

**MINUTES OF THE ORDINARY MEETING OF COUNCIL  
HELD AT MIDLAND TOWN HALL  
ON WEDNESDAY 8 NOVEMBER 2006 COMMENCING AT 5.30PM**

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## **PART A - OPENING PROCEDURES**

### **1. OPENING AND ANNOUNCEMENT OF VISITORS**

The Mayor welcomed those present and opened the meeting at 5.33pm.

### **2. DISCLAIMER (read aloud by Presiding Member)**

The City of Swan disclaims any liability for any loss arising from any person or body relying on any statement, discussion, recommendation or decision made during this meeting.

Where an application for an approval, a licence, or the like is considered or determined during this meeting the City warns that neither the applicant nor any other person or body should rely upon that discussion or determination until written notice of either an approval and the conditions which relate to it or the refusal of the application has been issued by the City.

### **3. ATTENDANCE AND APOLOGIES**

Councillors:	Cr C Gregorini	Mayor, Midland Ward (Presiding Member)
	Cr M Congerton	Deputy Mayor, Ballajura Ward
	Cr D Lucas	Altone Ward
	Cr M Wainwright	Altone Ward (from 5.35pm)
	Cr J McNamara	Ballajura Ward (from 5.35pm)
	Cr M Haynes	Ballajura Ward
	Cr S Croy	Gidgegannup Ward (from 5.42pm)
	Cr F Alban	Guildford Ward
	Cr J Holmes	Midland Ward
	Cr J Marino	Midland Ward
	Cr C Zannino	Swan Valley Ward
Staff:	Mr M J Foley	Chief Executive Officer
	Mr G Poepjes	Executive Manager Corporate Services (until 6.11pm)
	Ms M Lockyer-Benzie	Executive Manager Customer and Community Services (until 6.11pm)
	Mr C Sullivan	Acting Executive Manager Operational and Development Services (until 6.11pm)
	Mr S Tan	Principal Planner (until 6.11pm)
	Mr S Downing	Chief Financial Officer (until 6.11pm)
	Ms C Carter	Public Relations Officer (until 6.11pm)



6.2 Other Questions

6.2.1 Questions of which due notice has been given in writing or previously taken on notice

6.2.1.1 Mrs Sue Hurt submitted the following questions in relation to a recent road traffic accident on Middle Swan Road which resulted in the road being closed for 10-12 hours:

Q1. *As this road is under the jurisdiction of the City of Swan, has the City received an account from any government or vested agencies that were involved in closing of the road to support the accident? Example: Infrastructure Loss of power / power pole - State Electricity Service - Police Services etc.?*

A1. No.

Q2. *What were the costs individually incurred and that in total to the City of Swan?*

A2. Nil

Q3. *Will the City of Swan pay the costs incurred or are they forwarding the invoice to the trucking firm involved?*

A3. As per Question 2, we incurred no cost. If we did, the costs would be either send to our insurers in the case of an accident or directly to the truck owner or driver depending on the circumstances. If City staff were employed by a service authority to manage traffic while they carried out repairs, then the account would be sent to the authority who requested the assistance of City staff.

6.2.2 Questions without notice

Nil

**7. PUBLIC STATEMENT TIME**

Nil

**8. LEAVE OF ABSENCE**

**RESOLVED UNANIMOUSLY** that the following Councillors be granted leave of absence for the periods requested:

8.1 Cr Congerton - 11 to 17 November 2006 (inclusive)

8.2 Cr Marino - 11 to 15 November 2006 (inclusive)

(Cr Holmes - Cr Zannino)

## 9. PETITIONS, PRESENTATIONS AND DEPUTATIONS

### 9.1 Petitions

- 9.1.1 Petition containing 94 signatures of residents/ratepayers concerning poor drainage and lack of services in the West Bullsbrook area.

**RESOLVED UNANIMOUSLY** that the above petition be referred to the Chief Executive Officer for appropriate action.

(Cr Alban - Cr Holmes)

Cr McNamara and Cr Wainwright entered the Chamber at 5.35pm.

### 9.2 Presentations

Nil

### 9.3 Deputations

#### **9.3.1 Item 15.2 - Modification to Subdivision Guide Plan 8A - Lot 31 Campersic Road, Brigadoon**

- (a) Mr Colin Burton speaking on behalf of the Brigadoon Progress Association (Inc.) against the Recommendation.

Cr Croy entered the Chamber at 5.42pm.

- (b) Mr Jon Burgess speaking on behalf of local residents against the Recommendation

## 10. CONFIRMATION OF MINUTES

- 10.1 Confirmation of Minutes of Ordinary meeting of Council held on 18 October 2006.

### **CORRECTION TO MINUTES**

Item 2.1 of Part B should have read (in part) as follows:

### **"AMENDMENT TO THE MOTION**

That the motion be amended to include the following:

That the use, at the discretion of Council, of soft fall material be included in the Draft Play Space Strategy.

(Cr McNamara - Cr Jones)

**THE AMENDMENT WAS PUT TO THE VOTE AND LOST 4/9**

Cr McNamara requested that votes of members be recorded:

For: Councillors McNamara, Jones, Zannino and Alban

Against: Mayor Cr Gregorini, Councillors Congerton, Lucas, Wainwright, Fardig, Bailey, Croy, Holmes and Marino"

**RESOLVED UNANIMOUSLY** that the Minutes of the Ordinary Meeting of Council held on 18 October 2006, as amended, be confirmed.

(Cr Holmes - Cr Wainwright)

10.2 Confirmation of Minutes of Special Meeting of Council held on 1 November 2006

**RESOLVED UNANIMOUSLY** that the Minutes of the Special Meeting of Council held on 1 November 2006 be confirmed.

(Cr Holmes - Cr Wainwright)

## **11. ANNOUNCEMENTS BY THE MAYOR WITHOUT DISCUSSION**

11.1 Cr McNamara advised the meeting that he had been requested by Mr Divilly of Illawarra Crescent to thank City staff for the landscaping works which had recently been carried out.

## **12. DECLARATIONS BY MEMBERS WHETHER THEY HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE AGENDA PRESENTLY BEFORE THE MEETING**

All Councillors present declared that they had given due consideration to all matters contained in the agenda before the meeting.

## **13. MEMBERS' QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION**

### **13.1 CR MCNAMARA**

The following questions from Cr McNamara were taken on notice at the 18 October 2006 Ordinary Meeting of Council:

*Q1. Can you please ask the Ballajura Customer Advocate to leave contact details on his answering service of the person taking over his duties whilst he is on leave?*

A1. Customer Advocates have been requested to advise their local Councillors of their absence when going on leave.

*Q2. Can you please advise when the proposed landscaping on Illawarra Crescent, Sunset Drive and Summerlakes Drive will be completed?*

A2. These works are currently under way and it is anticipated that the works will be completed by mid-December 2006.

**14. MEMBERS' QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN WITHOUT DISCUSSION**

Nil

**15. ANY BUSINESS LEFT OVER FROM PREVIOUS MEETING**

**15.1 PROPOSED PRIVATE RECREATION (PAINTBALL) - LOT 182 (3041) GREAT NORTHERN HIGHWAY, BULLSBROOK**

Council at its meeting held on 27 September 2006 resolved to defer consideration of this matter to allow further consultation with relevant parties prior to the Council making a decision.

**RESOLVED UNANIMOUSLY** that the information be noted.

(Cr Zannino - Cr Alban)