item 5.2.4 continued...

9. *Will Council officers please stop playing political football with it's planning decisions and take action that is well within its powers under the existing planning scheme to protect ratepayers and their children in Rivervale?*

The Chief Executive Officer advised that his officers are not playing "political football". Officers undertake detailed research before writing reports/recommendations and reports pertaining to planning issues are no exception. He believes the reports presented to Council are of the highest quality and highlighted that Council often acknowledges individual officers' professionalism and dedication to their duties.

5.2.5 Mr Ross O'Neil – 3 Glyde Street, South Perth (12 Rowe Avenue, Rivervale)

I refer to the answers given to my questions put to the Special Meeting of 7 May 2001 (item 5.1.4) and ask:

1. *The question "Will Council please demonstrate its seriousness of commitment given on declarations of financial interest by requesting a formal assessment of the declarations made, or not made to Council in regard to Town Planning Scheme 13, the Springs, by the Department of Local Government monitoring branch?" was answered by "All declarations are taken seriously and that adequate action has already been taken in regard to this matter." I ask what action was taken, by whom and when?*

The Chief Executive Officer advised that in accordance with the Local Government Act, each individual Councillor/Officer is responsible for their own financial interest declarations. Once these declarations are made, the Council/Committee then considers the nature and extent of the declaration, in accordance with the relevant provisions of the Local Government Act.

2. *In answer to Mr Morgan's question number 4, item 5.2.5 of the Ordinary Council meeting of 28 May 2001, the Mayor advised that he understood that Cr Richardson does not believe he has a financial interest in regard to the Springs development. I ask why Cr Richardson has changed his belief, given that Cr Richardson did in fact declare a financial interest in the Springs development at item 3 of the Ordinary Council meeting of 15 March 1999?*

Cr Richardson advised that he recalled the declaration was in relation to when Council was inviting interests for licensed real estate agents to provide marketing and sales services and that at the time, he had an association with the firm LJ Hooker (a real estate agent).

Item 5.2.5 continued...

3. *Has Cr Richardson disposed of the property interests, being the owner of properties in close proximity to the Springs, that he disclosed at the 15 March 1999 meeting of Council?*

The Mayor advised the answer to question (3) above, refers.

4. *Are declarations of interest, or more particularly non-declarations of interest, a matter of convenience for Councillors and employees of the City of Belmont or are they mandatory according to law?*

The Mayor advised that declarations of interest are required under the Local Government Act.

5. *Will Council please reconsider its refusal to ask the Department of Local Government to investigate the disclosure and non-disclosure of interests by Councillors and employees of the City of Belmont?*

The Chief Executive Officer advised that this matter is up to Council, however he has obligations under the Anti-Corruption Commission Act to report issues of corruption if he believed that such had occurred.

5.3 QUESTIONS FROM THE FLOOR

5.3.1 Mr Michael Robson (Secretary – Ratepayers and Residents Association) – 24 Homewood Street, Cloverdale

It was reported in the Southern Gazette (5 June 2001) that the Mayor (Peter Passeri) made the following two statements in respect of the escort agency operating on Great Eastern Highway:

- (i) *“Until such time as government comes up with some legislation on the sex industry, local governments have no legal reason to reject these applications.”*
- (ii) *“The current laws disallow councils to go against the Planning Act.”*

These matters of planning were also made clear by Cr Doney and others at a Council meeting held in late April 2001.

1. *In appreciation of the moral issue at stake to which I also share the view, can Council please explain why Council spent money on legal advice and the basis for obtaining legal advice when all the Councillors knew that Council could not oppose the escort agency’s application?*

The Mayor advised that this question would be taken on notice.

Item 5.3.1 continued...

- 2. Can Council please also advise the total sum of the monies expended on obtaining legal advice in respect of the escort agency?*

The Mayor advised that this question would be taken on notice.

- 3. Now that legal proceedings have commenced against the manager of the escort agency for committing a child to act as a prostitute, does Council have any mechanism to shut down this escort agency?*

The Mayor advised that he did not believe so.

