



City of Belmont
ORDINARY COUNCIL MEETING
MINUTES

TABLE OF CONTENTS

25 JUNE 2001

ITEM	SUBJECT	PAGE
NOTICE OF MEETING		
1.	OFFICIAL OPENING.....	1
2.	APOLOGIES & LEAVE OF ABSENCE	2
2.1	APOLOGIES.....	2
2.2	LEAVE OF ABSENCE.....	2
3.	DECLARATIONS OF INTEREST	2
4.	ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)	2
5.	PUBLIC QUESTION TIME	3
5.1	RESPONSES TO QUESTIONS TAKEN ON NOTICE AT PREVIOUS MEETING.....	3
5.1.1	Mr Peter Stewart – 275 Peet Road, Roleystone (3 Hawksburn Road, Rivervale)	3
5.1.2	Mr Michael Robson (Secretary – Ratepayers and Residents Association) – 24 Homewood Street, Cloverdale	4
5.1.3	Mr Rob Greenwood – Spokesperson for the ‘I CARE’ Residents Group – 151 Coolgardie Avenue, Redcliffe	5
5.2	QUESTIONS ON WHICH WRITTEN NOTICE HAS BEEN GIVEN PRIOR TO THE MEETING	6
5.2.1	Mr Mike Robson (Secretary of the Residents and Ratepayers Association) – 24 Homewood Street, Cloverdale	6

ITEM	SUBJECT	PAGE
5.3	QUESTIONS FROM THE FLOOR (THIS SECTION WAS BROUGHT FORWARD).....	7
5.3.1	Mrs Joan Hawes – Unit 2, Wahroonga Units, 128 Roberts Road, Rivervale.....	7
5.3.2	Mrs Sylvia Lee –Unit 20 Ascot Close, 115 Epsom Avenue, Redcliffe	7
5.3.3	Mr John Maguire – 11 Hillcrest Road, Kewdale.....	8
5.3.4	Mrs Margaret Franklin– Unit 19 Ascot Close, 115 Epsom Avenue, Redcliffe.....	8
5.3.5	Mr Robert Birch – Unit 4, 149 Mercury Street, Kewdale.....	8
5.2	QUESTIONS ON WHICH WRITTEN NOTICE HAS BEEN GIVEN PRIOR TO THE MEETING.....	9
5.2.2	Mr Peter Stewart – 275 Peet Road, Roleystone (3 Hawksburn Road, Rivervale).....	9
5.2.3	Mr Ross O’Neil – 3 Glyde Street, South Perth (12 Rowe Avenue, Rivervale).....	10
5.2.4	Mr Kevin Morgan – (8 Malvern Road, Rivervale).....	12
5.2.5	Mr William Foy – 14 Hawksburn Road, Rivervale.....	13
5.3	QUESTIONS FROM THE FLOOR – BROUGHT FORWARD (REFER TO PAGE 6).....	14
5.4	PUBLIC STATEMENTS TO COUNCIL TIME.....	14
5.4.1	Statements Where Prior Notice Has Been Given.....	15
5.4.2	Statements Relevant to Specific Agenda Items under Discussion at Tonight’s Meeting.....	15
5.4.3	Statements Relevant to Other Council or Local Government Issues.....	15
5.4.3.1	Mr Peter Stewart – 275 Peet Road, Roleystone (3 Hawksburn Road, Rivervale).....	15
6.	CONFIRMATION OF MINUTES.....	15
6.1	ORDINARY COUNCIL MEETING HELD 11 JUNE 2001.....	15
7.	QUESTIONS BY MEMBERS ON WHICH DUE NOTICE HAS BEEN GIVEN (WITHOUT DISCUSSION).....	15
8.	PETITIONS AND MEMORIALS.....	16
8.1	DAMAGE TO TREES IN HARDEY ROAD.....	16
9.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	17
10.	BUSINESS ADJOURNED FROM A PREVIOUS MEETING.....	17
11.	CORRESPONDENCE.....	17
11.1	LEAVE OF ABSENCE.....	17
11.2	GENERAL.....	18
11.2.1	E-mail– Mr Phil Reilly.....	18
11.3	LATE CORRESPONDENCE OF AN URGENT NATURE.....	18

ITEM	SUBJECT	PAGE
12.	REPORTS OF COMMITTEES	19
12.1	PLANNING AND DEVELOPMENT COMMITTEE MEETING HELD 18 JUNE 2001.....	19
12.1.1	Withdrawn Item 8.3.1 – The Springs Working Group Minutes – 7 June 2001	19
12.1.2	Withdrawn Item 8.4.5 – City of Belmont Town Planning Scheme No. 14 – Amendment No. 18 – Location 14004 Tanunda Way – Proposed Relocation of Road	20
12.1.3	Withdrawn Item 8.4.7 – Proposed Rezoning of Lots 195 & 196 (9- 11) Lyall Street, Ascot.....	20
12.1.4	Withdrawn Item 8.7.2 – Renaming of Kewdale Residential Area	21
12.1.5	Withdrawn Item 8.7.10 – Conference Program for 2001-2002	23
12.2	RESOURCES AND POLICY COMMITTEE MEETING HELD 19 JUNE 2001	23
12.2.1	Withdrawn Item 8.5.2 – Annual Non-Statutory Donations – Charitable Donations	24
12.2.2	Withdrawn Item 7.1 – Lease Belmont Child Care Centre	25
12.3	SPECIAL RESOURCES AND POLICY COMMITTEE MEETING HELD 19 JUNE 2001	26
13.	REPORTS OF OFFICERS	27
13.1	INFORMATION ONLY ITEMS.....	27
14.	REPORTS OF DELEGATES	28
14.1	COUNCILLOR PASSERI – COUNCILLORS DEVELOPMENT WEEKEND	28
15.	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	28
16.	NOTICE OF MOTIONS FOR CONSIDERATION AT THE NEXT MEETING....	28
17.	MATTERS BEHIND CLOSED DOORS	28
18.	CLOSURE	28

MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE CITY OF BELMONT CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE, ON MONDAY, 25 JUNE 2001, COMMENCING AT 7.37PM

PRESENT

Cr P R Passeri, JP	West 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 22 members of the public and 1 member of the press (Southern Gazette) present. Mr Greg Dodd and Mr Kym Burke from the Ascot Waters Consortium were also in attendance.

1. OFFICIAL OPENING

In opening the meeting, the Mayor welcomed those in attendance to the meeting.

2. APOLOGIES & LEAVE OF ABSENCE

2.1 APOLOGIES

Cr M H Blair

Central Ward

2.2 LEAVE OF ABSENCE

Nil.

3. DECLARATIONS OF INTEREST

Councillor Godsell declared a financial interest. The interest is in Item 8.3.1 of the Planning and Development Committee meeting minutes dated 18 June 2001. The nature of the interest being that his company contracts to the Buchan Group being the company involved in carrying out the design for Cell 6.

Councillor Dornford declared a financial interest. The interest is in Item 7.1 of the Resources and Policy Committee meeting minutes dated 19 June 2001. The nature of the interest being that he is the Lessee of the Belmont Child Care Centre.

Councillor Powell declared a financial interest. The interest is in Item 8.5.2 of the Resources and Policy Committee meeting minutes dated 19 June 2001. The nature of the interest being that she works for the Salvation Army.

Councillor Murfin declared a financial interest. The interest is in Item 8.5.2 of the Resources and Policy Committee meeting minutes dated 19 June 2001. The nature of the interest being that he is a member of the Salvation Army.

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

The Mayor announced that the Ascot Waters subdivision had recently won the "Best Residential Development in Australia" Award. Messrs Burke and Dodd (from the Ascot Waters Consortium) presented the award that they had received in Adelaide recently, to the Mayor as the City of Belmont is a partner in this project.

The Mayor also displayed a "Certificate of Appreciation" that was presented by the Local Chambers, and awarded to the City for "valued sponsorship and support of the Commerce and Industry Awards 2001".

5. PUBLIC QUESTION TIME

***8.45pm

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

Mr Stewart asked the following questions at the Ordinary Council Meeting held on 11 June 2001, which were taken on notice. Mr Stewart's questions were responded to in correspondence dated 18 June 2001. Details of the response are provided below.

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 5.1.2 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 was advised of Council's resolutions of 27 February 2001 on 7 March 2001. The advice 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."

If any Councillors present at a future Council meeting wished to pursue this suggestion, they could put forward a rescission motion for Council's consideration

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

Mr Robson asked the following questions at the Ordinary Council Meeting held on 11 June 2001, which were taken on notice. Mr Robson's questions were responded to in correspondence dated 22 June 2001. Details of the response are provided below.

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 Council was of the opinion that the issue of escort agencies being regarded as offices was significant for our District because of the precedent it may set. It was necessary to obtain legal advice on this matter, but just as importantly advice on the steps that Council could take to address the issue through Council's Town Planning Scheme.

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

Total legal cost, \$2,144.45.

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

Mr Greenwood asked the following questions at the Ordinary Council Meeting held on 11 June 2001, which were taken on notice. Mr Greenwood's questions were responded to in correspondence dated 18 June 2001. Details of the response are provided below.

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 vehicles bypassing the Redcliffe Road cul-de-sac are doing so using the road reserve and land belonging to Westralia Airport Corporations.

Bollards have been placed in the area to prevent improper bypassing of the cul-de-sac, however these have over time been removed. Discussions are underway with the Westralia Airport Corporation and they have agreed in principle to fence the area to prevent access. Upon completion of the fencing the City can treat the road reserve to prevent traffic using the area.

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?*

As mentioned in the reply to question 1, action has been taken to try and solve the problem of traffic bypassing the cul-de-sac and discussions are underway with Westralia Airport Corporation. In the interim, bollards will again be replaced across the area being used as the bypass.

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?*

A median island on the corner of Redcliffe Road, Coolgardie Avenue and First Street has not been included in the 2001/2002 Budget because of its lower priority compared with other traffic management treatments.

Item 5.1.3 continued...

4. *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?*

Council's traffic management programme is based on competing needs of numerous traffic management issues throughout the City and work is budgeted for on a priority basis.

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

Council at its 15 May Administration and Community Services Committee meeting (confirmed at Council on 28 May) resolved to incorporate a *Public Statements To Council Time* within its Standing Orders Local Law. The Local Law needs to progress through the legislative procedure prior to it becoming effective, however this will not affect the current procedures for Public Statements To Council Time in the interim.

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

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

Mr Robson asked the following questions relating to the Belmont District Housing Management Committee and Council's aged persons' units -

1. *Who constitutes the Belmont District Housing Management committee?*

Councillor Doney advised that he was the Chairman. Other members were Mrs Chris Hofmeyer (Community Services Officer), Mr Robin Garrett (Manager – Financial Services) and Mr James Pol (Co-ordinator – Council Buildings).

