



## INFORMATION FOR THE PUBLIC ON ATTENDING THE COUNCIL MEETING

Welcome to the Ordinary meeting of the City of Bayswater Council. Copies of the agenda for the meeting are provided in the Council Chamber for the convenience of observers at the meeting but these are not to be removed from the Chambers.

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Generally, the business of Council at meetings is open to the public. However, there are some matters of confidentiality which may be dealt with behind closed doors at the end of the meeting, when the public will be excluded.

**Residents with questions should present them in writing on the form below, for collection by the Chief Executive Officer at approximately 7.25pm, prior to the commencement of the Council Meeting at 7.30pm. If questions are incomplete at this time, they will be collected during the meeting.**

Where possible, a verbal reply is given to the question at the meeting, otherwise a written reply will be forwarded within seven (7) days.

### QUESTION(S) BY MEMBER OF THE PUBLIC

Council Meeting of \_\_\_\_\_ 2006  
(Insert Month)

PLEASE PRINT:

Full

*John Mitchell*

Name:

Address:

*25 Essex St Bayswater 6053*

QUESTION:

*Grapple*



Councillor Terence G. Kenyon, JP  
Mayor

FROM THE OFFICE OF THE MAYOR  
**CITY OF BAYSWATER**

ESS-11/25 MG wd

Appendix 1

18 December 2006

Mr John Mitchell  
25 Essex Street  
**BAYSWATER WA 6053**

Dear John

**GRAFFITI IN ESSEX STREET, BAYSWATER**

Reference is made to your enquiry at the Ordinary Meeting of Council of Tuesday, 12 December 2006 during public question time regarding graffiti in Essex Street, Bayswater.

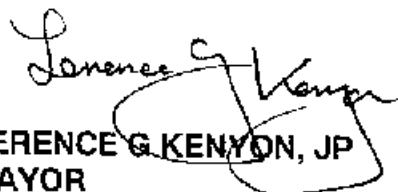
The City's Security Watch Service reports graffiti to the Council Administration and every effort is made to clean it off within twenty-four hours of report. However, there are difficulties in removing graffiti in a timely manner where the owners of private property have not provided Council with permission. Council has endeavoured to improve this by expanding the permission period to twelve months coverage however, permission is still required except on an occasion where the graffiti is offensive and the Chief Executive Officer directs that the offending graffiti (foul language, racial vilification) be removed without indemnification.

Please be advised that the attached letter and indemnity form has been forwarded to all ratepayers within Essex Street to complete and return to Council as soon as possible.

Furthermore, we are advised that the State Government is currently considering an amendment to the legislation to allow Council graffiti practitioner to enter private property without the indemnification requirement.

I trust the above is to your satisfaction and should you require any further information, please contact Council's Director of Technical Services, Martyn Glover, on 9272 0654.

Yours sincerely

  
**TERENCE G. KENYON, JP  
MAYOR**

Enc.

*The Garden City - Quality Lifestyle*



City  
Administration  
Centre

61 Brown Avenue  
Morley WA 6062

Telephone: (08) 9272 0622  
Facsimile: (08) 9272 0610

Telephone Work: (08) 9479 1830  
Facsimile: (08) 9277 6821  
Mobile: 0417 933 191

Postal Address:  
PO Box 467 Morley WA 6943

E-mail Address:  
TerryK@bayswater.wa.gov.au



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### QUESTION(S) BY MEMBER OF THE PUBLIC

Council Meeting of 12 DECEMBER 2006  
(Insert Month)

Surname: CUSCUNA First name: DOMINIC  
Address: MAYLANDS PARK SHOPPING CENTRE  
238 GUILDFORD ROAD, MAYLANDS.

