



CITY OF BELMONT
ORDINARY COUNCIL MEETING
MINUTES
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28 SEPTEMBER 2004

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CONFIRMATION DATE: 26 OCTOBER 2004

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Nil.

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN CITY OF BELMONT
CIVIC CENTRE, 215 WRIGHT STREET, CLOVERDALE ON TUESDAY,
28 SEPTEMBER 2004, COMMENCING AT 7.30 PM**

PRESENT

Cr P Passeri, JP, Mayor	West Ward
Cr A Richardson, JP, Deputy Mayor	West Ward
Cr R Rossi	West Ward
Cr G Grant	Central Ward
Cr M Bass	East Ward
Cr P Marks	East Ward
Cr J Powell	South Ward
Cr B Whiteley	South Ward
Cr G Godfrey	East Ward

IN ATTENDANCE

Mr N Hartley	Acting Chief Executive Officer
Mr M Ferialdi	Acting Director – Development
Mr R Lutey	Director – Engineering
Mr S Cole	Director – Corporate Services
Mr P Varris	Manager – Administrative Services
Ms J Gillan	Manager- Planning Services
Ms A Forte	Human Resources Manager

MEMBERS OF THE GALLERY

There were 7 attendees in the gallery.

1. OFFICIAL OPENING

The Mayor opened the meeting at 7.30pm and welcomed those in attendance.

2. APOLOGIES & LEAVE OF ABSENCE

2.1 APOLOGIES

Nil.

2.2 LEAVE OF ABSENCE

Cr M Blair
Cr E Teasdale

3. DECLARATIONS OF INTEREST

Name	Type of Interest	Report Item No.	Nature / Extent of Interest
Dr Shayne Silcox	Impartiality	ComEx 14/9/04 10.1.1	Represents Council at the Belmont Retirement Villages Association Inc on the Faulkner Park Retirement Estate Board of Management
Mr Peter Varris	Impartiality	ComEx 14/9/04 10.1.2	Mr Varris is proposed to attend the User Group Forum in question
Dr Shayne Silcox	Impartiality	ComEx 14/9/04 10.5.2	Dr Silcox is a Board Member of Local Government Managers Australia
Mr Peter Varris	Impartiality	ComEx 14/9/04 10.5.2	Mr Varris is proposed to attend the conference in question
Ms Anne-Marie Forte	Financial	Repol 21/09/04 11.1	Ms Forte is being paid in accordance with the City's Certified Agreement.
Dr Shayne Silcox	Financial	Repol 21/09/04 11.1	Some secondary financial aspects of the Certified Agreement may be applicable.
Mr Stuart Cole	Financial	Repol 21/09/04 11.1	Some secondary financial aspects of the Certified Agreement may be applicable.
Mr Robin Garrett	Financial	Repol 21/09/04 11.1	Some secondary financial aspects of the Certified Agreement may be applicable.
Ms Stacey Johnson	Financial	Repol 21/09/04 1.1 –	Ms Johnson is being paid in accordance with the City's Certified Agreement.
Mr Neil Hartley	Financial	Repol 21/09/04 11.1	Some secondary financial aspects of the certified agreement may be applicable.

4. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)

4.1 ANNOUNCEMENTS

4.1.1 Civic Centre Refurbishment

The Mayor noted that the refurbishment of the Civic Centre has reached a point where the Chamber will soon be unavailable for Council and Committee meetings and these will be held in the Senior Citizens Centre. The Mayor apologised for the inconvenience that might occur during this period.

4.2 DISCLAIMER

No responsibility whatsoever is implied or accepted by the City of Belmont for any act, omission or statement or intimation occurring during Council or Committee meetings.

The City of Belmont disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation or approval made by any member or Officer of the City of Belmont during the course of any meeting is not intended to be and is not taken as notice of approval from the City of Belmont.

*The City of Belmont warns that anyone who has any application lodged with the City of Belmont must obtain and should only rely on **written confirmation** of the outcome of the application, and any conditions attaching to the decision made by the City of Belmont in respect of that application.*

7.31pm The Acting Chief Executive Officer read aloud the disclaimer.

5. PUBLIC QUESTION TIME

7.32pm In accordance with rule (I), the Mayor advised that he had registered one member of the public who had given prior written notice to ask questions.