2. *Are pensioners represented on this committee? If not, why not?*

The Chief Executive Officer advised that the Belmont District Housing Management Committee now operates with only one Councillor and a small number of staff. Council has in the past, had other representatives on this group but it was considered that the most appropriate make-up is that as was outlined in question (1) above.

Item 5.2.1 continued...

3. *Do the members of this committee visit pensioner complexes to ascertain pensioners' views? If not, how can the committee determine the rent increases? It is to be noted that the rent increase over the last 12 months has consumed all the funding that pensioners received to offset the GST.*

Council's Community Services Officer in particular, is in regular contact with residents. In regard to rentals, Council uses similar parameters as to those set by Homeswest.

4. *How is it on this occasion, the rent increase is \$9.00 per couple, yet a single pensioner has only been charged \$1.00 per week increase?*

The Mayor advised that this differential rental was initiated to progressively bring the City's aged persons units accommodation charges into line with that of Homeswest.

The Mayor advised that with the consent of Council, he would bring forward item 5.3 of tonight's meeting to enable the gallery to have every opportunity to ask questions of Council (from the floor).

5.3 QUESTIONS FROM THE FLOOR (THIS SECTION WAS BROUGHT FORWARD)

5.3.1 Mrs Joan Hawes – Unit 2, Wahroonga Units, 128 Roberts Road, Rivervale

Mrs Hawes asked why the rent of a couple went up \$9.00 per week.

The Chief Executive Officer advised that the reason for the differentials in single and couples rental increases, was to bring them into line with Homeswest principles.

The Mayor advised that he would provide further information in writing to Mrs Hawes.

5.3.2 Mrs Sylvia Lee –Unit 20 Ascot Close, 115 Epsom Avenue, Redcliffe

Mrs Lee asked why her rent has risen at Ascot Close.

The Mayor advised that he would take this question on notice in order that he could provide a written response to Mrs Lee.

5.3.3 Mr John Maguire – 11 Hillcrest Road, Kewdale

Asked will there be a new suburb name for Kewdale?

The Mayor advised that this is a matter that will be dealt with tonight by Council as there was a report in the Planning and Development Committee minutes of this evening's agenda.

5.3.4 Mrs Margaret Franklin– Unit 19 Ascot Close, 115 Epsom Avenue, Redcliffe

Advised that residents used to have meetings with Council officers and there was a Residents Disputes Committee and asked what is the current situation?

Councillor Doney advised that if the residents of any of the City's aged persons units wished to have a resident representative, it is their prerogative to elect one if they do not have one presently. Also, the City's Community Services Officer is available to be contacted during normal office hours if there are any concerns with regard to the residential units or their surrounds.

5.3.5 Mr Robert Birch – Unit 4, 149 Mercury Street, Kewdale

Why has the lease for the Oasis Leisure Centre dropped from \$135,000 to \$50,000 per annum?

The Chief Executive Officer advised that the original lease fee of \$135,000 could not be sustained by the Oasis and it was reduced to \$50,000 from 1 July 2001.

There being no further questions from the floor, the Mayor referred the meeting back to item 5.2 (Questions on Which Written Notice Has Been Given Prior To The Meeting).

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

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

I refer to my previous questions regarding Council minutes being accurate records of meetings generally, and specifically in relation to the published minutes of meeting of the Ordinary Council Meeting of 11 June 2001 and ask:

1. *At item 5, Public Question Time, the Mayor changed the order of business so that agenda item 5.3, "Questions from the Floor" was heard first, prior to item 5.2 "Questions on Which Written Notice was Given". Will Council please correct the record of meeting this evening?*

The Chief Executive Officer advised that this would be a matter for any of the Councillors here this evening to seek an adjustment at item 6.1.

2. *At item 5.2.3, my question in regard to the Council minutes being an accurate record of meetings, at part (3) read..."...The difficulty is that, whilst this was the Mayoral response at the time (being that Councillor Richardson had answered the questions on his financial interests in the Scheme), the record of meeting makes this answer unintelligible...". Please note that the record of meeting indicates that this question used the word **intelligible**, not the questions' wording of **unintelligible**. Will Council please correct the record of meeting this evening?*

The Chief Executive Officer advised that this would be a matter for any of the Councillors here this evening to seek an adjustment at item 6.1.

3. *Again at item 5.2.3, my question in regard to the Council minutes being an accurate record of meetings, at part (5) when asking if Council would 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 ... "My understanding is that Councillor Richardson does not believe he has a financial interest in Scheme 13." Will Council please correct the record of meeting of this evening?*

The Chief Executive Officer advised that this would be a matter for any of the Councillors here this evening to seek an adjustment at item 6.1.

Item 5.2.2 continued...

4. *At item 5.2.5, part (2), Mr O'Neil asked why Councillor Richardson had changed his belief in regard to his having financial interests to declare in Town Planning Scheme 13, given that Councillor Richardson had declared this interest at the Council meeting of 15 March 1999. In answer to the question the Mayor advised that ... "My understanding is that Councillor Richardson does not believe he has a financial interest in Scheme 13." Will Council please correct the record of meeting this evening?*

The Chief Executive Officer advised that this would be a matter for any of the Councillors here this evening to seek an adjustment at item 6.1.