*questions as per attached.*

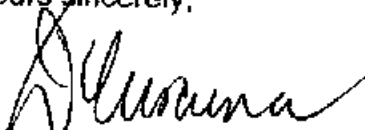
*D Cuscuna*  
*12/12/2006*

## COUNCIL MEETING - 12 DECEMBER 2006: PUBLIC QUESTION TIME

In respect to Item 11.8.2 (Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law - Amendment) on tonight's Agenda:

- Q1.1 Could you please advise why page 2 (the key section) of my submission in respect to the shopping trolley management issue was not made available to Councillors with the Committee's papers and tonight's Agenda?
- Q1.2 Is this indicative of the usual standard of the City's administrative practices?
- Q1.3 When will the City introduce quality control measures to ensure that Councillors receive complete and accurate information for all meetings?
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- Q2.2 Isn't it true that the City's Ranger Services reports for the past two months have indicated that 99% of all 'abandoned' shopping trolleys reported to retailers were removed within 24 hours?
- Q2.3 Don't these results indicate that the current local law (that is, retailers collecting 'abandoned' shopping trolleys within 24 hours) is operating very effectively?
- Q3.1 Isn't it true that at its 25 July 2006 meeting, Council resolved that it "will be vigorously enforcing the current local law and impounding abandoned shopping trolleys"?
- Q3.2 Could the City please advise, in respect to the City's Local Law Clause 4.5 - "Person leaving shopping trolley in public place other than trolley bay":
- (i) How many persons have been stopped or cautioned by the City's Rangers?
  - (ii) How many persons have been issued infringement notices (with a modified penalty of \$100)?
- Q3.3 If the answer to Q3.2 is 'Nil' or 'unknown', could you please advise why the City is enforcing its local laws in such a selective and inequitable manner?
- Q4.1 Further to the Council's 25 July 2006 resolution on this matter, has the City had any feedback from the Centro Galleria Shopping Centre in Morley in respect to the electronic ('Trolley Guard') system concept?
- Q4.2 If necessary, will the City consider subsidising the cost of installing these electronic systems in shopping centre car parks under the control of the City?

Yours sincerely,



Dominic Cuscuna  
12 December 2006



# FROM THE OFFICE OF THE MAYOR CITY OF BAYSWATER

Cr Terence G. Kenyon, JP  
Mayor

18 December 2006

3.1.5.3; 16.5.6; 19.2.4

Appendix 2

Mr Domenic Cuscuna  
Shop 6 Maylands park Shopping Centre  
238 Guildford Road,  
MAYLANDS WA 6051

Dear Mr Cuscuna

**PUBLIC QUESTION TIME -  
ORDINARY MEETING OF COUNCIL – 12 DECEMBER 2006**

Thank you for your questions at the Ordinary Council meeting held 12 December 2006, and I provide the following responses:



City  
Administration  
Centre

61 Brown Avenue  
Morley WA 6062

Telephone: (08) 9272 0622  
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TerryK@bayswater.wa.gov.au

- Page two of your submission was left out in error, but was summarised for Councillors in the report. The report has been referred back to committee, and the missing page will be included.
- The majority of trolleys are indeed reported in the Morley business precinct as this is the location of the largest retailers in the City. However, trolleys are also regularly found in all areas of the City.
- Most trolleys are collected within the 24-hour time frame, although from time to time substantial fines have been levied against retailers that initially ignored the warnings.
- The issue of the reporting time frame has been referred back to committee for consideration, and will again be presented to Council for further debate.
- It is difficult to apprehend persons leaving shopping centres with trolleys and charge them under the provisions of the local law. Unless they are well away from retail sites it can be assumed they are en route to their vehicle and will return the trolley. Signage warning persons that it is an offence to remove the trolleys is an issue that needs to be worked through with the retailers so that shoppers are informed that it is an offence.
- The trolley guard system is being introduced at one retail area in the Morley business district, and the system has been referred to Centro Galleria's management for consideration. No response has been received at this stage.
- Council has not considered subsidising the trolley guard system at this stage and no formal approach has been made by any retailer for such support.

As mentioned previously, the report has been referred back to Committee for further consideration by Council, but it is worth noting that there has been a marked decrease in abandoned shopping trolleys in the City in recent months, and a corresponding reduction in complaints from residents about the nuisance caused by these trolleys.

Yours sincerely

**TERENCE G KENYON, JP  
MAYOR**

From: John Williams  
54 Matthews Close  
Noranda

To: Council City of Bayswater

Re: Item 13.2.2 Della Road Improvements  
Access to Noranda Sporting Complex – Della Road

Since 2002 I have been a community representative on the Occasional Committee for the Noranda Sporting Complex and the development has been of special interest for me, as my residence is located about 150 metres from the Della Road entrance to Complex. As well, there were public meetings held by Council to discuss community issues regarding the Complex including residents concern of access from Della Road, which astonishingly has not been resolved.