The Mayor invited the public gallery members that had not already submitted questions in writing, to register their interest to ask a question. One gallery member registered his interest.

5.1 RESPONSES TO QUESTIONS TAKEN ON NOTICE

Nil.

5.2 QUESTIONS FROM MEMBERS OF THE PUBLIC

5.2.1 Mr Paul Hitt, Belmont Residents/Raterpayers Action Group Inc. – 14 McLachlan Way, Belmont.

1. Council has recently implemented Councillor Information/Briefing Sessions. To allay any fears the public may have that these sessions are de facto committee meetings will Council open these meetings to the public. Council could still go behind closed doors when information of a sensitive nature is required to be discussed.

The Mayor, Cr Peter Passeri advised that the City will shortly be reviewing its Councillors' Information Session and meeting cycle formats and the question put can be considered as part of this process. It is acknowledged that the question proposes the possibility of a 'split system' of being open where possible and closed when sensitive issues are considered, but it is worth outlining that the current Councillors' Information Session format follows generally, the Department of Local Government's January 2004 'Council Forums' guidelines document, which in part outlines that "holding such meetings behind closed doors is justified in that many of the ideas and concepts are preliminary and while looking for that creative gem some may be extreme, expensive or impractical and never adopted. Discussion on such proposals in a public forum would be counter-productive. Privacy and informality allows elected members to propose ideas, ask questions and discuss issues for the better understanding of those in attendance."

2. The City of Belmont sold the council works depot at Fairbrother Street, Belmont for a sum of approximately six million dollars. The developer has now allegedly sold half of the land for six million dollars. This action may have deprived the residents and ratepayers of a considerable amount of money. Can council please explain why this parcel of land was seemingly sold for far less than it is currently worth.

Planning and Development Committee Chairman, Cr Marks advised that questions along the line of this question have been asked and answered previously by Council and whilst the question is only based on a 'supposed' sale price which is not necessarily factual, the following is provided by way of summary.

The land in question was advertised as an open tender and eventually sold via private treaty for the highest net price achievable at the time. The process was guided by legal advice, as well as advice from the Department of Local Government and professional real estate agents. The price achieved was in line with sworn valuations, and is understood to be about twice as much per square metre as achieved by the sale of the nearby 'Western Power' site. Time has passed since the sale referred to and real estate prices have continued to move strongly and positively in the City of Belmont, something that the Council takes some credit for in light of its innovative strategic programs. One would also presume that many thousands of dollars of holding costs and development expenses would also assist to lift the eventual sale price.

5.2.2 Mr Michael Ryan, 60 Riverdale Road, Rivervale.

1. Mr Ryan noted that the agenda for this Council meeting was not available in hard copy form until Monday 27 September 2004 and, further that some minutes of the Committees were not available on the internet until early this week. In light of the above, is tonight's Council meeting a properly convened meeting?

The Acting Chief Executive Officer advised, yes, the meeting has been conveyed in accordance with the Local Government Act.

2. What is the City doing to rectify these seemingly reoccurring problems with publishing minutes and agendas?

The Acting Chief Executive Officer apologised for the problems and noted that staff have been working under trying conditions with the refurbishment, however, committed to investigating the problems with a view of ensuring that such problems do not reoccur.

7.40pm **There being no further questions from members of the public, the Mayor declared Public Question Time closed.**

6. CONFIRMATION OF MINUTES**6.1 ORDINARY COUNCIL MEETING
HELD 24 AUGUST 2004**

RICHARDSON MOVED, POWELL SECONDED, THAT THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 24 AUGUST 2004, AS PRINTED AND CIRCULATED TO ALL COUNCILLORS, BE CONFIRMED AS A TRUE AND ACCURATE RECORD.

CARRIED 9 VOTES TO 0

**6.2 SPECIAL COUNCIL MEETING HELD
13 SEPTEMBER 2004**

GRANT MOVED, GODFREY SECONDED, THAT THE MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 13 SEPTEMBER 2004, AS PRINTED AND CIRCULATED TO ALL COUNCILLORS, BE CONFIRMED AS A TRUE AND ACCURATE RECORD.

CARRIED 9 VOTES TO 0

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

Nil.