5. *Again at item 5.2.5, part (2), the answer provided by Councillor Richardson to Mr O'Neil's question was that ... "I have no financial interest to declare in relation to Scheme 13. My declaration of 15 March 1999 was in relation to my employment with L J Hooker as a real estate agent. At that time L J Hooker were providing advice to Council on TPS 13." Will Council please correct the record of meeting this evening?*

The Chief Executive Officer advised that this would be a matter for any of the Councillors here this evening to seek an adjustment at item 6.1.

6. *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 not only seen as being more open and accountable, but also seen to be a responsible authority in charge of the public record?*

The Mayor advised that his answer provided at the Ordinary Council Meeting on 11 June 2001 for the same question (asked by Mr Stewart) prevails.

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

I refer to the minutes of the Springs Committee meeting held on 7 June 2001, the first meeting of this committee since the May elections, and ask:

1. *At the Special Meeting of 7 May 2001 to elect a Mayor and Committees of the City, Councillor Richardson was elected as the presiding member of the Planning and Development Committee, as such, Councillor Richardson was to chair the Springs Committee. Councillor Richardson does not appear in the attendance list of the Minutes of the Springs committee. Why?*

The Mayor advised that Councillor Richardson had withdrawn from this committee.

Item 5.2.3 continued...

2. *If the answers to Councillor Richardson's resignation from the chair of the Springs committee via letter to the 27 May 2001 meeting of the Planning and Development Committee at item 8.3.1, why is this letter of resignation not included, or any reference made to it in the inaugural meeting of the Springs committee after the May 2001 elections?*

The Mayor advised that he did not believe it was essential for this letter to be presented to the meeting in question.

3. *How will the record of the meeting of the Springs Committee of 7 June 2001 properly reflect the resignation of the chair of the Planning and Development Committee, given that the reason provided for his resignation was, quote ... "Cr Richardson stated that he owns property in the proximity of this project (The Springs) and as a consequence may have an interest, which would need to be declared?"*

The Mayor referred to his previous comments and advised that he did not believe that this question was in the best of faith and therefore did not believe it was required to be answered.

4. *At item 4, Confirmation of Minutes of the Springs Committee, Councillor Bass asked Mr Evans if he should declare his interest at the meeting. Mr Deague, the Director of Development, advised that Mr Evans need only declare an interest if asked to attend a committee or Council meeting, not a working group meeting. I ask:*
 - (a) *Did the Director of Development receive legal advice to this effect after Mr Evans made a previous declaration in relation to land ownership in the Springs?*
 - (b) *If not, how did the Director come to provide such advice?*
 - (c) *Is the advice provided by the Director according to the provisions of the Local Government Act 1995 at Part 5, Division 6 in regard to declarations of interest by employees?*
 - (d) *Can the Chief Executive Officer please advise the penalty for an employee of local government who fails to disclose an interest as required by Section 5.70?*
 - (e) *Can the Chief Executive Officer please advise the penalty for an elected member or an employee who provides a false or misleading disclosure of interest?*

Item 5.2.3 continued...

- (f) *Has the Director of Development misled Mr Evans into not making a declaration of interest at the Springs committee meeting of 7 June 2001 or when reporting to Council during the Urban Focus presentation of 28 May 2001?*

The Director – Development advised that he did not believe at the time that a declaration was required.

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

I refer to the answers given to my questions put to the Council meeting of 28 May 2001 at item 5.2.5 and the answers given to Mr O’Neil’s questions put to the Council meeting of 11 June 2001 at item 5.2.5 concerning Councillor Richardson’s non declarations of financial interest in Town Planning Scheme 13 over the past two years and ask:

1. *Will Council please ask the Department of Local Government to investigate declarations made or not made by Councillors and employees of the City of Belmont from 1 July 1996 to the current date?*

The Chief Executive Officer advised that he couldn’t answer that, as the question is of Council.

2. *Councillor Richardson continues to maintain that he has no financial interest to declare in relation to Town Planning Scheme 13 and that the declaration made to the meeting of 15 March 1999 related to his employment as a real estate agent with LJ Hooker Belmont. The record of meeting of 15 March 1999 states at item 3, Declarations of Interest, quote:*

“Cr Richardson declared an interest in item 12.3 – Proposed Town Planning Scheme No. 13 of the Planning and Development Committee minutes from their meeting held March 9, 1999. The nature of the interest being: “Owner of Property in close proximity”.

Given the provisions of the Local Government Act and the Criminal Code, will Councillor Richardson please tender his resignation from Council?

The Chief Executive Officer advised that was up to Councillor Richardson.

5.2.5 Mr William Foy – 14 Hawksburn Road, Rivervale

I refer to the minutes of meeting for Council on 7 May, 28 May and 11 June 2001, specifically my questions in regard to an escort agency being established opposite the Springs precinct, and ask:

1. *Given that Council recently spent \$2,144.45 on legal advice before approving the escort agency office use at 33 Great Eastern Highway, Rivervale, why did that advice make no reference to the Prostitution Act 2000?*

The Director – Development advised that the Act was discussed at the time by Council, but was not considered relevant to the application.

2. *Council's legal advice included, under the heading "Legal Opinion" at item 8.6.2 of the Planning and Development Committee minutes of meeting dated 21 May 2001, ultimate dot point:*

"Where the office would service an obviously illegal business (eg. distributing narcotic drugs), then legality would be an issue. The difference may come down to the fact that distribution and use of narcotic drugs is illegal, while prostitution in itself is not illegal."