From my knowledge in regard to this issue it was acknowledged to undertake a proposed 12 month trial (Satisfying DPI requirement) of a locked gate positioned at the intersection of Della and Matthews but would be only opened during weekly business hours (Mon to Fri) to accommodate EMS Nursery operation. This secured gate would be locked at all other times including weekends but does not prevent pedestrian entrance from Della Road. Also, the existing gate located at the Della Road drain to remain locked except for an emergency.

The locked gate trial would prevent visitor vehicle access at Eastern entrance to Lightning Swamp but I wish to propose an option for consideration by Council that would accommodate the future need of disabled access and visitors to LSB. This is relocation of the proposed visitor parking (Agenda Item 13.2.2 - Committee Recommendation - point 2) to be situated along verge area where presently is located the sea container utilised by the Friends of Lightning Swamp and which is within the Complex boundary. This would provide visitor parking located only metres from the northern entrance of the planned LSB boardwalk and importantly create an entrance statement via the freeway entrances/exit for both Lightning Swamp and Sporting Complex visitors.

It is my opinion this would offer a satisfactory solution for residents, EMS nursery operation and FoLSB visitor access.

12<sup>th</sup> December 2006

PTO

Question: The above has outlined a proposal of a locked gate that was to be examined and it is disappointedly unacceptable that the recommendations for Della Road access outlined in Agenda item 13.2 have not taken into account the facts, discussions, meetings, recommendations, and public meetings over the past 4 years. The recommendation for 13.2 put to tonight's Council meeting clearly does not solve the expectations and concerns of residents and as well, access to Lightning Swamp as planned in relation to the future proposed Environmental Centre. If the recommendation of Della Road access is not providing a transparent solution for residents and Lightning swamp as community partners, then who is the recommendation benefiting?

Cr Terence G. Kenyon, JP  
Mayor



21 December 2006

Mr John Williams  
54 Mathews Close  
NORANDA WA 6062

Dear John

**PUBLIC QUESTION TIME -  
ORDINARY MEETING OF COUNCIL - 12 DECEMBER 2006  
SPECIAL MEETING OF COUNCIL - 18 DECEMBER 2006**

Thank you for contributions to question time at the Ordinary Meeting of Council on Tuesday, 12 December 2006 and the Special Meeting of Council on Monday, 18 December 2006.

I am pleased to advise that Council at it's Special Meeting of Council on Monday, 18 December 2006 resolved that:

"That:

1. the proposed modifications to the intersection of Della Road/Mathews Close as per Drawing No. 39/06 be adopted;
2. the proposed parking, concrete path and cul-de-sac as per Drawing No. 39/06 be adopted;
3. the Director of Technical Services formally write to the Ecosystem Management Services (EMS) Nursery and advise them that in consideration of the environmental values of the adjacent area that they have the choice to:
  - a) design and install a garden bed fronting their property, with plants species from the Bassendean sands complex or preferably Lightning Swamp Species list; or
  - b) have the City install the original Landscaping plan.
4. the planting for the area begin in June 2008 when the environmental condition for planting is most favourable and the planting of the Noranda Buffer strip is also proposed to be completed;
5. the two proposals be forwarded to the Friends of Lightning Swamp for their formal comments.

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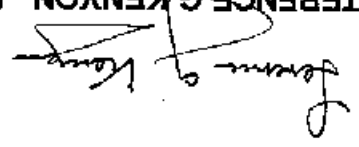
City  
Administration  
Centre  
61 Hroun Avenue  
Morley WA 6062





**MAYOR**

**TERENCE G KENYON, JP**



Yours sincerely

I trust the above is to your satisfaction and should you require any further information, please contact Council's Director of Technical Services, Martyn Glover, on 9272 0654.

The design for the cul-de-sac, parking and pedestrian access as per plan No. 39/06 (see attached) will be sent to the Friends of Lightning Swamp for comment; however it has been developed to meet all of the requirements of the WAPC conditions and access to Lightning Swamp.