5.3.2 Mr Rob Greenwood – Spokesperson for the ‘I CARE’ Residents Group – 151 Coolgardie Avenue, Redcliffe

- 1. Are Councillors aware of the request of the ‘I CARE’ residents group of the 22 May 2000 and a further request on 28 September 2000 to have the illegal bypassing of the cul-de-sac in Redcliffe Road blocked by suitable means (to stop a large volume of illegal traffic from the bus depot from travelling through a residential area via Coolgardie Avenue and First Street)?*

The Mayor advised that he could recollect some correspondence on the issue, but would need to take the question on notice in order to provide a definitive answer.

- 2. Do Councillors feel that their officers are operating sufficiently when the illegal bypassing of this cul-de-sac by vehicles and the danger they pose to residents remains some 13 months after it was first brought to Council’s attention?*

The Mayor advised that he would take this question on notice.

- 3. Has the median island requested by the Residents’ Group (22 May 2000) for First Street at the Coolgardie Avenue intersection (to stop trucks and other vehicles exiting Redcliffe Road and turning right from Coolgardie Avenue into First Street from cutting the corner) been included in the budget for this year?*

The Mayor advised that he would take this question on notice.

Item 5.3.2 continued...

4. *Has the entry statement (to slow traffic entering Coolgardie Avenue so that drivers become aware of the no through road sign, and that Coolgardie Avenue is not an access road to the domestic airport terminal) as requested by the 'I CARE' Residents' Group on 22 May 2000, been included in the budget for this year?*

The Director – Engineering advised that there is no budget allocation for these works to occur in the 2001/2002 budget.

5. *Does it take a serious or fatal accident involving residents at one or more of these points of potential conflict for Council to take residents requests on board and to direct Council officers to take prompt and effective action?*

The Mayor advised that he would take this question on notice.

6. *In view of the requirement of the Local Government Act 1995 in relation to the election of the Mayor by Councillors (see questions to Council of 9 May 2001), will Councillors now move to amend standing orders of the Council to reflect the requirement of the Act that "Councillors are to vote on the matter by secret ballot as if they were voters voting in an election"?*

The Chief Executive Officer advised that the process for the election of Mayor was in accordance with the Local Government Act.

7. *Has Council moved to have public statements form part of the meeting minutes?*

The Mayor advised that he would take this question on notice.

5.3.3 Mr Roger Broinowski – 66 Armadale Road, Rivervale

1. *Do Councillors have an obligation to return telephone calls?*

The Mayor advised that this is up to each Councillor. He endeavours to return all telephone calls made to himself.

2. *Do Councillors have an obligation to return telephone calls when they relate to very important issues?*

The Mayor advised the answer to question (1) above, prevails.

Item 5.3.3 continued...

3. *Do Councillors realise that there are no health checks on brothels/prostitutes?*

The Chief Executive Officer advised that he understood this was a State Government issue and these concerns/questions should be directed to them. This could be accommodated through the Member for Belmont, the Hon Eric Ripper MLA.

*****8.24pm**

As there were no further questions, the Mayor declared Public Question Time closed.

*****8.25pm**

For the benefit of the public present the Chief Executive Officer stated the rules of Public Statement Time.

5.4 PUBLIC STATEMENTS TO COUNCIL TIME

5.4.1 Statements Where Prior Notice Has Been Given

Nil.

5.4.2 Statements Relevant to Specific Agenda Items under Discussion at Tonight's Meeting

Nil.

5.4.3 Statements Relevant to Other Council or Local Government Issues

5.4.3.1 Mr Peter Stewart – 275 Peet Road, Roleystone (3 Hawksburn Road, Rivervale)

Mr Stewart spoke on the issue of a young prostitute that has received media attention in the recent past, and Council's Town Planning Scheme provisions.

5.4.3.2 Mrs Patricia Morgan – (8 Malvern Road, Rivervale)

Mrs Morgan spoke on the issue of the Springs Development.

5.4.3.3 Mr Paul Hitt – 85 Fitzroy Road, Rivervale

Mr Hitt spoke on the issue of the answer provided to his question number 6, answered at item 5.2.1 in tonight's meeting.

*****8.33pm**

As there were no further statements, the Mayor declared Public Statement Time closed.

6. CONFIRMATION OF MINUTES**6.1 ORDINARY COUNCIL MEETING
HELD 28 MAY 2001**

GODSELL MOVED, DONEY SECONDED, that the minutes of the Ordinary Council Meeting held on 28 May 2001, as printed and circulated to all Councillors, be confirmed as a true and accurate record.

