

## C I T Y   O F   W A N N E R O O

**MINUTES OF COUNCIL MEETING HELD IN COUNCIL CHAMBER  
ADMINISTRATION BUILDING, BOAS AVENUE, JOONDALUP,  
ON WEDNESDAY, 8 DECEMBER 1993**

**ATTENDANCES AND APOLOGIES**

Councillors:	P NOSOW - Acting Mayor	South Ward
	H M WATERS	North Ward
	W H MARWICK	Central Ward
	A V DAMMERS	Central Ward
	B A COOPER	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	M J GILMORE	South Ward
	B J MOLONEY	South Ward
	K H WOOD	South Ward
	I D MACLEAN	South Ward
	F D FREAME to 9.00 pm	South-West Ward
	N RUNDLE	South-West Ward

Acting Town Clerk:	A ROBSON
Acting City Treasurer:	T ORD
City Planner:	O G DRESCHER
City Engineer:	R MCNALLY
Acting City Recreation and Cultural Services Manager:	D INGARFIELD
Environmental Health Manager:	G FLORANCE
Acting City Building Surveyor:	L CANDIDO
City Parks Manager:	F GRIFFIN
Acting Manager - Municipal Law & Fire Service:	K SMITH
City Librarian:	N CLIFFORD
Manager - Welfare Services:	P STUART
Publicity Officer:	W CURRALL
Executive Assistant:	P HIGGS
Minute Clerk:	J CARROLL

Apologies for absence were tendered by Crs Major, Davies and Curtis; Cr Nosow deputised for Cr Major.

There were 42 members of the Public and 3 members of the Press in attendance.

The Acting Mayor declared the meeting open at 7.31 pm.

**CONFIRMATION OF MINUTES**

**H91201   MINUTES OF COUNCIL MEETING, 24 NOVEMBER 1993**

Correction

Page 73, Resolution H91151 should read:

"**MOVED** Cr Cooper, **SECONDED** Cr Curtis that:

- 1 CITY BUILDING SURVEYOR'S REPORT H91151 be received;
- 2 City Building Surveyor's recommendation **NOT BE ADOPTED**  
- Item H91151A refers.

**CARRIED"**

**MOVED** Cr Marwick, **SECONDED** Cr Dammers that the Minutes of Council Meeting held on 24 November 1993, amended as above, be confirmed as a true and correct record.

**CARRIED**

**QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN, WITHOUT DISCUSSION**

Cr Curtis submitted the following question for the Council meeting on 8 December 1993:

- Q Council has a policy on the erection and location of satellite dishes in the City. Earlier this year a review to update the policy was to have been undertaken. Has this now taken place and if so, what are the current outcomes?
- A Report H20238 to the Council meeting on 24 February 1993 refers. There was no resolution to amend policy but Council's solicitor was approached regarding the amenity impact of satellite dishes and its powers to deal with them as a development application under the Scheme. A report will be prepared.

**QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN, WITHOUT DISCUSSION**

Nil

**ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION**

**WANNEROO AGRICULTURAL SHOW**

The Mayor opened the 1993 Wanneroo Agricultural Show late last month.

Although the crowd was down on last year's show, people who went along enjoyed a wonderful day of entertainment and fun.

**HEALTH CHOICES AWARDS**

Council held its Inaugural Healthy Choices Awards Function late last month.

The morning tea featured three chefs from some of the award-winning eating houses preparing some of their favourite dishes in front of the invited guests.

A total of 25 recipients were presented with healthy choices awards, including our own meals-on-wheels service and the cafe at the Craigie Leisure Centre.

Congratulations to all the winners and also to the City Environmental Health Manager, Gordon Florance and his dedicated team of health professionals.

#### **UNVEILING OF MURAL - NYOONGAH ABORIGINAL COMMUNITY COLLEGE**

Earlier this month the Mayor was invited to the Nyoongah Aboriginal Community College in Gnangara to unveil a ceramic wall mural.

The ceramic wall mural was made with the aid of a \$1,600 grant from the City of Wanneroo's Cultural Development Fund.