Following extensive lobbying the WAPC did concede to a twelve (12) month trial of the partial closure, however this does not guarantee that the WAPC won't revert to it's preferred position, that is, the road to be open to all traffic.

With respect to your questions, the final location of the gate on plan 14/04 was to comply with the requirements of the Western Australian Planning Commission (WAPC) who's preferred position is that Della Road be open to all traffic. It is noted that without the WAPC approval there can be no regional sports complex at this site.

7. the Director of Technical Services arrange for a closure of Della Road at Matthews Close in accordance with Sections 3.50 and 3.51 of the Local Government Act 1995, which closes the road to vehicle traffic during the evenings and on weekends but retains pedestrian access".

6. signage be installed on the northern leg of Della Road notifying that it is a 'No-Through Road', except for emergency vehicles; and



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The business of Council at ordinary meetings is open to the public, except where Council specifically resolves to discuss items 'Behind Closed Doors'. Council may choose to suspend those Standing Orders relating to By-Law 14 "*Order of Business at an Ordinary Meeting*", to permit consideration of urgent items or allow question time by ratepayers.

Where questions to the Council by ratepayers is **permitted**, a verbal reply is given at the meeting if possible or, if requested, a written reply forwarded later.

To allow the most efficient and accurate processing of questions by ratepayers; ratepayers with questions should present them **in writing** on the form below, to the Chief Executive Officer prior to the commencement of the Council Meeting.

### QUESTION(S) BY MEMBER OF THE PUBLIC

Council Meeting of 12 December 2006  
(Insert Month)

#### PLEASE PRINT:

Full Name: **Maureen Green**

Address: **18 Belfast Street Morley WA 6062**

#### QUESTION:

#### **Written Reply Requested.**

Would the City of Bayswater be prepared to host an internet-based Community Radio station similat to **Bassendean Town Radio.net**?

This can be found at <http://www.bassendeantownradio.net>

This would enable the City to keep the ratepayers informed quickly on issues such as are addressed by the Bassendean radio station. (Copy of front page of Bassendean Town Radio.net attatched).



# Bassendean Town Radio.net



Remember 5% of all sales to Amazon.com via this [link](#) helps this site.

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## Bassendean's Weather

At 18:20 the temp was 31.5 C.  
with the wind SSW at 35 km/hr.  
The humidity is 19 %.  
There has been 0.0 mm of rain since 9am.

The weather forecast is:

- Today fine, max 36 C.
- Wednesday fine, 16-28.
- Thursday fine, 14-28.
- Friday fine, 16-31.

## Now Playing on Bassendean Town Radio

"Rainy Day In June" by Alan Jackson

## Coming up

## Next Public Event

- [17/12/2006 - Carols by Candlelight, 7.30 to 9.30 pm Success Hill Reserve Success Rd Bassendean](#)

## Local News

- [Lockridge SHS Awards Night](#)
- [Repairs to the RA McDonald Grandstand underway](#)
- [Old Tennis Clubhouse to close](#)

[more LOCAL stories](#)

## WA State News - ABC

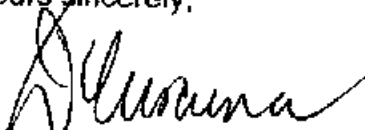
- [Perth hills blaze contained after home gutted](#)
- [Bushfire damages homes in Perth hills](#)
- [Winning Ashes just one](#)

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12 December 2006



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18 December 2006

3.1.5.3; 16.5.6; 19.2.4

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12<sup>th</sup> December 2006

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FROM THE OFFICE OF THE MAYOR  
CITY OF BAYSWATER

Appendix 3



Terence G. Kenyon, JP  
Mayor

21 December 2006

Mr John Williams  
54 Matthews Close  
NORANDA WA 6062

Dear John

**PUBLIC QUESTION TIME -  
ORDINARY MEETING OF COUNCIL – 12 DECEMBER 2006  
SPECIAL MEETING OF COUNCIL – 18 DECEMBER 2006**

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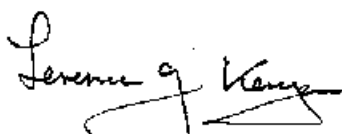
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I trust the above is to your satisfaction and should you require any further information, please contact Council's Director of Technical Services, Martyn Glover, on 9272 0654.