8. PETITIONS AND MEMORIALS

Nil.

9. BUSINESS ADJOURNED FROM A PREVIOUS MEETING

Nil.

10. CORRESPONDENCE

10.1 APPLICATIONS FOR LEAVE OF ABSENCE

The following applications for Leave of Absence have been received: -

Mayor Passeri – Friday 8th October to Monday 17th October 2004 (inclusive).
Friday 5th November to Thursday 11th November 2004 (inclusive).

Cr B Whiteley Friday 8th October to Tuesday 19th October 2004 (inclusive).

RICHARDSON MOVED, GRANT SECONDED, THAT THE FOLLOWING COUNCILLORS BE GRANTED LEAVE OF ABSENCE:

MAYOR PASSERI – FRIDAY 8TH OCTOBER TO MONDAY 17TH OCTOBER 2004 (INCLUSIVE), AND FRIDAY 5TH NOVEMBER TO THURSDAY 11TH NOVEMBER 2004 (INCLUSIVE).

CR B WHITELEY - FRIDAY 8TH OCTOBER TO TUESDAY 19TH OCTOBER 2004 (INCLUSIVE).

CR P MARKS – FRIDAY 8TH OCTOBER TO MONDAY 17TH OCTOBER 2004 (INCLUSIVE), AND FRIDAY 5TH NOVEMBER TO THURSDAY 11TH NOVEMBER 2004 (INCLUSIVE).

CR J POWELL - THURSDAY 7TH OCTOBER TO THURSDAY 10TH OCTOBER 2004 (INCLUSIVE).

CARRIED 9 VOTES TO 0

10.2 GENERAL

Nil.

10.3 LATE CORRESPONDENCE OF AN URGENT NATURE

Nil.

11. REPORTS OF COMMITTEES

11.1 WORKS AND TECHNICAL SERVICES COMMITTEE MEETING HELD 13 SEPTEMBER 2004

Receipt of Minutes

ROSSI MOVED, POWELL SECONDED, THAT THE MINUTES OF THE WORKS AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 13 SEPTEMBER 2004, AS PRINTED AND CIRCULATED TO ALL COUNCILLORS, BE RECEIVED.

CARRIED 9 VOTES TO 0

WITHDRAWN ITEMS

Item 10.2.3 was withdrawn at the request of Councillor Godfrey.

Item 10.3.1 was withdrawn at the request of Councillor Bass.

ADOPTION OF THE BALANCE OF THE REPORT

WHITELEY MOVED, POWELL SECONDED, THAT RECOMMENDATION ITEMS 8.1, 10.1.1, 10.2.1, 10.2.2, 10.2.4, 10.2.5, AND 10.4.1 OF THE WORKS AND TECHNICAL SERVICES COMMITTEE MEETING HELD ON 13 SEPTEMBER 2004, BE ADOPTED EN BLOC (I.E. WITH THE EXCEPTION OF ITEMS 10.2.3 AND 10.3.1).

CARRIED 9 VOTES TO 0

11.1.1 Withdrawn Item 10.2.3 - Main Roads WA Heavy Vehicle Assess Project

GODFREY MOVED, MARKS SECONDED, THAT THE COMMITTEE RECOMMENDATION NOT BE ADOPTED AND THAT COUNCIL ENDORSE THE RESTRICTED ACCESS VEHICLE ROAD NETWORK FOR GROUP 2 TO GROUP 7 VEHICLES AS DETAILED IN THE DRAFT MRWA DRAWINGS PERTAINING TO THE CITY OF BELMONT AND AS ADJUSTED IN SEPTEMBER 2004 NOTING IN PARTICULAR THAT THE SECTION OF ABERNETHY ROAD FROM FAIRBROTHER STREET TO LEACH HIGHWAY IS NOT ENDORSED AS A ROUTE FOR ANY GROUP OF RESTRICTED ACCESS VEHICLES.

CARRIED 9 VOTES TO 0

**11.1.2 Withdrawn Item 10.3.1 - Tender 16-2004 Construction of the Proposed
New Belmont/Victoria Park SES Headquarters**

BASS MOVED, GODFREY SECONDED, THAT THE COMMITTEE RECOMMENDATION NOT BE ADOPTED AND THAT BECAUSE OF THE HIGH TENDER PRICE AND THE AVAILABILITY OF ADDITIONAL INFORMATION, THE MATTER BE REFERRED BACK TO THE WORKS AND TECHNICAL SERVICES COMMITTEE FOR FURTHER CONSIDERATION.