The students at the college created the unusual ceramic wall mural under the watchful eye of professional Wanneroo artist Geoff Yorke and depicts Uluru (Ayer's Rock) - a theme chosen following a recent school camp to Uluru National Park.

The finished wall mural will be a permanent feature in the new administration building at the college.

#### **WELFARE VOLUNTEERS' APPRECIATION LUNCHEON**

Earlier this week I had the pleasure of officiating at the Welfare Volunteers' Appreciation Luncheon BBQ.

It was a most enjoyable afternoon and an ideal opportunity for Council to say a big thank you to all of our volunteer workers.

At the last count, more than 200 volunteers provide services for the aged and disabled in our community.

Indeed, without the help of our volunteers it would have been impossible to provide the services we have given over the last 18 years.

#### **WANNEROO INDUSTRIAL AWARDS PRESENTATION**

Yesterday Council hosted the 1993 City of Wanneroo Industrial Awards presentation luncheon.

Since 1987 Council has conducted Annual Awards for the Improvement and Maintenance of Business Premises in four industrial zones, namely Wangara, Joondalup, Landsdale and Canham Way, Greenwood.

The Award Scheme was introduced as an incentive scheme to encourage business proprietors to upgrade the outside appearance of their properties.

In the years since the scheme was introduced, highly satisfactory results have been achieved and this year has proven to be particularly successful with very close marking between selected properties.

Once again, this scheme proved successful this year.

#### **SUSPENSION OF STANDING ORDERS - CLAUSES 73 AND 96(1)**

**MOVED** Cr Dammers, **SECONDED** Cr Marwick that in accordance with Council's resolution H50814, point 9, Clauses 73 & 96(1), ie "No member, unless that member is the mover of the Motion, shall speak twice on the same Motion" be suspended for the duration of the meeting.

**CARRIED**

#### **PETITIONS, MEMORIALS AND DEPUTATIONS**

##### **H91202 PETITION REQUESTING PROVISION OF PLAYGROUND EQUIPMENT - CHELSEA PARK, KINGSLEY - [061-102]**

A 72-signature petition has been received from residents of Kingsley requesting the provision of playground equipment for Chelsea Park, Kingsley.

This petition will be referred to Parks Department for a report to Council.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that the petition from residents of Kingsley requesting the provision of playground equipment for Chelsea Park, Kingsley be received and referred to Parks Department for a report to Council.

**CARRIED**

##### **H91203 PETITION REQUESTING PROVISION OF PLAYGROUND EQUIPMENT - BURBRIDGE PARK, KOONDoola - [061-324]**

A 25-signature petition has been received from the Koondoola Neighbourhood Centre Inc requesting the provision of permanent playground equipment for Burbridge Park, Koondoola.

This petition will be referred to Parks Department for a report to Council.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that the petition from the Koondoola Neighbourhood Centre Inc requesting the provision of permanent playground equipment for Burbridge

Park, Koondoola be received and referred to Parks Department for a report to Council.

**CARRIED**

**H91204 PETITION OBJECTING TO PROPOSED DOG BOARDING KENNEL AND CATTERY - 49 ADAMS ROAD, MARIGINIUP - [30/4529]**

A 13-signature petition has been received from residents in Mariginiup objecting to the proposed dog boarding kennel and cattery at 49 Adams Road, Mariginiup.

The petitioners object to the proposal on the grounds of increased noise, disturbance to the environment and detrimental effect on property values.

This petition will be referred to Town Planning Department for a report to Council.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that the petition from residents in Mariginiup objecting to the proposed dog boarding kennel and cattery at 49 Adams Road, Mariginiup be received and referred to Town Planning Department for a report to Council.

**CARRIED**

**H91205 PETITION SUPPORTING THE USE OF LOT 191 (22) HARMAN ROAD, SORRENTO AS DENTAL SURGERY - [30/4561]**

A 99-signature petition has been received from residents supporting the use of the residence at Lot 191 (22) Harman Road, Sorrento as a dental surgery.

This petition will be considered in conjunction with Item H21201.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that the petition supporting the use of the residence at Lot 191 (22) Harman Road, Sorrento as a dental surgery be received and considered in conjunction with Item H21201.