Yours sincerely



**TERENCE G KENYON, JP**  
**MAYOR**

Public Events are sponsored by the Town of Bassendean.



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Paul Kelly & The Stormwater Boys

### Tracks recently featured

- Sara Evans - Suds In The Bucket
  - Dolly Parton - Black Draught Theme
  - Mary Chapin Carpenter - This Shirt
  - Kenny Rogers - When A Child Is Born
  - Bassendean At Six - BA6035
- 

of many goals: Gilchrist

### National News - 9MSN

- CareFlight to stop rescue fundraising
- Dead woman's boss denies fraud claims
- MPs, police may be jurors in NSW plan

### International News - BBC

- Dozens killed in Baghdad bombings
- UN rights body to discuss Darfur
- Arctic sea ice 'faces rapid melt'



FROM THE OFFICE OF THE MAYOR  
**CITY OF BAYSWATER**

Appendix 4

Cr Terence G. Kenyon, JP  
Mayor

21 December 2006

Mrs Maureen Green  
18 Belfast Street  
MORLEY WA 6062



City  
Administration  
Centre

61 Houn Avenue  
Morley WA 6062

Telephone: (08) 9272 0622  
Facsimile: (08) 9272 0610

Telephone Work: (08) 9479 1830  
Facsimile: (08) 9277 6821  
Mobile: 0417 933 191

Postal Address:  
PO Box 467 Morley WA 6943

E-mail Address:  
\*larryk@bayswater.wa.gov.au

Dear Maureen

**PUBLIC QUESTION TIME -  
ORDINARY MEETING OF COUNCIL - 12 DECEMBER 2006**

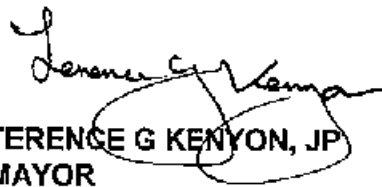
Thank you for your question at the Ordinary Meeting of Council on the 12 December 2006 regarding the Bassendean Town Radio.

This is a local community website providing information regarding the Town of Bassendean, run by a local community based group. The Town of Bassendean provide a donation of approximately \$1,000 per annum to support this privately run facility.

Should a community group be prepared to host such website and Council considered that it was of benefit to its community, it may consider some kind of sponsorship.

Council will be reviewing its current website in 2007 and consideration will be given to making the site more interactive for our community.

Yours sincerely

  
**TERENCE G KENYON, JP  
MAYOR**



## INFORMATION FOR THE PUBLIC ON ATTENDING THE COUNCIL MEETING

Welcome to the Ordinary meeting of the City of Bayswater Council. Copies of the agenda for the meeting are provided in the Council Chamber for the convenience of observers at the meeting but these are not to be removed from the Chambers.

It is important to remember that members of the public, press and ratepayers are present as *observers* only and as such, must not disturb the meeting in any way except when permitted to ask questions during the allocated question time.

Generally, the business of Council at meetings is open to the public. However, there are some matters of confidentiality which may be dealt with behind closed doors at the end of the meeting, when the public will be excluded.

**Residents with questions should present them in writing on the form below, for collection by the Chief Executive Officer at approximately 7.25pm, prior to the commencement of the Council Meeting at 7.30pm. If questions are incomplete at this time, they will be collected during the meeting.**

Where possible, a verbal reply is given to the question at the meeting, otherwise a written reply will be forwarded within seven (7) days.

### QUESTION(S) BY MEMBER OF THE PUBLIC

Council Meeting of December 2006  
(Insert Month)

#### PLEASE PRINT:

Full Name: CHRIS ELLIS

Address: 22 ADELPHI ST BAYSWATER

#### QUESTION:

1. Tree Pruning - what is going on with Program?
2. Road Surfacing - why are minor roads being resurfaced?
3. Comment Re Checks.