CARRIED 9 VOTES TO 0

**11.2 COMMUNITY AND EXECUTIVE SERVICES COMMITTEE MEETING
HELD 14 SEPTEMBER 2004**

Receipt of Minutes

POWELL MOVED, ROSSI SECONDED, THAT THE MINUTES OF THE COMMUNITY AND EXECUTIVE SERVICES COMMITTEE MEETING HELD ON 14 SEPTEMBER 2004, AS PRINTED AND CIRCULATED TO ALL COUNCILLORS, BE RECEIVED.

CARRIED 9 VOTES TO 0

WITHDRAWN ITEMS

Item 10.5.2 was withdrawn at the request of Councillor Richardson.

ADOPTION OF THE BALANCE OF THE REPORT

WHITELEY MOVED, RICHARDSON SECONDED, THAT RECOMMENDATION ITEMS 8.1, 10.1.1 TO 10.1.3, 10.4.1, 10.4.2, 10.5.1 AND 11.1 OF THE COMMUNITY AND EXECUTIVE SERVICES COMMITTEE MEETING HELD ON 14 SEPTEMBER 2004, BE ADOPTED EN BLOC (I.E. WITH THE EXCEPTION OF ITEM 10.5.2).

CARRIED 9 VOTES TO 0

**11.2.1 Withdrawn Item 10.5.2 - Local Government Managers Association WA
Division – 2004 Annual State Conference**

RICHARDSON MOVED, POWELL SECONDED, THAT TO ACCOMMODATE THE INCLUSION OF ADDITIONAL NOMINATIONS TO ATTEND THE CONFERENCE THE MAYOR AND COUNCILLORS BASS, ROSSI AND WHITELEY, THE CHIEF EXECUTIVE OFFICER, THE DIRECTOR CORPORATE SERVICES AND MANAGER ADMINISTRATIVE SERVICES (PLUS OTHER 'SHARED' REGISTRATIONS AT THE DISCRETION OF THE CHIEF EXECUTIVE OFFICER) BE REGISTERED TO ATTEND APPROPRIATE SESSIONS OF THE LOCAL GOVERNMENT MANAGERS ANNUAL STATE CONFERENCE AND COSTS BE DEBITED TO ACCOUNTS 215.31.0.373 (MEMBER CONFERENCE EXPENSES) AND 200.31.0.373 (ADMINISTRATION CONFERENCE EXPENSES).

CARRIED 9 VOTES TO 0

**11.3 PLANNING AND DEVELOPMENT COMMITTEE MEETING
HELD 20 SEPTEMBER 2004**

Receipt of Minutes

MARKS MOVED, WHITELEY SECONDED, THAT THE MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING HELD ON 20 SEPTEMBER 2004, AS PRINTED AND CIRCULATED TO ALL COUNCILLORS, BE RECEIVED.

CARRIED 9 VOTES TO 0

WITHDRAWN ITEMS

Items 10.4.1, 10.4.2 and 10.6.1 were withdrawn at the request of Councillor Marks.
Item 10.6.4 was withdrawn at the request of Councillor Bass.
Item 10.3.2 was withdrawn at the request of Councillor Godfrey.

ADOPTION OF THE BALANCE OF THE REPORT

POWELL MOVED, WHITELEY SECONDED, THAT RECOMMENDATION ITEMS 8.1, 10.1.1, 10.2.1, 10.3.1, 10.3.3, 10.5.1, 10.6.2, 10.6.3, 10.6.5 TO 10.6.7 AND 10.7.1 OF THE PLANNING AND DEVELOPMENT COMMITTEE MEETING HELD ON 20 SEPTEMBER 2004, BE ADOPTED EN BLOC (I.E. WITH THE EXCEPTION OF ITEMS 10.3.2, 10.4.1, 10.4.2, 10.6.1 AND 10.6.4).