CARRIED 12 VOTES TO 0

**7. QUESTIONS BY MEMBERS ON WHICH DUE NOTICE HAS BEEN GIVEN
(WITHOUT DISCUSSION)**

Nil.

8. PETITIONS AND MEMORIALS

Nil.

9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

10. BUSINESS ADJOURNED FROM A PREVIOUS MEETING

Nil.

11. CORRESPONDENCE

11.1 LEAVE OF ABSENCE

Nil.

11.2 GENERAL

11.2.1 Letter of Appreciation –Dudley Bradshaw of Wilson & Hart

Report by Chief Executive Officer

APPLICATION

To advise Council of a letter of appreciation received from Dudley Bradshaw of Wilson & Hart of South Perth.

IS THIS PROPOSAL CONSISTENT WITH COUNCIL'S OPERATIONAL PLAN? N/A
--

BACKGROUND

A letter of appreciation to the Chief Executive Officer has been received from Dudley Bradshaw of Wilson & Hart of South Perth, and reads as follows:-

"I write on behalf of Wilson & Hart Home Builders to ask you to express our appreciation to your staff in connection to a recent building application we submitted.

During the process I personally attended to the counter of your office and your staff could not have been more friendly or helpful.

When we submitted the plan, your officer "Lindsey" was most helpful both to us and the owners of the property.

You would not believe the problems we have experienced dealing with some councils.

It has indeed been a pleasure dealing with your staff and it has been most welcome.

Once again, many thanks to all concerned."

Item 11.2.1 continued...

COMMENT

Nil.

TEASDALE MOVED, BLAIR SECONDED, THAT THE LETTER OF APPRECIATION RECEIVED FROM MR DUDLEY BRADSHAW OF WILSON & HART, SOUTH PERTH, BE RECEIVED AND NOTED.

CARRIED 12 VOTES TO 0

11.3 LATE CORRESPONDENCE OF AN URGENT NATURE

Nil.

12. REPORTS OF COMMITTEES

**12.1 WORKS AND TECHNICAL SERVICES COMMITTEE MEETING
HELD 5 JUNE 2001**

Receipt of Minutes

GODSELL MOVED, MARKS SECONDED, that the minutes of the Works and Technical Services Committee meeting held on 5 June 2001, as printed and circulated to all Councillors, be received.

CARRIED 12 VOTES TO 0

WITHDRAWN ITEMS

Item 8.4.1 was withdrawn at the request of Councillor Doney.

Item 12.1 continued...

*****8.43pm** Having earlier declared a financial interest, Councillor Godsell departed the Council Chambers.

ADOPTION OF THE BALANCE OF THE REPORT

MURFIN MOVED, MARKS SECONDED, that recommendation items 5.1, 7.1, 8.1.1, 8.2.1 – 8.2.2, 8.3.1, 8.4.2, 8.5.1 – 8.5.2, and 8.6.1 – 8.6.2 of the Works and Technical Services Committee meeting held on 5 June 2001, be adopted en bloc (i.e. with the exception of item 8.4.1).

CARRIED 11 VOTES TO 0

12.1.1 Withdrawn Item 8.4.1 – Tender 17/2001 – Construction of a Boardwalk / Gazebo at Tomato Lake, Kewdale

DONEY MOVED, TEASDALE SECONDED, THAT THE COMMITTEE RECOMMENDATION BE ADOPTED WITHOUT AMENDMENT OR MODIFICATION.

CARRIED 11 VOTES TO 0

*****8.44pm** Councillor Godsell returned to the Council Chambers.

**12.2 ADMINISTRATION AND COMMUNITY SERVICES COMMITTEE MEETING
HELD 5 JUNE 2001**

Receipt of Minutes

GODFREY MOVED, DONEY SECONDED, that the minutes of the Administration and Community Services Committee meeting held on 5 June 2001, as printed and circulated to all Councillors, be received.

CARRIED 12 VOTES TO 0

WITHDRAWN ITEMS

Item 8.4.1 was withdrawn at the request of Councillor Bass.

Item 12.2 continued...