As child prostitution is illegal, why was the escort agency approved by Council on 28 May 2001?

The Director – Development advised that the overall business operations are not illegal, even if on the occasion referred to, an illegal act may have in fact occurred.

3. *The minutes of the Planning and Development Committee meeting of 21 May 2001 record that, and I quote: ..."The Committee discussed the application (for an escort agency office) at length and was dissatisfied with the Prostitution Bill". Why wasn't the committee made aware that the table paper known as the Prostitution Bill 1999 was enacted in the legislation, being the Prostitution Act 2000? Put simply, were Councillors provided with the highest quality advice and reports from officers as claimed by the Chief Executive Officer in answer to my question of 11 June 2001?*

The Mayor advised that he believed Council's decision was based on the best and most accurate advice available at the time.

Item 5.2.5 continued...

4. *The Council approval of the escort agency was conditional on several points, condition 1(A) of the Planning and Development Committee recommendation being, and I quote:*

“The operator to obtain a police clearance for the operation of the escort agency office”.

I am advised that the Police Service of WA does not issue clearances for escort agencies, their offices or operators. If the approval of the escort agency was premised with a pre-condition, are ratepayers liable were the owners of the business to sue for any damages this particular planning decision may have caused?

The Director – Development advised that the condition was relevant (ie. to confirm that the business was lawful) and this position has been confirmed by the Police Department.

5. *What action has the City taken in the interest of ratepayers and nearby residents and schools, in regard to the operation of this escort agency since charges were laid by the Police and the child and manager appeared in court several weeks ago?*

The Mayor advised that he was not specifically aware of any Council action during the time in question.

5.3 QUESTIONS FROM THE FLOOR – BROUGHT FORWARD (REFER TO PAGE 6)

*****8.21pm**

There being no further questions, the Mayor declared the Public Question Time closed.

5.4 PUBLIC STATEMENTS TO COUNCIL TIME

*****8.22pm**

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

*****8.24pm**

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

6. CONFIRMATION OF MINUTES**6.1 ORDINARY COUNCIL MEETING
HELD 11 JUNE 2001**

RICHARDSON MOVED, GODSELL SECONDED, THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 11 JUNE 2001, AS PRINTED AND CIRCULATED TO ALL COUNCILLORS, BE CONFIRMED AS A TRUE AND ACCURATE RECORD.

CARRIED 6 VOTES TO 5

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

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

Nil.

8. PETITIONS AND MEMORIALS

8.1 DAMAGE TO TREES IN HARDEY ROAD

Report by Chief Executive Officer

APPLICATION

To advise of a petition received regarding the removal and damage to trees in the Hardey Road area.

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

A petition has been received regarding the removal and damage to trees in the Hardey Road area. The petition reads as follows:

"We the undersigned irate residents of Hardey Road, between Wright Street and Gabriel Street, would be pleased with an explanation by the Shire why the neat looking protected posts surrounding small trees planted to beautify our residential area, were removed to replace damaged posts in Wright Street and Epsom Avenue.

The small trees in Hardey Road are being run over while the established trees in Wright Street and Epsom Avenue have been strengthened and secured by timber uprights.

Maybe for the lack of protection for what the Shire has tried to improve in this residential area, our rates could be decreased in comparison to other areas in the shire.

For your information, a car crashed through one of the trees in front of my residence today (Sunday, at 1300pm). I did not see the vehicle but I staked the tree hoping it will not be removed like the other damaged trees."

21 residents have signed the petition.

COMMENT

Nil.

MURFIN MOVED, GODSELL SECONDED, THAT THE PETITION BE RECEIVED AND COUNCIL NOTE THAT THE MATTER BE REFERRED TO THE NEXT MEETING OF THE WORKS AND TECHNICAL SERVICES COMMITTEE.

CARRIED 11 VOTES TO 0

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 E-mail– Mr Phil Reilly

Report by Chief Executive Officer

APPLICATION

To advise Council of an e-mail received from Mr Phil Reilly from Manchester, England.

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

BACKGROUND

An e-mail has been received from Mr Phil Reilly from Manchester, England, and reads as follows:-

"In March my family and I spent two weeks stopping with relations in Cloverdale (Hardey Road). I thought the City of Belmont was a wonderful representation of the best of Australia. Whilst we were there we visited the Belmont Oasis, the Ascot Water Playground a number of times and shopped regularly at the Belmont Centre.

Everywhere we went people were friendly and courteous, which added to the pleasure of our stay. Western Australia is probably the best holiday destination I have ever visited and look forward to another visit in the not-too-distant future."

COMMENT

Nil.

GODSELL MOVED, MURFIN SECONDED, THAT THE E-MAIL RECEIVED FROM MR PHIL REILLY FROM MANCHESTER, ENGLAND BE RECEIVED AND NOTED.

CARRIED 11 VOTES TO 0

11.3 LATE CORRESPONDENCE OF AN URGENT NATURE

Nil.

12. REPORTS OF COMMITTEES

12.1 PLANNING AND DEVELOPMENT COMMITTEE MEETING HELD 18 JUNE 2001

Receipt of Minutes

RICHARDSON MOVED, MARKS SECONDED, THAT THE MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING HELD ON 18 JUNE 2001, AS PRINTED AND CIRCULATED TO ALL COUNCILLORS, BE RECEIVED.