CARRIED 9 VOTES TO 0

11.3.1 Withdrawn Item 10.3.2 - Homeswest Presence in the City of Belmont

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

CARRIED 9 VOTES TO 0

11.3.2 Withdrawn Item 10.4.1 - Draft Scheme Provisions for Identified Development Areas

MARKS MOVED, ROSSI SECONDED, THAT POINT FOUR OF THE COMMITTEE RECOMMENDATION BE AMENDED TO READ:

4. The Working Group be formed to consider and progress the planning of the four development areas, with the following representation:

- **Two or three Councillors selected from the nominations of Councillors Blair, Whiteley, Marks, Powell, Bass, Passeri and Rossi;**
- **Director-Development**
- **Manager-Planning Services**
- **Manager-Business Development**
- **Project Officer (Andrew Smith)**
- **Landowner representative(s);**

AND THE AMENDED COMMITTEE RECOMMENDATION BE ADOPTED.

LOST 4 VOTES TO 5

For: Passeri, Marks, Whiteley, Godfrey

Against: Grant, Bass, Rossi, Powell, Richardson

BASS MOVED, POWELL SECONDED, THAT PART FOUR OF THE COMMITTEE RECOMMENDATION BE AMENDED TO READ:

4. A Working Group be formed to consider and progress the planning of the four development areas, with the following representation:

- **Any Councillors wishing to be part of the Working Group**
- **Director-Development**
- **Manager-Planning Services**
- **Manager-Business Development**
- **Project Officer (Andrew Smith)**
- **Landowner representative(s);**

AND THE AMENDED COMMITTEE RECOMMENDATION BE ADOPTED.

CARRIED 6 VOTES TO 3

For: Marks, Bass, Grant, Powell, Rossi, Whiteley

Against: Passeri, Richardson, Godfrey

11.3.3 Withdrawn Item 10.4.2 - Lots 1, 2 & 25 (9 & 11) The Esplanade and Lots 50, 3 & 48 (97, 99 & 101) Mathieson Road, Ascot (former Ascot Water Playground) - Zoning of Land and Preferred Subdivision Option

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

CARRIED 7 VOTES TO 2

For: Passeri, Marks, Godfrey, Grant Powell, Richardson, Whiteley

Against: Bass, Rossi

11.3.4 Withdrawn Item 10.6.1 - Lot 502 (13) Fairbrother Street, Belmont - Proposed Signage

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

CARRIED 9 VOTES TO 0

11.3.5 Withdrawn Item 10.6.4 - Lot 305 (37) Great Eastern Highway, Rivervale - Proposed Funeral Office

BASS MOVED, POWELL SECONDED, THAT DUE TO A VIEW THAT IT IS DESIRABLE FOR THE PREMISES IN QUESTION TO BE OCCUPIED, THE COMMITTEE RECOMMENDATION NOT BE ADOPTED AND THAT THE APPLICANT BE ADVISED THAT COUNCIL SUPPORTS CONDITIONAL APPROVAL OF 2 YEARS FOR USE OF FUNERAL OFFICE ON LOT 305 (37) GREAT EASTERN HIGHWAY, RIVERVALE.

LOST 1 VOTE TO 8

For: Bass

Against: Passeri, Richardson, Rossi, Whiteley, Marks, Grant, Godfrey, Powell

GODFREY MOVED, WHITELEY SECONDED, THAT THE COMMITTEE RECOMMENDATION BE ADOPTED WITHOUT AMENDMENT OR NOTIFICATION.

CARRIED 8 VOTES TO 1

For: Passeri, Richardson, Rossi, Whiteley, Marks, Grant, Godfrey, Powell

Against: Bass

9.02pm Ms Gillan departed the meeting and did not return

**11.4 RESOURCES AND POLICY COMMITTEE MEETING
HELD 21 SEPTEMBER 2004**

Receipt of Minutes

GODFREY MOVED, WHITELEY SECONDED, THAT THE MINUTES OF THE RESOURCES AND POLICY COMMITTEE MEETING HELD ON 21 SEPTEMBER 2004, AS PRINTED AND CIRCULATED TO ALL COUNCILLORS, BE RECEIVED.

CARRIED 9 VOTES TO 0

WITHDRAWN ITEMS

Nil.