ADOPTION OF THE BALANCE OF THE REPORT

RICHARDSON MOVED, DONEY SECONDED, that recommendation items 5.1, 7, 8.1.1, 8.2.1, 8.3.1, 8.4.2, and 8.5.1 – 8.5.5 of the Administration and Community Services Committee meeting held on 5 June 2001, be adopted en bloc (i.e. with the exception of item 8.4.1).

CARRIED (ABSOLUTE MAJORITY) 12 VOTES TO 0

12.2.1 Withdrawn Item 8.4.1 – Manager – Ranger Services – Quarterly Report

The Council acknowledged that due to a header error within item 8.4.2 of the Administration & Community Services Committee minutes, item 8.4.1 was withdrawn in error (in lieu of item 8.4.2).

RESCISSION MOTION

MURFIN MOVED, GODFREY SECONDED, THAT A MOTION TO REVOKE THE ADOPTION OF THE BALANCE OF THE ADMINISTRATION AND COMMUNITY SERVICES COMMITTEE REPORT (AS PER PAGE 25 OF THESE MINUTES) BE SUPPORTED BY COUNCIL.

CARRIED (ABSOLUTE MAJORITY) 12 VOTES TO 0

GODFREY MOVED, BLAIR SECONDED, THAT THE MOTION DEALING WITH THE ADOPTION OF THE ADMINISTRATION AND COMMUNITY SERVICES COMMITTEE REPORT BE RESCINDED (SEE PAGE 25 OF THESE MINUTES).

CARRIED (ABSOLUTE MAJORITY) 12 VOTES TO 0

GODFREY MOVED, GODSELL SECONDED, THAT RECOMMENDATION ITEMS 5.1, 7, 8.1.1, 8.2.1, 8.3.1, 8.4.1, AND 8.5.1 – 8.5.5 OF THE ADMINISTRATION AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 5 JUNE 2001, BE ADOPTED EN BLOC (I.E. WITH THE EXCEPTION OF ITEM 8.4.2).

CARRIED (ABSOLUTE MAJORITY) 12 VOTES TO 0

Item 12.2 continued...

12.2.2 Withdrawn Item 8.4.2 – Keeping of Dogs – 10 Desmond Place, Rivervale

BASS MOVED, MURFIN SECONDED, THAT THE COMMITTEE RECOMMENDATION NOT BE ADOPTED (IN PARTICULAR, THAT PART RELATING TO SEEKING A CHANGE TO THE DOG ACT) ON THE BASIS THAT CONSIDERATIONS OF APPROVALS FOR THREE OR MORE DOGS WAS A RESPONSIBILITY BEST LEFT WITH COUNCILLORS. FURTHER, THAT THE MATTER OF THE CONSIDERATION OF APPROVAL ON THIS OCCASION, BE DEFERRED TO THE JULY 2001 MEETING OF THE ADMINISTRATION AND COMMUNITY SERVICES COMMITTEE TO ALLOW OFFICERS TO UNDERTAKE A SURVEY OF SURROUNDING RESIDENTS.

CARRIED 9 VOTES TO 3

**For: Passeri, Marks, Powell, Teasdale, Bass,
Murfin, Dornford, Godfrey, Blair**

Against: Doney, Godsell, Richardson

13. REPORTS OF OFFICERS**13.1 INFORMATION ONLY ITEMS**

Report by Chief Executive Officer

APPLICATION

Council's acknowledgment of receipt of information of general interest.

IS THIS PROPOSAL CONSISTENT WITH COUNCIL'S CORPORATE PLAN?	YES
--	-----

"Operational Plan 01/1(c) - To keep Councillors informed of relevant industry and officer activities, regular update reports be presented to the respective committees".

BACKGROUND

This item relates to information circulated by the Chief Executive Officer, which may be of general interest to Councillors.

COMMENT

General information and memorandums:

DATED	SUBJECT
25/05/01	Application for Family Day Care – Lot 41 (8) Morgan Road, Redcliffe. Item 8.6.6 of the Minutes of the Planning and Development Committee of the 21 st May 2001 refers.
31/05/01	Business Cards
01/06/01	Record of Attendance

Councillor Information Items circulated on the 1 June 2001:

13.1.1 WAMA Week Issue No. 21.01 – 25 May 2001.

Councillor Information Items circulated on the 8 June 2001:

13.1.2 WAMA Week Issue No. 22.01 – 1 June 2001.

13.1.3 Vacancy for WAMA Member – Working Group to Review Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974.

Item 13.1 continued...