CARRIED 11 VOTES TO 0

WITHDRAWN ITEMS

Item 8.3.1 was withdrawn at the request of Councillor Richardson.
Item 8.4.5 was withdrawn at the request of Councillor Bass.
Item 8.4.7 was withdrawn at the request of Councillor Richardson.
Item 8.7.2 was withdrawn at the request of Councillor Teasdale.
Item 8.7.10 was withdrawn at the request of Councillor Bass.

ADOPTION OF THE BALANCE OF THE REPORT

BASS MOVED, DORNFORD SECONDED, THAT RECOMMENDATION ITEMS 5.1, 5.2, 7, 8.1.1 – 8.1.2, 8.2.1 – 8.2.3, 8.3.2, 8.4.1 – 8.4.4, 8.4.6, 8.4.8 – 8.4.9 8.6.1 – 8.6.4, 8.7.1, AND 8.7.3 – 8.7.9 OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING HELD ON 18 JUNE 2001, BE ADOPTED EN BLOC (I.E. WITH THE EXCEPTION OF ITEMS 8.3.1, 8.4.5, 8.4.7, 8.7.2 AND 8.7.10).

CARRIED (ABSOLUTE MAJORITY) 11 VOTES TO 0

*****8.29pm** Having earlier declared a financial interest, Councillor Godsell departed the Council Chamber.

12.1.1 Withdrawn Item 8.3.1 – The Springs Working Group Minutes – 7 June 2001

RICHARDSON MOVED, MARKS SECONDED, THAT THE COMMITTEE RECOMMENDATION BE ADOPTED WITHOUT AMENDMENT OR MODIFICATION.

CARRIED 10 VOTES TO 0

*****8.30pm** Councillor Godsell returned to the Council Chamber.

12.1.2 Withdrawn Item 8.4.5 – City of Belmont Town Planning Scheme No. 14 – Amendment No. 18 20– Location 14004 Tanunda Way – Proposed Relocation of Road *Refer PDC 14/04/03 – Item 7.1 – A Collier RIM 19/11/03*

BASS MOVED, GODFREY SECONDED, THAT BECAUSE OF THE VALUES ORIGINALLY ESTIMATED AND THE DEVELOPMENT POTENTIAL, THE RESIDENTIAL ZONING (OF R30) NOT BE ADOPTED.

The Mover and Seconder (with the consent of the meeting) withdrew their motion.

GODSELL MOVED, RICHARDSON SECONDED, THAT THE COMMITTEE RECOMMENDATION BE ADOPTED WITHOUT AMENDMENT OR MODIFICATION.

CARRIED 9 VOTES TO 2

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

12.1.3 Withdrawn Item 8.4.7 – Proposed Rezoning of Lots 195 & 196 (9-11) Lyall Street, Ascot

RICHARDSON MOVED, MARKS SECONDED, THAT AS THERE WAS ADDITIONAL INFORMATION NOW AVAILABLE, THE RECOMMENDATION NOT BE ADOPTED AND THAT IT BE REFERRED BACK TO THE PLANNING AND DEVELOPMENT COMMITTEE FOR FURTHER CONSIDERATION.

CARRIED 11 VOTES TO 0

12.1.4 Withdrawn Item 8.7.2 – Renaming of Kewdale Residential Area

TEASDALE MOVED, GODSELL SECONDED, THAT IN ORDER TO GATHER ADDITIONAL COMMUNITY INFORMATION, THE RECOMMENDATION NOT BE ADOPTED AND THAT:

- 1. COUNCIL AGREE THAT, ON THE BASIS OF THE SURVEY RESULTS, THERE NEEDS TO BE A NEW NAME TO DIFFERENTIATE THE RESIDENTIAL AREA OF KEWDALE FROM THE KEWDALE INDUSTRIAL ESTATE.**
- 2. APPROPRIATE PRESS RELEASES BE MADE THANKING THE KEWDALE RESIDENTS FOR THEIR PARTICIPATION AND INFORMING THEM THAT AS THE NEXT STEP COUNCIL WOULD BE PREPARING A SHORT-LIST OF POSSIBLE NAMES. FURTHER, THAT INFORMATION BE GIVEN RELATING TO THE PROCESS OF A NAME CHANGE AS IT AFFECTS THEIR ADDRESS ETC.**
- 3. THE COMMUNITY BE INVITED TO NOMINATE THEIR PREFERRED SUBURB NAME, WHICH COULD INCLUDE:**
 - **TOMATO LAKE**
 - **KEWDALE GARDENS**
 - **KEWDALE LAKES**
 - **KEWDALE.**
 - **PEET PARK**
 - **LAKESIDE**
 - **HAMPTON**

During debate on the above motion, Cr Murfin foreshadowed a motion if the abovementioned motion is lost, namely:-

That in order to ensure that the community is fully aware of the options available, the recommendation not be adopted and that:

1. Council agree that, on the basis of the survey results, there needs to be a new name to differentiate the residential area of Kewdale from the Kewdale industrial estate.
2. Appropriate press releases be made thanking the Kewdale residents for their participation and informing them that as the next step Council would be preparing a short-list of possible names, and the community will be invited to nominate their preferred name. Further, that information be given relating to the process of a name change as it affects their address etc.

Item 12.1.4 continued...

3. The following names be referred to the Geographic Names Committee for its consideration:
 - Tomato Lake
 - Kewdale Gardens
 - Kewdale Lakes
 - Peet Park
 - Lakeside
 - Hampton
4. The name of Kewdale be added to the shortlist of names to be referred to the Kewdale residents for their selection of a preferred name.