ADOPTION OF THE BALANCE OF THE REPORT

GODFREY MOVED, POWELL SECONDED, THAT RECOMMENDATION ITEMS 8.1, 10.3.1, 10.4.1, 10.7.1 TO 10.7.4, 10.8.1 AND 11.1 OF THE RESOURCES AND POLICY COMMITTEE MEETING HELD ON 21 SEPTEMBER 2004, BE ADOPTED EN BLOC).

CARRIED 9 VOTES TO 0

12. REPORTS OF OFFICERS

12.1 INFORMATION ONLY ITEMS

Report by Community and Executive Services Division.

LOCATION

Not Applicable.

APPLICANT

Not Applicable.

FILE REFERENCE

35/006 Information Material to/from Councillors

DISCLOSURE OF INTEREST

The author has not needed to make a disclosure of interest in respect to this matter.

DATE

28 August 2004

SUMMARY

The City delivers a variety of information items to Councillors, including internal memorandums, Local Government industry information, newsletters, notices and publications. These items do not require a formal decision by Council, however are provided to assist Councillors in being informed of a range of Council and Local Government related activities.

BACKGROUND

The following is a summary of the general information only items and memorandums delivered to Councillors for the period 20/08/04 – 24/09/04.

*12.1 Continued***COMMENT**

Nil.

DATED	SUBJECT
20/08/04	<ul style="list-style-type: none"> • WALGA – NRM Update Vol 5, August 2004 • Local Government News – 155, 32.04 – 13 August 2004 • Information Report Corporate Services – 20 August 2004 • Memo – Correspondence – P Sirr – Photocopier Charges • Memo – WALGA Vacancy • Memo – Orana Park • Information Report Works & Technical Services – 20 August 2004 • Memo – WALGA – President’s Report to State Council • Memo – WALGA – NRM Update for Local Government • Memo – Councillors Information Session 8/9 • Memo – Correspondence – P Sirr • Local Government News – Issue No 32.04 • WALGA – NRM Update for Local Government • Memo – Binding – Council Agendas
27/08/04	<ul style="list-style-type: none"> • Memo - EMRC – WA On Show • Memo - Social Gathering with Shayne Silcox • Memo – Orana Park • Memo – Waste and Recycle 2004 Conference • Local Government News – Issue 33.04 • Newsletter – Belmont City College • Three Monthly Calendar
03/09/04	<ul style="list-style-type: none"> • Memo – Local Government Elections – WALGA Survey • Memo – Farewell Nina Ricketts • Magazine – Statewide No – 121 • Local Government News – Issue No. 34.04 • Magazine – Western Councillor • Local Government Directory 2004/2005 • Memo – Civic Functions Dates • Memo – Library Closure • Memo – Cr Information Session 8/9 • Memo – Interview Curtin University • Memo – Graffiti Removal Van • Memo – OCM 28/9 • Memo – McLeods Bulletin – The Unruly Gallery
10/09/04	<ul style="list-style-type: none"> • Memo – Planning Application – 238 – 246 Great Eastern Hwy • Memo – Cr Information Session – 27/9 Belmont Ave – Urban Design Study

*12.1 Continued***DATED SUBJECT**

17/09/04	<ul style="list-style-type: none"> • Memo – WALGA Best Practice Awards • LG News Issue No.35.04 3/9/04 • Memo – Revitalisation Neighbourhood Shopping Centres • Memo – Administration Building refurbishment timeline • Memo – Ascot Waters Playground – Submission from Peter Gibson • Belmont Bugle Vol 42 – No. 5 Sept / Oct 04 • Memo – Kewdale-Hazelmere Region Integrated Masterplan (KHRIM) • Memo – Workshop – Planning Appeal Practice & Procedures
<hr/>	
17/09/04	<ul style="list-style-type: none"> • Memo – Meeting Procedure – Questions/Debate on Report Items • Memo – Local Government Chief Executive Officers Group Meetings • Memo – WTS Meeting 13 September 2004 – Item 10.2.3 – MRWA Heavy Vehicle Access Project • Memo – Business Excellence Framework • Memo – State Council Agenda and Attachments – 6 October 2004 • Memo – Capital Works Programme • Memo – Application for Child Care Centre at Lot 9 (188) Keymer St • Memo – State Road Network Funding • Memo – Parking Knutsford Ave, Kew St to Cul-De-Sac at Leach Hwy
<hr/>	
24/09/04	<ul style="list-style-type: none"> • Invitation – Community Afternoon Tea • Local Government News – Issue No. 37.04 • Memo – Workshop on Planning Appeal Practice & Procedures • Local Government Focus – Vol 20 – No. 9, September 2004 • Memo – Belmont Ave Urban Design Study • Memo – Cancellation – Proposed Special Council Meeting, 19/10/04 • Memo - Application for Child Care Centre at Lot 9 (188) Keymer St • Memo – Questions Taken on Notice – PDC 20 September 2004