- 13.1.4 Vacancy for WAMA Member – Childcare Planning Advisory Committee.
- 13.1.5 Vacancy for LGA Member and LGA Deputy Member – Keep Australia Beautiful Council (WA) (Panel of Three Names).
- 13.1.6 Vacancy for WAMA Member – Community Housing Standing Committee.
- 13.1.7 Vacancy for WAMA Member – State Settlement Planning Committee (Infrastructure Working Group).
- 13.1.8 Vacancy for WAMA Member – Dieback Consultative Council.
- 13.1.9 Vacancy for WAMA Metropolitan and Non Metropolitan Member – Floodplain Management Council.
- 13.1.10 Copy of letter of congratulations sent to Hon Michelle Roberts together with her reply.

OFFICER RECOMMENDATION

That the information provided to all Councillors and listed in this “Information Only Items” report be noted and received.

BLAIR MOVED, TEASDALE SECONDED, THAT ON THE BASIS THAT CR DORNFORD HAS REGISTERED AN INTEREST IN NOMINATING FOR TWO OF THE ABOVEMENTIONED WAMA COMMITTEES–

1. ***CR DORNFORD BE NOMINATED FOR THE “WAMA MEMBER – CHILDCARE PLANNING ADVISORY COMMITTEE” AND “WAMA MEMBER – STATE SETTLEMENT PLANNING COMMITTEE (INFRASTRUCTURE WORKING GROUP)” COMMITTEES; AND***
2. ***THE INFORMATION PROVIDED TO ALL COUNCILLORS AND LISTED IN THIS “INFORMATION ONLY ITEMS” REPORT BE NOTED AND RECEIVED.***

CARRIED 12 VOTES TO 0

13.2 STANDING ORDERS LOCAL LAW

Report by the Chief Executive Officer.

APPLICATION

To progress the amendments to the City of Belmont (Standing Orders) Local Law 1998.

IS THIS PROPOSAL CONSISTENT WITH COUNCIL'S OPERATIONAL PLAN? YES

"Organisational Task O5/1 (d) – Review and, where appropriate, amend existing administrative and other organisational procedures".

BACKGROUND

At the 15th May Administration and Community Services Committee (confirmed by Council on 28th May 2000) it was agreed that a number of amendments be made to the City's Standing Orders.

Part of the Local Government Act procedure for amending local laws, is that the Mayor is to cause to be read aloud, a summary of the purpose and effect of the proposed local law. The relevant information is highlighted hereunder -

Purpose: *The purpose of these standing orders is to provide for the orderly conduct of meetings of the council and committees, the manner of making an effective petition to the local government, and for the safe custody and use of the common seal.*

Effect: *The effect of these standing orders is that all council and committee meetings, the manner of making a petition to the local government, and the use of the common seal, are to be governed by the standing orders unless otherwise provided in the Act or regulations.*

COMMENT

Nil

Item 13.2 continued...

The Mayor asked the Deputy Chief Executive Officer to read aloud the purpose and effect of the Standing Orders local Law.

DONEY MOVED, RICHARDSON SECONDED, THAT COUNCIL NOTE THAT THE MAYOR CAUSED TO BE READ ALOUD AT THE COUNCIL MEETING OF 11TH JUNE 2001, A SUMMARY OF THE PURPOSE AND EFFECT OF THE CITY OF BELMONT (STANDING ORDERS) LOCAL LAW.

CARRIED 12 VOTES TO 0

*****9.01pm Cr Dornford declared a financial interest in the following item and departed the Council Chambers. The nature of the interest being, that he operates in the child care industry within the City of Belmont.**

13.3 PROPOSED FAMILY DAY CARE – LOT 41 (8) MORGAN ROAD, REDCLIFFE
****Attachment 1 – Item 13.3 refers****

Report by Planning Department.