**CARRIED**

**H91206 PETITION - INCREASED TRAFFIC ON MARANGAROO DRIVE - [510-1403]**

Cr Maclean tabled a 66-signature petition submitted by Mr Richard Evans, MP, Member for Cowan, on behalf of residents of Marangaroo, outlining concerns regarding the increased traffic on Marangaroo Drive.

The petitioners request Council to ensure safety of residents on and around Marangaroo Drive by addressing this issue.

This petition will be referred to Engineering Department for a report to Council.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that the petition outlining concerns regarding the increased traffic on Marangaroo Drive be received and referred to Engineering Department for a report to Council.

**CARRIED**

**H91207 ADDITIONAL INFORMATION REGARDING APPLICATION FOR DENTAL SURGERY AT LOT 191 (22) HARMAN ROAD, SORRENTO - [30/4561]**

Cr Ewen-Chappell tabled further information with regard to the application for a dental surgery at Lot 191 (22) Harman Road, Sorrento.

This information will be considered in conjunction with Item H21201.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that the information with regard to the application for a dental surgery at Lot 191 (22) Harman Road, Sorrento be received and considered in conjunction with Item H21201.

**CARRIED**

**ART ACQUISITION - "MOTHER TURTLE DREAMING"**

Cr Freame drew Council's attention to the latest acquisition from the Art Acquisition Committee, a painting by Ronald Williams entitled "Mother Turtle Dreaming" which is on display in Council Chambers.

**PRESENTATION - POEMS AND STORIES BY JOONDALUP DISTRICT PRIMARY SCHOOL CHILDREN**

Cr Freame presented to Council a publication entitled "The Tree Was Like a Hand Writing on the Wind" - a collection of poems and stories by primary school children within the Joondalup District Education Office.

**H91208 PETITION REQUESTING CLOSURE OF WALKWAY BETWEEN STOTT WAY AND CHESSELL DRIVE, DUNCRAIG - [510-1473]**

An 8-signature petition has been received requesting the closure of the walkway connecting Stott Way and Chessell Drive, Duncraig on the grounds that it has contributed to the number of break-ins, vandalism, noise, littering and graffiti to the adjacent homes.

This petition will be referred to Town Planning Department for a report to Council.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that the petition requesting the closure of the walkway connecting Stott Way and Chessell Drive, Duncraig be received and referred to Town Planning Department for a report to Council.

**CARRIED**

**H91209    PETITION OBJECTING TO THE UNTIDY CONDITION OF  
BANYANDAH RESERVE, WANNEROO - [061-24]**

An 86-signature petition has been received from residents of Wanneroo objecting to the condition of Banyandah Reserve, Wanneroo. The residents are concerned that the untidy condition of the reserve increases the problem of tiger snakes which inhabit the reserve.

This petition will be referred to Parks Department for a report to Council.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that the petition from residents of Wanneroo objecting to the condition of Banyandah Reserve, Wanneroo be received and referred to Parks Department for a report to Council.

**CARRIED**

**H91210    PETITION OBJECTING TO THE USE OF LOT 191 (22) HARMAN  
ROAD, SORRENTO AS DENTAL SURGERY - [30/4561]**

A 117-signature petition has been received objecting to the use of the residence at Lot 191 (22) Harman Road, Sorrento being used as a dental surgery.

The petitioners submit their objection on the grounds that adequate dental services already exist in the area, the use will cause problems associated with security, traffic and parking and affect the resale value of their homes.

This petition will be considered in conjunction with Item H21201.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that the petition objecting to the use of the residence at Lot 191 (22) Harman Road, Sorrento being used as a dental surgery be received and considered in conjunction with Item H21201.

**CARRIED**

**BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS**

**ANZAC DAY CEREMONY - ex H40435, H91132**

"a report be provided to the 22 December 1993 meeting of Council detailing Council's current and future involvement in the Anzac Day ceremony arranged for schools within the City of Wanneroo"

A report will be submitted to the next meeting of Policy and Special Purposes Committee.