CONSULTATION

Nil.

STATUTORY ENVIRONMENT

Notwithstanding there might be some legislative implications contained within the various items detailed above, Section 5.92 and 5.93 of the Local Government Act 1995 have a general application in respect to the provision of information to Councillors.

*12.1 Continued***POLICY IMPLICATIONS**

Whilst there might be some policy implications contained within the various items detailed above, none are apparent for the purpose of this report.

FINANCIAL IMPLICATIONS

Whilst there might be some financial implications contained within the various items detailed above, none are apparent for the purpose of this report.

STRATEGIC PLAN/OPERATIONAL PLAN IMPLICATIONS**Strategic Plan**

Whilst there might be some Strategic Plan implications contained within the various items detailed above, none are apparent for the purpose of this report.

Operational Plan

Organisational Strategy O5/1 (c) – *“To keep Councillors informed of relevant industry and officer activities, regular update reports be presented to Council and the respective committees.*

ENVIRONMENTAL IMPLICATIONS

Whilst there might be some environmental implications contained within the various items detailed above, none are apparent for the purpose of this report.

VOTING REQUIREMENT

Simple majority required only.

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

CARRIED 9 VOTES TO 0

13. REPORTS OF DELEGATES

13.1 CR MARKS – INTER MUNICIPAL GOLF TOURNAMENT

Cr Marks advised that he represented the Mayor at the recent Inter Municipal Golf Tournament hosted by the City of Belmont. Councillor Marks passed on his appreciation to Leon Lawrence, Chief Executive Officer of Local Government Insurance Services for their sponsorship and also noted the appreciation from the participants for an event well handled and organised.

POWELL MOVED, ROSSI SECONDED, THAT THE REPORT BY COUNCILLOR MARKS ON THE INTER MUNICIPAL GOLF TOURNAMENT BE RECEIVED AND NOTED.

CARRIED 9 VOTES TO 0

13.2 CR POWELL – LEGAL WORKSHOP – PLANNING APPEALS AND PROCEDURES

Cr Powell submitted the following report:

On the 24th September 2004, Cr Marks and myself attended the Legal workshop on Planning Appeals and Procedures at the City of Swan Chamber. There were 6 attendees including myself. By way of summary, the following issues were addressed -

- Class 1 and 2 appeals (and the differences).
- Legal advice – to decide whether to -
 - meditate;
 - facilitate via City staff; or
 - to utilise lawyers.
- Town Planning & Appeals Tribunal
 - procedures and policies;
 - powers they can exercise;
 - scope of the above power.

It is important to note that the Tribunal can undertake its own investigation and make a decision on factors not given as evidence in the appeal process overriding local laws /pilot schemes.

- State Planning Act.
- Preparation and responding to an appeal. In particular the need to prepare an effective framework covering the Act, relevant Regulations, rules and precedent law.

13.2 Continued

- Trial
 - preparation;
 - administration;
 - evidence;
 - reports / pleading / discovery;
 - relevance – privilege / disclosed;
 - witnesses – how to get answers.

- Rights of Review
 - appeal to the Supreme Court;
 - Tribunal decision;
 - implications of cost & time; and
 - what would constitute a right of appeal to the Supreme Court.

This proved to be a very comprehensive workshop and I am pleased that I came away with so much information which I can use in my role as a Councillor – it also made me more aware of the diversity of expertise our senior managers need in their role in planning.

BASS MOVED, GRANT SECONDED, THAT THE REPORT BY COUNCILLOR POWELL ON THE LEGAL WORKSHOP BE RECEIVED AND NOTED.