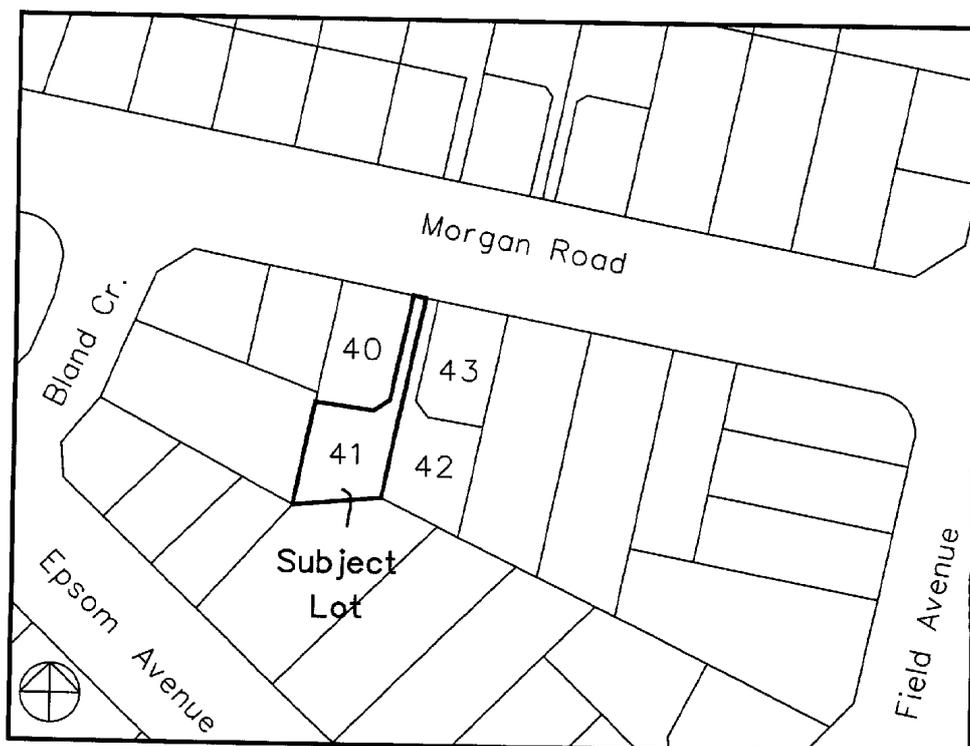
APPLICATION

For Council to consider an application for a Family Day Care at Lot 41 (8) Morgan Road, Redcliffe where a submission has been lodged objecting to the proposal.

IS THIS PROPOSAL CONSISTENT WITH COUNCIL’S OPERATIONAL PLAN? YES
Community Strategy # C1/1 - “To ensure that any development which is approved in the City of Belmont is of the highest possible standard.”

BACKGROUND

Owner	E and S Videla	Applicant	S Videla
Lodgement Date	29 March 2001	Use Class	Family Day Care – ‘D’
Lot Area	570m2	TPS Zoning	‘Residential (R20)’
Estimated Value	N/A	MRS	‘Urban’



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CONFIRMATION DATE: 25 JUNE 2001

Item 13.3 continued...

At the Council meeting held 28 May 2001 an application for a Family Day Care at 8 Morgan Road, Redcliffe, a residential battle-axe lot, was considered. The application had been referred to Council for determination as an objection had been lodged by the owners of the property in front of the battle-axe lot during the public consultation process. The objection raised concerns regarding increased traffic, number of children and potential noise impacts.

At the meeting the Council resolved:

“That the application for a Family Day Care use at Lot 41 (8) Morgan Road, Redcliffe be deferred pending preparation of a draft policy for the consideration of Committee on 18 June 2001.”

The application has been referred to the 11 June 2001 Council Meeting, as the applicant respectfully seeks a decision from the Council. Mrs Videla is of the opinion that given the circumstances of her case, there is an argument for Council being able to make a determination at this meeting rather than to await the finalisation of a Policy.

COMMENT

Family Day Care

The City of Belmont commenced sponsoring the Belmont Family Day Care Scheme in 1986 and since that time (15 years) there have been no recorded complaints arising from noise from children or parent's vehicles.

Family Day Care provides a unique type of child care that is similar to a family situation. Small groups of 4 children under school age can therefore enjoy some of the advantages they would have if they were being cared for by their own parents, such as visits to the park, playgroup and visiting the library. It is not uncommon for women to choose to provide this type of care for other working parents when they have young children of their own, and they want to help the family finances, but also wish to spend the early formative years with their own children.

If a Carer has two children of her own under school age, then they will only be permitted to have two children under school age coming into care and these children could be from the same family. A special advantage appreciated by parents is that their children can be together, not separated into different areas as can happen in a Long Day Care Centre. This means that siblings of 12 months and 3 years old can be together.