INSTALLATION OF SMOKE DETECTORS - ex H10633

"consideration of requiring the installation of 240 volt smoke detectors in all new buildings be deferred pending the outcome of the Australian Uniform Building Regulations Co-ordinating Council's deliberations."

This matter is currently before the Department of Local Government and when information is to hand a report will be submitted.

HEALTH (ASBESTOS) REGULATIONS 1992

"Council writes to the Asbestos Society of Western Australia requesting its views in respect of Regulation 6(d) of the Health Asbestos Regulations 1992 and a report be provided to Council on receipt of its reply."

This matter is being investigated. A report will be submitted in due course.

PROPOSED ELECTRIC FENCE: LOT 14 AVERY STREET, NEERABUP - ex H11109

"defers consideration of approval or refusal of a proposed electrified fence to be installed at Lot 14 Avery Road, Neerabup;

seeks a legal opinion from Council's Solicitors and comments from Council's insurers"

A legal opinion is being sought and a report will be submitted in due course.

ANNUAL TENDER NOS 125-130, 132, 133-91/92 - ex H10403A

Cr Major stated his intention to declared an interest in this item.

"consideration of extending tender reference 208-130-91/92 Graffiti Coating Aust Pty Ltd be deferred."

This matter is currently being investigated; a report will be submitted in due course.

GRADE SEPARATED INTERCHANGES - WANNEROO ROAD - ex G11207

"defers consideration of the need for a grade separated interchange at the Whitfords Avenue and Wanneroo Road intersection pending further discussions

with the Main Roads Department and the Department of Planning and Urban Development on this matter."

#### CITY ENGINEER'S REPORT H11202

##### DRAINAGE SUMP - LOT 7 KINGSWAY - ex H10222 and H91106

"consideration of the location of a drainage sump in Kingsway, west of Evandale Road junction be deferred."

"Council writes a letter to the owners of Lot 24 Kingsway requesting a response to this proposal."

A further approach has been made to the owner of Lot 24 Kingsway for approval to construct a temporary drainage disposal facility on his property. A report will be submitted on receipt of a response to this proposal.

##### CITY'S BUILDING AND ENGINEERING DEPARTMENTS' VIEWS ON THE PROPOSAL TO ESTABLISH A COMMUNITY MURAL ARTS PROGRAMME ON ITS BUS SHELTERS AND UNDERPASSES - ex H10535A

"submits a report comparing issues relating to using Contractors and a dedicated workforce to the September Technical Services Committee."

#### CITY ENGINEER'S REPORT H51214

##### PETITION FOR TRAFFIC TREATMENTS: LITTORINA AVENUE, HEATHRIDGE - ex H10612

"consideration of the need for traffic treatments along Littorina Avenue be deferred pending resolution of the car park location for the Eddystone Primary School and State Government assessment of a lower speed limit adjacent to school sites."

Council has approved funds in the 1993/94 Budget for the construction of a car park adjacent to Eddystone Primary School. This proposal is subject to a 50% contribution from the Ministry of Education. A report will be submitted when the concept plan and contributory funding has been approved.

##### PETITION TO PROHIBIT PARKING ON THE NORTHERN SIDE OF CREANEY DRIVE OPPOSITE CREANEY PRIMARY SCHOOL - ex H90304

"the petition from residents of Creaney Drive, requesting Council consideration of placing "No Parking" signs on the verge and roadway on the northern side of Creaney Drive, opposite Creaney Primary School be received and referred to Technical Services Committee."

An evaluation of matters relating to verge parking and access to the Creaney Primary School is still being undertaken with

the school. A report will be submitted when this evaluation is complete.

LIQUID PETROLEUM GAS CONVERSIONS FOR MUNICIPAL VEHICLES ex H10838

"a report be submitted to Technical Services Committee on the feasibility of converting the City's petrol and diesel driven vehicles to Liquid Petroleum Gas."

Detailed information is being compiled on this matter; a report will be submitted to Policy and Special Purposes Committee in due course.

SPEED HUMPS - ex - H90826

"that, in view of the possibility of injuries (particularly spinal) of ambulance patients being aggravated by travelling across "speed humps", a report be submitted to Technical Services Committee examining the ongoing installation of this form of traffic control measure."