CARRIED 9 VOTES TO 0

13.3 CR BASS – WASTE & RECYCLE 2004 CONFERENCE – SETTING OUTCOMES AND MEASURING PERFORMANCE

Councillor Bass provided the following report:

In conjunction with Councillor Brenda Whitley, and the Director of Works Mr Ric Lutey, I was nominated to attend the above conference held 21-24 September 2004 at The Esplanade Hotel, Fremantle.

The conference was well attended with speakers from around Australia as well as overseas; the sharing of knowledge was beneficial to those of us who came to learn as well as those who came to impart their information on relevant issues. They outlined invitational and current Waste Management Practices in their countries and councils within Australia. Now more than ever we must be pro-active as a council to ensure that Government Departments continue funding and research more innovative solutions on what we, the throw away society have contributed to in waste. The answer is “recycle or die”.

*13.3 Continued***Excerpts from Speakers**

Do we know where we're going?

Keynote speaker: Edward Boisson USA.

Performance goals in the US. Cleaning up the dump. Number of US landfills.

A Historic Perspective on Life Cycle Management and Current Practices Worldwide.
Mary Ann Curran

Measuring the performance of council's waste management function. Incentive or threat? Andy Walford, England

2004 Tamala Park Project Plan.

Graeme Alford BE MBA Project Manager, Mindarie Regional Council WA

Spreading the Goods News from Waste Land to Promised Land

John Bryant, Bryant Media

Waste and Recycling in the Commercial and Industrial Sector:

Waste composition and management practices. Dr Jill Lethlean and Neil Chapman

A model for Assessing Waste Generation Factors and Forecasting Waste Generation using Artificial Neural Networks: A Case Study of Chile

Eduardo Ordonez Ponce, M.E. (Nat Res) Student Compost market development in horticulture – economic implications

R. Paulin and P. O'Malley

Don Atkins Manager Environmental Policy Toyota New cars of the future.

Note of interest

The Waste Management Terms of Reference

- Adopt a pro-active leadership role in Waste Management
- Provide strategies and advise Governments on Waste Issues.
- Overseeing the Waste Management and recycling funding and landfill.

I thank Council for the opportunity to have been able to attend this conference.

I suggest that this report is received, and noted, and a copy of the conference CD is made available to all interested councillors and staff upon a request.

POWELL MOVED, GRANT SECONDED, THAT THE REPORT BY CR BASS ON THE WASTE & RECYCLE 2004 CONFERENCE BE RECEIVED AND NOTED AND A COPY OF THE CONFERENCE CD IS MADE AVAILABLE TO ALL INTERESTED COUNCILLORS AND STAFF UPON REQUEST.

CARRIED 9 VOTES TO 0

13.4 CR WHITELEY - WASTE & RECYCLE 2004 CONFERENCE – SETTING OUTCOMES AND MEASURING PERFORMANCE

Cr Whiteley submitted the following report:

Following on from Cr Bass's report, I wish to add that it was a big learning curve for me. The knowledge and passion that the many speakers had on waste/recycling was a real eye opener.

The keynote speakers gave WA a 'pat on the back' but did point out that we have the land for landfill and a small population, so we must always have a strategic plan 20 years ahead so as to avoid environmental conflict.

We were told of a very successful waste management / recycling collection system in Sweden which is run by the Local Government. Their collection vehicles are clearly labelled 'Chemcar' which drives along with the 'bells ringing' to alert residents to bring out the relevant collection items. They advertise the collection date and the specific type of collection in their local paper.

Nearer to home, Jenny Pickles from Victoria advised that most of their Local Governments no longer run their own sporting facilities. They lease the premises out and put ALL of that particular revenue into recycling. I'm not convinced that the idea would work in Belmont, but it does highlight the innovation of other Councils and the options available for our future consideration.

I wish to thank the Council for allowing me to attend such an important conference, enabling me to expand my knowledge on the very important roles Local Government plays in our Community.

ROSSI MOVED, GRANT SECONDED, THAT THE REPORT BY CR WHITELEY BE RECEIVED AND NOTED.

CARRIED 9 VOTES TO 0

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

Nil.

15. MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil.

16. CLOSURE

There being no further business to discuss, the Mayor declared the meeting closed at 9.12pm.