Carers also provide a very valuable service to the local community in providing respite care. Referrals come from Child Health, Doctors, and Family and Community Services for those needing respite because of family illness, mother's depression etc. These cases usually have care from 9am to 3pm.

Item 13.3 continued...

Ms Faye Izett, Council's Co-ordinator of Family Day Care, has advised that there is a desperate need for Family Day Care within the Belmont area. An information sheet on Family Day Care prepared by Ms Izett has previously been provided to all Councillors.

Home Occupation

This type of activity can be reasonably included in the definition of "home occupation" which deserves the encouragement of the Council. Under Town Planning Scheme No. 14, "Family Day Care" is included as a separate use class in the Zoning Table, and therefore, there is justification for removing "Family Day Care" from the Table so that the use can be considered as a home occupation.

The proposed provisions for "Home Occupation" (refer to Item 8.4.2 of the Minutes of the May 2001 Planning and Development Committee) provide the necessary statutory controls to deal with problems if they do arise. The proposed Home Occupation controls can include specific provisions for Family Day Care which focus on those applications from group housing, and for battleaxe lots, requiring parents to generally drop off and collect their children from the street. This will be addressed in a future item to the Planning and Development Committee, once the draft Home Occupation provisions have gained the support of the Western Australian Planning Commission. It could be two to three months until a response is obtained from the Commission.

Traffic Impact

The average number of vehicle movements per day from a single residential dwelling is 10. There can be a wide variation depending on the number of teenagers and adults in the household who have vehicles. In a single house it is allowable to have up to 6 persons who do not comprise a single family, and it is possible for all 6 to have their own vehicle.

The worst case scenario is where the Carer has no young children of her own and is permitted the maximum of four unrelated school age children and three unrelated school age children (total 7). This would mean 14 vehicle movements per day, excluding those of the Carer's family. This is not considered to be excessive.

Item 13.3 continued...

Family Day Care Licence

In order to obtain a Family Day Care licence from the Child Care Services Board the applicant is required to comply with the following:

- Windows to be fitted with safety glass where applicable;
- Purchase of an extensive inventory of toys and equipment. A list of the required equipment is included as an attachment;
- Acquire a first aid certificate;
- Undertake a medical assessment and obtain a Doctor's certificate;
- Remove any poisonous or otherwise dangerous vegetation in the garden;
- Purchase additional bedding, cots and car safety seats; and
- Install locks to gates and sheds.

Compliance with the above list requires a significant capital outlay by the applicant prior to obtaining a Family Day Care licence. If Council were to issue a temporary approval for the Family Day Care, the applicant would stand to lose a large amount of money if Council were to refuse to extend the approval at the end of the trial period. The constraint of a temporary approval would therefore discourage the applicant from pursuing the Family Day Care licence.

Current Application

In the case of Ms Sandra Videla of 8 Morgan Road, she has one child of her own under school age, and another in pre-primary school, and therefore would only be caring for three other children under school age.

In regard to vehicle movements, this corresponds to 6 vehicle movements per day, and a further 2 from her spouse, which is a total of 8. This is well within the "average". The only concern is the possibility of those "additional" 6 vehicle movements occurring on the "battle-axe leg" of the subject lot. If this proved to be a problem, Council could request that the parents park their vehicles in the street, except for inclement weather. Mrs Videla has advised that one of the children to be cared for lives nearby and on occasion will be accompanied by an adult who will walk to the Family Day Care.

The noise from children is a management issue and the experience to date is that it has not been a problem.

It is therefore considered reasonable for the application to be approved subject to conditions which limit the number of children to that stated in the application, restricts access to the battle-axe leg and ensures that noise from children does not impact on the amenity of the area. These conditions will address the concerns raised in the objection.

Item 13.3 continued...