This matter is currently being investigated with a view to a report being submitted in February 1994.

PETITION - HEPBURN HEIGHTS PUBLIC OPEN SPACE - HOLLETON TERRACE ENTRANCE - ex H10933

"the petition from residents of Holleton Terrace concerning the condition of the cul-de-sac and the entrance to Hepburn Heights public open space be received and referred to Engineering Department for a report to Council."

A meeting was held with residents of Holleton Terrace on 30 September. As any proposals impact on a Water Authority Reserve, comments are currently being sought from that Authority. A report will be presented on receipt of approval from Water Authority of Western Australia.

PETITION OBJECTING TO THE CONNECTION OF SPRINGWOOD WAY TO WOODVALE DRIVE, WOODVALE - ex H10907

"consideration of the connection of Springwood Way at Woodvale Drive be deferred pending the City Planner and City Engineer liaising with the subdivision developer, Department of Planning and Urban Development and the petitioning residents on the preferred option for the road closure."

CITY ENGINEER'S REPORT H11203

PETITION REQUESTING CONSIDERATION OF FENCING CUL DE SAC, COMO PLACE, JOONDALUP - ex H91010

"the petition requesting Council consideration of fencing off the cul de sac in Como Place, Joondalup be received and referred to Engineering Department for a report to Council."

This matter relates to the Uniform Fencing Policy which is being administered by Town Planning Department; a report will be submitted in due course.

DEPARTMENTAL HEADS' VEHICLES - ex H10936

"a report be submitted to Council on the options available to Council for the provision of Department Heads vehicles."

Detailed information is currently being compiled on this matter; a report will be submitted to Policy and Special Purposes Committee.

REHABILITATION BONDS - ex H91120

"a report be submitted to Council on the possibility of reviewing rehabilitation bonds to a level which reflects current costs."

This matter is currently being investigated. A report will be submitted in due course.

PETITION - CRIME AT BLACKALL PARK, GREENWOOD - ex H91104

"petition from residents of Greenwood outlining crime at Blackall Park, Greenwood and requesting a meeting with Council representatives, be received and referred to the Parks Department for a report to Council."

A report will be submitted following a meeting to be arranged with the concerned residents.

VANDALISM - PENNISTONE BASKETBALL COURTS - ex H91103

"the letter from Ms Tang advising of vandalism at Pennistone Basketball Courts, be received and referred to the Parks Department for a report to Council."

This matter has been handled administratively and a report is no longer required.

OLYMPIC KINGSWAY SOCCER CLUB - ex H30917

"a report be submitted to Council on the maintenance costs associated with the Olympic Kingsway Soccer Club."

This matter is currently being investigated; a report will be submitted in due course.

GRAFFITI - FORREST RESERVE, PADBURY ex H30943

"correspondence concerning graffiti problems at Forrest Reserve, Padbury be received and a report submitted to Council."

This matter has been handled administratively and may therefore be removed from the agenda.

PROPOSED REZONING OF LOTS 22-26 & 1 ELLIOT ROAD, WANNEROO - ex H20512

"consideration of proposed rezoning of Lots 22-26 and 1 Elliot Road, Wanneroo be deferred pending discussions with the Hon Minister for Planning with respect to the future of the proposed Town Planning Scheme No 21."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

PROPOSED MODIFICATION: AMENDMENT NO 595 REZONING VARIOUS LOTS, EAST ROAD AND WANNEROO ROAD, WANNEROO - ex H20522

"consideration of Proposed Modifications: Amendment No 595 Rezoning Various Lots, East Road and Wanneroo Road, Wanneroo be deferred pending discussions with the Hon Minister for Planning with respect to the future of the proposed Town Planning Scheme No 21."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

PROPOSED SUBDIVISION: LOT 2 PINJAR ROAD/FLYNN DRIVE, NEERABUP - ex 20613

"defers consideration of the proposed subdivision for Portion Lot 2 Flynn Drive/Pinjar Road, Neerabup pending agreement by the Hon Minister for Planning with respect to the principles to be included within the proposed Town Planning Scheme No 21."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