The Mover and Seconder (with the consent of the meeting) withdrew their substantive motion.

MURFIN MOVED, GODSELL SECONDED, THAT IN ORDER TO ENSURE THAT THE COMMUNITY ARE FULLY AWARE OF THE OPTIONS AVAILABLE, THE RECOMMENDATION NOT BE ADOPTED AND THAT:

1. **COUNCIL AGREE THAT, ON THE BASIS OF THE SURVEY RESULTS, THERE NEEDS TO BE A NEW NAME TO DIFFERENTIATE THE RESIDENTIAL AREA OF KEWDALE FROM THE KEWDALE INDUSTRIAL ESTATE.**
2. **APPROPRIATE PRESS RELEASES BE MADE THANKING THE KEWDALE RESIDENTS FOR THEIR PARTICIPATION AND INFORMING THEM THAT AS THE NEXT STEP COUNCIL WOULD BE PREPARING A SHORT-LIST OF POSSIBLE NAMES, AND THE COMMUNITY WILL BE INVITED TO NOMINATE THEIR PREFERRED NAME. FURTHER, THAT INFORMATION BE GIVEN RELATING TO THE PROCESS OF A NAME CHANGE AS IT AFFECTS THEIR ADDRESS ETC.**
3. **THE FOLLOWING NAMES BE REFERRED TO THE GEOGRAPHIC NAMES COMMITTEE FOR ITS CONSIDERATION:**
 - TOMATO LAKE
 - KEWDALE GARDENS
 - KEWDALE LAKES
 - PEET PARK
 - LAKESIDE
 - HAMPTON
4. **THE NAME OF KEWDALE BE ADDED TO THE SHORTLIST OF NAMES TO BE REFERRED TO THE KEWDALE RESIDENTS FOR THEIR SELECTION OF A PREFERRED NAME.**

CARRIED 11 VOTES TO 0

12.1.5 Withdrawn Item 8.7.10 – Conference Program for 2001-2002

BASS MOVED, MARKS SECONDED, THAT IN LIGHT OF CR BASS' DESIRE TO PRESENT FOR COUNCIL'S CONSIDERATION, A CONFERENCE POLICY, THE RECOMMENDATION NOT BE ADOPTED AND THAT THE MATTER BE REFERRED BACK TO THE PLANNING AND DEVELOPMENT COMMITTEE FOR FURTHER CONSIDERATION.

LOST 5 VOTES TO 6

For: Bass, Dornford, Powell, Godfrey, Marks

Against: Richardson, Godsell, Passeri, Teasdale, Doney, Murfin

RICHARDSON MOVED, GODSELL SECONDED, THAT THE COMMITTEE RECOMMENDATION BE ADOPTED WITHOUT AMENDMENT OR MODIFICATION.

CARRIED 8 VOTES TO 3

For: Richardson, Godsell, Passeri, Teasdale,

Murfin, Doney, Godfrey, Marks

Against: Bass, Dornford, Powell

**12.2 RESOURCES AND POLICY COMMITTEE MEETING
HELD 19 JUNE 2001**

Receipt of Minutes

TEASDALE MOVED, GODFREY SECONDED, THAT THE MINUTES OF THE RESOURCES AND POLICY COMMITTEE MEETING HELD ON 19 JUNE 2001, AS PRINTED AND CIRCULATED TO ALL COUNCILLORS, BE RECEIVED.

CARRIED 11 VOTES TO 0

WITHDRAWN ITEMS

Nil.

ADOPTION OF THE REPORT

GODSELL MOVED, RICHARDSON SECONDED, THAT RECOMMENDATION ITEMS 5.1 – 5.2, 7.1 – 7.2, 8.1.1, 8.2.1, 8.3.1, 8.4.1 – 8.4.5, 8.5.1 – 8.5.2, 8.7.1 – 8.7.2, AND 8.8.1 – 8.8.3 OF THE RESOURCES AND POLICY COMMITTEE MEETING HELD ON 19 JUNE 2001, BE ADOPTED EN BLOC.

CARRIED 11 VOTES TO 0

RESCISSION MOTION

RICHARDSON MOVED, GODFREY SECONDED, THAT IN ORDER TO ACCOMMODATE COUNCILLORS MURFIN AND POWELL'S EARLIER DECLARATION OF FINANCIAL INTEREST, A MOTION TO REVOKE THE ABOVEMENTIONED ADOPTION OF THE RESOURCES AND POLICY COMMITTEE REPORT, BE SUPPORTED BY COUNCIL.

CARRIED 10 VOTES TO 1

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

GODFREY MOVED, MARKS SECONDED, THAT THE ABOVEMENTIONED MOTION DEALING WITH THE ADOPTION OF THE RESOURCES AND POLICY COMMITTEE REPORT, BE RESCINDED.

CARRIED 10 VOTES TO 1

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

*****9.05pm** Having earlier declared their respective financial interests, Councillor Murfin and Councillor Powell departed the Council Chamber.

12.2.1 Withdrawn Item 8.5.2 – Annual Non-Statutory Donations – Charitable Donations

GODFREY MOVED, DORNFORD SECONDED, THAT THE COMMITTEE RECOMMENDATION BE ADOPTED WITHOUT AMENDMENT OR MODIFICATION.