BLAIR MOVED, GODFREY SECONDED, THAT:

- 1. COUNCIL APPROVE THE APPLICATION FOR A FAMILY DAY CARE AT LOT 41 (8) MORGAN ROAD, REDCLIFFE SUBJECT TO THE FOLLOWING CONDITIONS.**
 - (A) A MAXIMUM OF THREE (3) CHILDREN UNDER SCHOOL AGE, EXCLUDING THE APPLICANT'S OWN TWO CHILDREN, BE CARED FOR AT ANY ONE TIME.**
 - (B) THOSE PERSONS DROPPING OFF AND COLLECTING CHILDREN TO PARK THEIR VEHICLES IN MORGAN ROAD, EXCEPT IN THE CASE OF INCLEMENT WEATHER.**
 - (C) THE NOISE FROM THE CHILDREN BEING CARED FOR TO NOT ADVERSELY AFFECT THE AMENITY OF NEIGHBOURING RESIDENTS.**
- 2. THE OWNERS OF LOT 40 (6) MORGAN ROAD, REDCLIFFE BE ADVISED OF COUNCIL'S DECISION.**

CARRIED 11 VOTES TO 0

*****9.02pm Cr Dornford returned to the Council Chambers.**

14. REPORTS OF DELEGATES

14.1 LOCAL GOVERNMENT MANAGERS AUSTRALIA NATIONAL CONGRESS**

****Attachment 2 – Item 14.1 refers**

A report on the Local Government Managers Australia National Congress held 13 – 16 May 2001 and attended by the Mayor and the Chief Executive Officer, is attached.

BLAIR MOVED, RICHARDSON SECONDED, THAT THE ATTACHED REPORT ON THE LOCAL GOVERNMENT MANAGERS AUSTRALIA NATIONAL CONGRESS BE RECEIVED.

CARRIED 12 VOTES TO 0

14.2 COUNCILLOR BLAIR – BELMONT SMALL BUSINESS AWARDS

Councillor Blair advised that between 6.00pm and 8.00pm on 22 August 2001 at the Sandringham Hotel, the Belmont Small Business Awards will be presented and asked all Councillors to promote this event within the community. Councillor Blair provided pamphlets to all Councillors for distribution.

14.3 COUNCILLOR BLAIR – BELMONT BUSINESS “SUNDOWNER”

Councillor Blair advised that a “Belmont Business Sundowner” is held on the second Thursday of every month at the Sandringham Hotel - between 6.00pm and 8.00pm. The sundowners provide an opportunity for informal networking for local businesses and their staff and she encouraged Councillors to promote this event within the community.

GODSELL MOVED, DORNFORD SECONDED, THAT THE ABOVEMENTIONED TWO REPORTS OF COUNCILLOR BLAIR BE NOTED AND RECEIVED.

CARRIED 12 VOTES TO 0

14.4 COUNCILLOR POWELL– ALL-ROUND WEIGHTLIFTING CHAMPIONSHIPS

On Sunday, 20 May 2001 I attended the All-Round Weightlifting WA State Championships, held in Belmont. The competition was held at the Belmont Sports and Recreation Club on Abernethy Road and it was the perfect venue for both competitors and spectators.

The competitors' ages ranged from 17 to 70 and included both male and female lifters. These lifters came to Belmont from all over WA.

What was particularly unusual at this competition were the family groups that participated which included a father, mother and daughter combination Peter, Julia and Miriam Phillips of Cloverdale and a father, son combination Greg and Craig Biggs of Rivervale.

To have state and world record holders living here in Belmont is certainly something we can all be proud of. Hopefully these Belmont families will be participating in the World Championships being held in America next year.

It was a very pleasant day seeing so many people focused on a sport which is not so mainstream and also a sport which includes such a variety of ages and abilities. It was a surprise to be given the honour of presenting the trophies to the winners at the first function I attended as a Councillor.

President, Tom Davies, Members of the State Council of All Round Weightlifting WA and Mr Frank Lamp, Championship Co-ordinator who lives in Belmont, expressed their appreciation and thanks to the Council for its support.

The Mayor read a letter from the All-Round Weightlifting WA organisation, thanking Councillor Powell for representing the City on this occasion.

GODFREY MOVED, BASS SECONDED, THAT THE REPORT OF COUNCILLOR POWELL BE NOTED AND RECEIVED.

CARRIED 12 VOTES TO 0

15. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil.

16. NOTICE OF MOTIONS FOR CONSIDERATION AT THE NEXT MEETING

Nil.

17. MATTERS BEHIND CLOSED DOORS

Nil.

18. CLOSURE

There being no further business to discuss, the Mayor declared the meeting closed at 9.10pm.