# FROM THE OFFICE OF THE MAYOR CITY OF BAYSWATER

Cr Terence G. Kenyon, JP  
Mayor

21 December 2006

ADE-7/22

Appendix 5

Ms Chris Ellis  
22 Adelphi Street  
BAYSWATER WA 6053

Dear Chris

## PUBLIC QUESTION TIME - ORDINARY MEETING OF COUNCIL - 12 DECEMBER 2006

Thank you for the questions you raised at the Ordinary Meeting of Council held on the 12 December 2006 regarding issues concerning the City's tree pruning and road surfacing programs, and in relation to an article you read in the local paper on one of the City's residents, Mr Ray Newton.

Please find my response to each of your questions below:

### 1. *Tree Pruning Program*

The City envisages that the areas of Bedford and Bayswater will be completed by this Christmas and the entire tree pruning programme will be completed by the end of January 2007.

### 2. *Road Surfacing Program*

This is standard practice across all Council's in the Metropolitan Area. All roads require to be resurfaced when the road deteriorates to a non-serviceable condition. The roads are included on a priority listing with the pavements in the worst condition having the highest priority. Adelphi Street has recently been excavated to accommodate the underground high voltage power and Council is currently negotiating with Western Power to have the trench resurfaced. The road is not planned to be fully resurfaced within the next five (5) year programme.

### 3. *Mr Ray Newton*

Please be advised that the matter, as reported in your local newspaper, relates to Mr Newton keeping more poultry than permitted under Council's Health Local Laws on his residential property.

Mr Newton will be required to remove my excess number of poultry from his premises to comply with the legislation.

The health legislation is designed to minimise any impact upon the amenity of a local community in terms of odour, fly breeding, rodent infestation and noise problems.

I trust the information above is to your satisfaction, however should you require any further details, please contact Council's Director of Technical Services, Mr Martyn Glover, on 9272 0654.

Yours sincerely

**TERENCE G KENYON, JP**  
**MAYOR**

*The Garden City - Quality Lifestyle*



City  
Administration  
Centre

61 Brown Avenue  
Moorley WA 6062

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Facsimile: (08) 9272 0610

Telephone Works: (08) 9479 1830  
Facsimile: (08) 9277 6821  
Mobile: 0417 933 191

Postal Address:  
PO Box 467 Moorley WA 6943

E-mail Address:  
TerryK@bayswater.wa.gov.au



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### QUESTION(S) BY MEMBER OF THE PUBLIC

Council Meeting of 12 DEC 2006  
(Insert Month)

#### PLEASE PRINT:

Full

TONY GREEN

Name:

Address: 18 SOLENT ST MORLEY WA 6062

#### QUESTION:

Are Council aware of the atrocious state  
of the ramp outside of the Zone Out area  
of the Les Hensman Community Centre?

There is trash, cigarette butts and graffiti  
scrawled all over the walls and handrails  
also on the commemorative plaque

I saw all of this last evening.



Cr Terence G. Kenyon, JP  
Mayor

FROM THE OFFICE OF THE MAYOR  
**CITY OF BAYSWATER**

Appendix 6

WAL-5/246  
15.1-105

18 December 2006

Mr Tony Green  
18 Belfast Street  
MORLEY WA 6062



City  
Administration  
Centre

61 Brown Avenue  
Morley WA 6062

Telephone: (08) 9272 0622  
Facsimile: (08) 9272 0630

Telephone Work: (08) 9479 1830  
Facsimile: (08) 9277 6821  
Mobile: 0417 933 191

Postal Address:  
PO Box 467 Morley WA 6943

E-mail Address:  
TerryK@bayswater.wa.gov.au

Dear Tony

**PUBLIC QUESTION TIME -  
ORDINARY MEETING OF COUNCIL – 12 DECEMBER 2006**

Thank you for your question at the Ordinary Meeting of Council on the 12 December 2006 regarding damage and littering on the ramp at the Les Hansman Centre.

Council is aware of the anti-social behaviour occurring which is causing damage and littering to the property. The Morley Police have been active in addressing this issue as have the guards from Security Watch.

May I assure you that Council is taking all possible steps to monitor and control the anti-social behaviour which is occurring at the Les Hansman Centre.

Yours sincerely

**TERENCE G KENYON, JP  
MAYOR**