CARRIED 9 VOTES TO 0

*****9.06pm** Councillor Murfin and Councillor Powell returned to the Council Chamber.

ADOPTION OF THE BALANCE OF THE REPORT

GODFREY MOVED, GODSELL SECONDED, THAT RECOMMENDATION ITEMS 5.1 – 5.2, 7.1 – 7.2, 8.1.1, 8.2.1, 8.3.1, 8.4.1 – 8.4.5, 8.5.1, 8.7.1 – 8.7.2, and 8.8.1 – 8.8.3 OF THE RESOURCES AND POLICY COMMITTEE MEETING HELD ON 19 JUNE 2001, BE ADOPTED EN BLOC (I.E. WITH THE EXCEPTION OF ITEM 8.5.2).

CARRIED 11 VOTES TO 0

RESCISSION MOTION

MURFIN MOVED, POWELL SECONDED, THAT IN ORDER TO ACCOMMODATE CR DORNFORD'S EARLIER DECLARATION OF FINANCIAL INTEREST, A MOTION TO REVOKE THE ABOVEMENTIONED ADOPTION OF THE BALANCE OF THE RESOURCES AND POLICY COMMITTEE REPORT, BE SUPPORTED BY COUNCIL.

CARRIED 10 VOTES TO 1

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

RICHARDSON MOVED, MURFIN SECONDED, THAT THE ABOVEMENTIONED MOTION DEALING WITH THE ADOPTION OF THE BALANCE OF RESOURCES AND POLICY COMMITTEE REPORT, BE RESCINDED.

CARRIED 10 VOTES TO 1

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

*****9.10pm** Having earlier declared a financial interest, Councillor Dornford departed the Council Chamber.

12.2.2 Withdrawn Item 7.1 – Lease Belmont Child Care Centre

GODFREY MOVED, BASS SECONDED, THAT THE COMMITTEE RECOMMENDATION BE ADOPTED WITHOUT AMENDMENT OR MODIFICATION

CARRIED 9 VOTES TO 1

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

*****9.11pm** Councillor Dornford returned to the Council Chamber.

ADOPTION OF THE BALANCE OF THE REPORT

RICHARDSON MOVED, GODSELL SECONDED, THAT RECOMMENDATION ITEMS 5.1 – 5.2, 7.2, 8.1.1, 8.2.1, 8.3.1, 8.4.1 – 8.4.5, 8.5.1, 8.7.1 – 8.7.2, and 8.8.1 – 8.8.3 OF THE RESOURCES AND POLICY COMMITTEE MEETING HELD ON 19 JUNE 2001, BE ADOPTED EN BLOC (I.E. WITH THE EXCEPTION OF ITEMS 7.1 AND 8.5.2).

CARRIED 11 VOTES TO 0

**12.3 SPECIAL RESOURCES AND POLICY COMMITTEE MEETING
HELD 19 JUNE 2001**

Receipt of Minutes

GODFREY MOVED, POWELL SECONDED, THAT THE MINUTES OF THE SPECIAL RESOURCES AND POLICY COMMITTEE MEETING HELD ON 19 JUNE 2001, AS PRINTED AND CIRCULATED TO ALL COUNCILLORS, BE RECEIVED.

CARRIED 11 VOTES TO 0

WITHDRAWN ITEMS

Nil.

ADOPTION OF THE BALANCE OF THE REPORT

POWELL MOVED, DORNFORD SECONDED, THAT RECOMMENDATION ITEMS 6.1.1 – 6.1.5 OF THE SPECIAL RESOURCES AND POLICY COMMITTEE MEETING HELD ON 19 JUNE 2001, BE ADOPTED EN BLOC.

CARRIED 11 VOTES TO 0

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
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"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
06/06/01	Citizenship Ceremony
08/06/01	Committee Meals
14/06/01	Works Tour of Inspection
14/06/01	Medicare Office – Belmont
15/06/01	National Tree Day
15/06/01	Confidential Notes of a Meeting – 28 May 2001 – Presentation by Urban Focus in regard to 'The Springs' Town Planning Scheme No. 13
15/06/01	Abandoned Shopping Trolleys
15/06/01	Springs Newsletter
20/06/01	Subdivision Corner Knutsford Avenue and Esther Street, Rivervale
20/06/01	Invitation to Attend Reception - Unveiling of Olympic Torch Memorabilia Display
20/06/01	Attendance at Conferences
22/06/01	Briefing Session – Monday, 25 June 2001
22/06/01	Letter of Thanks Re: Belmont Community Nursing Home

Councillor Information Items circulated on 15 June 2001:

13.1.1 WAMA Week Issue No. 23.01 – 8 June 2001.

Councillor Information Items circulated on 22 June 2001:

13.1.2 WAMA Week Issue No. 24.01 – 15 June 2001.

Item 13.1 continued...

GODFREY MOVED, RICHARDSON SECONDED, THAT THE INFORMATION PROVIDED TO ALL COUNCILLORS AND LISTED IN THIS "INFORMATION ONLY ITEMS" REPORT BE NOTED AND RECEIVED.

CARRIED 11 VOTES TO 0

14. REPORTS OF DELEGATES

14.1 COUNCILLOR PASSERI – COUNCILLORS DEVELOPMENT WEEKEND

Councillor Passeri reported on his attendance at last weekend's Councillors Development Weekend. It was a very successful event where a great deal of information was made available to new and current Councillors.

GODFREY MOVED, TEASDALE SECONDED, THAT REPORT OF COUNCILLOR PASSERI BE NOTED AND RECEIVED.

CARRIED 11 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 9.18pm.