PROPOSED SUBDIVISION AND MODIFICATION TO STRUCTURE PLAN: LOTS 20, 200, 201, 202 AND 209 ELLIOT ROAD, WANNEROO - ex H20616

"defers consideration of the subdivision application submitted by Russell Taylor and William Burrell on behalf of Taylor Woodrow Pty Ltd in respect of

Lots 20, 200, 201, 202 and 209 Elliot Road, Wanneroo pending the final approval of a Local Structure Plan for South Wanneroo by both the Department of Planning and Urban Development and Council and pending agreement by the Hon Minister for Planning with respect to the principles to be included within the proposed Town Planning Scheme No 21."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

CLOSE OF ADVERTISING: AMENDMENT NO 639 REZONING LOT 500 AND PT LOT 23 WANNEROO ROAD, KINGSLEY - ex H20729

"Council defers consideration of the proposed rezoning of Lot 500 and Pt Lot 23 Wanneroo Road, Kingsley pending agreement by the Hon Minister for Planning with respect to the principles to be included within the proposed Town Planning Scheme No 21."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

SUBDIVISION OF LOT 6 COOGEE ROAD, MARIGINIUP - ex H20222

"that Council defers consideration of the application by R G Lester and Associates on behalf of V & M C Pettigrove for the subdivision of Lot 6 Coogee Road, Mariginiup pending finalisation of road alignment study within the area."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

PROPOSED REZONING OF VARIOUS LOTS - SWAN LOCATION 2540, WANGARA - ex H20828

defers consideration of the application for rezoning various lots in Swan Location 2540 Wangara from "Rural" to "Light Industrial" and "Mixed Business" pending advice from the Minister for Planning regarding the future of the proposed Town Planning Scheme No 21."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

PROPOSED SUBDIVISION, LOCATIONS 1914 AND 1803 MADELEY STREET AND QUEENSWAY ROAD, LANDSDALE - ex H20834

"defers consideration of the proposed subdivision for Portion Locations 1914 and 1803 Madeley Street/Queensway Road, Landsdale pending agreement by the Hon Minister for Planning with respect to the

principles to be included within the proposed Town Planning Scheme No 21."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

PROPOSED SUBDIVISION, LOTS 15 AND 16 AND PT LOT 17 WYATT ROAD, WANNEROO - ex H20835

"defers consideration of the subdivision application submitted by Landvision on behalf of M, G and C Monte in respect of Lots 16 and 16 and Pt Lot 17 Wyatt Road, Wanneroo pending the final approval of a local structure plan for South Wanneroo by both the Department of Planning and Urban Development and Council and pending agreement by the Hon Minister for Planning with respect to the principles to be included within the proposed Town Planning Scheme No 21."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

CONVERSION OF PUBLIC OPEN SPACE TO RESIDENTIAL USE - SOUTH-WEST WARD - ex F90345

- "1 identifies all parcels of public open space (dry parks) in Craigie, Padbury, Hillarys and Kallaroo which are too small for development for recreational purposes;
- 2 outlines the procedures necessary to convert this land from public open space for sale for residential purposes;
- 3 defines any restrictions on the use of lands funds generated by sale of this land."

A tour of inspection was held on Friday, 26 November 1993, and a report is being prepared.

PROPOSED REZONING: LOT 101 AND PORTION LOT 125 LUISINI DRIVE - ex G90586

- "1 consideration of the application for rezoning of Lot 101 and Portion Lot 125 Luisini Drive from "Rural" to "Light Industrial and Commercial" as submitted by G Lewis on behalf of Mr and Mrs A Ricciardo be deferred and referred back to Town Planning Department;
- 2 the applicant be advised that Council will consider the proposal subject to the provision of a structure plan of the total area bounded by Wanneroo Road, Ghangara Road, Hartman Drive and the existing industrial area."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

AMENDMENT NO 648 TO TOWN PLANNING SCHEME NO 1: REZONING OF LOT 300 (543) WANNEROO ROAD, WOODVALE - ex H20517

"consideration of Amendment No 648 to Town Planning Scheme No 1 be deferred pending discussions with the Hon Minister for Planning with respect to the future of the proposed Town Planning Scheme No 21."

A report is being prepared for a Special Meeting of Council on 15 December 1993.

PETITION EXPRESSING CONCERN REGARDING THE UNSIGHTLY APPEARANCE OF WRECKED CARS ON 1 FAIRLAWN GARDENS AND 1 KALGAN CLOSE, HEATHRIDGE - ex H90806

"the petition expressing concern regarding the unsightly appearance of wrecked cars on 1 Fairlawn Gardens and 1 Kalgan Close, Heathridge be received and referred to Town Planning Department."

This matter is being investigated; a report will be submitted in due course.

PROPOSED MOBILE TELEPHONE SERVICE INSTALLATION ON RESERVE 40802, HILLARYS - ex H20910

"a report be submitted to Council on the background and current trends of the excision of Council Reserves for leasing purposes and the provision of funds to maintain the reserve."

This matter was dealt with under Item H61110 and may therefore be removed from the Agenda.

HEADWORKS CHARGES - ex H10318

"a report on the headworks costs of lot development be presented to Council following the study of Eastern States cities by Council's Co-ordinator of Strategic Planning."

This matter is currently being investigated; a report will be submitted in due course.

OCEAN REEF COASTAL LAND: APPOINTMENT OF CONSULTANTS - ex H20406

"a further six monthly report on the Ocean Reef coastal land project be submitted to the October 1993 meeting of Council."

This matter is currently being investigated; a report will be submitted in due course.

PETITION OBJECTING TO THE CLOSURE OF THE WALKWAY CONNECTING  
SUPERMARKET AREA TO PROFESSIONAL CENTRE, SHEPPARD WAY, MARMION  
- ex H91009 and H91105

"the petition objecting to the closure of the walkway connecting the supermarket area to the professional centre, Sheppard Way, Marmion be received and referred to Town Planning Department for a report to Council."

This matter was dealt with under Item H91121 and may therefore be removed from the Agenda.

PROPOSED RECODING, ST MARKS DRIVE, HILLARYS - ex H21005

"that consideration of the recoding of Lots 8, 10 and 12 St Marks Drive, Hillarys be deferred pending a road volume study for the area and surrounds."

This matter is currently being investigated; a report will be submitted in due course.

PETITION OBJECTING TO THE RECODING FROM R25 TO R40 - LOTS 8,  
9, 11 AND 12 ST MARKS DRIVE, HILLARYS - ex H91130

"the petition received from residents of Hillarys objecting to the recoding from R25 to R40 - Lots 8, 9, 11 and 12 St Marks Drive, Hillarys be received and referred to Town Planning Department for a report to Council"

This matter is currently being investigated; a report will be submitted in due course.

LETTER OBJECTING TO DEVELOPMENT ADJACENT TO LOT 580 BAYPORT  
CIRCUIT, MINDARIE - ex H91023

"the letter objecting to the development taking place in the "lakes area" and green belt, adjacent to Lot 580 Bayport Circuit, Mindarie, be received and referred to Town Planning Department for a report to Council."

This matter was dealt with under Item H61109 and may therefore be removed from the Agenda.

CONSULTANCY FUNDS FOR THE PROPOSED EAST-WEST DISTRICT  
DISTRIBUTOR ROADS TRAFFIC STUDY, NEERABUP NATIONAL PARK - ex  
H20407

"consideration of consultancy funds for the proposed East-West District Distributor Roads Traffic Study, Neerabup National Park, be deferred pending

discussions between officers of the City of Wanneroo and Department of Planning and Urban Development."

This matter is being deferred pending further discussions.

RECREATION ASSOCIATIONS - PROPOSED PROJECTS - ex H41008

"that Council authorises the City Recreation and Cultural Services Manager to formally discuss with the joining Recreation Associations the intent of the "Community and Recreation Strategic Planning Review Committee" and report back to Council accordingly."

CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT H61207

TIMBERLANE PARK WOODVALE TENNIS COURTS: CONTRACT NO 31-93/94 - ex H41008

"seeks a report from the City Recreation and Cultural Services Manager on the requirement for competition standard lighting to tennis court complexes utilised by tennis clubs"

A report will be submitted to Council at its meeting on 22 December 1993.

DOG DEFECATION PROBLEMS - CITY OF WANNEROO RESERVES - ex H40506

"a report be submitted to Community Services Committee on the cost and number of adhesive health warning signs required for installation in the City's parks."

This matter is currently being investigated; a report will be submitted in due course.

PROTECTIVE CLOTHING FOR RANGERS - ex H61120A

"a report be provided to Council outlining the views of Council's rangers with respect to protective clothing during dog catching duties"

This matter is currently being investigated; a report will be submitted to Council on 22 December 1993.

APPOINTMENT OF HONORARY BEACH INSPECTORS - ex H91156

"a report be submitted to council on the possibility of Honorary Beach Inspectors being appointed from persons living within beach areas"

This matter is currently being investigated; a report will be submitted to Council on 22 December 1993.

REQUEST FOR GRANT - ABORIGINAL WOMEN AND CHILDREN'S GROUP - KOONDOOLA NEIGHBOURHOOD CENTRE INC - ex H91131

"that the letter from the Koondoola Neighbourhood Centre Inc, requesting Council consideration of donating a one-off grant to the Aboriginal Women and Children's Group be received and referred to Treasury Department for a report to Council"

This matter is receiving attention; a report will be submitted to Council at its meeting on 22 December 1993.

DONATIONS - ex H31109

"consideration of the request for financial assistance from Peter and Julie Richardson to participate in the National Softball Tournament to be held at the Mirrabooka Stadium in January 1994 be deferred and referred back to Council with the provision of further information.

TOWN CLERK'S REPORT ITEM H91223

COUNCIL EMPLOYEES' SUPERANNUATION FUND - ex H91157

"a report be submitted to Council investigating another form of investment for Council's employees and better relocation of funds regarding superannuation."

This matter is receiving attention; a report will be submitted to Council at its meeting on 22 December 1993.

**MOVED** Cr Marwick, **SECONDED** Cr Dammers that the above matters be considered in the order in which they appear in the Agenda.

**CARRIED**

**MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS**

MANAGEMENT COMMITTEES

- A GIRRAWHEEN/KOONDOOLA MANAGEMENT COMMITTEE  
Meeting held 26 October 1993
- B QUINNS ROCKS MANAGEMENT COMMITTEE  
Meeting held 2 November 1993
- C GLOUCESTER LODGE MUSEUM MANAGEMENT COMMITTEE  
Meeting held 3 November 1993
- D YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT COMMITTEE  
Meeting held 11 November 1993
- E BURNS BEACH RECREATION MANAGEMENT COMMITTEE  
Meeting held 18 November 1993

**MOVED** Cr Freame, **SECONDED** Cr Maclean that the Minutes listed at Items A to E be received.

**CARRIED**

#### ADVISORY COMMITTEES

- A YOUTH ADVISORY COMMITTEE  
Meeting held 15 November 1993
- B HISTORICAL SITES ADVISORY COMMITTEE  
Meeting held 17 November 1993
- C ART COLLECTION ADVISORY COMMITTEE  
Meeting held 25 November 1993

**MOVED** Cr Freame, **SECONDED** Cr Maclean that the Minutes listed at Items A to C be received.

**CARRIED**

#### OTHER COMMITTEES

- A GIRRAWHEEN/KOONDOOLA RECREATION ASSOCIATION  
Meeting held 26 October 1993
- B QUINNS ROCKS RECREATION ASSOCIATION  
Meeting held 2 November 1993
- C BURNS RATEPAYERS & RESIDENTS ASSOCIATION  
Meeting held 11 November 1993
- D WHITFORD RECREATION ASSOCIATION  
Meeting held 15 November 1993
- E BURNS DISTRICTS COMMUNITY RECREATION ASSOCIATION  
Meeting held 18 November 1993

**MOVED** Cr Freame, **SECONDED** Cr Maclean that the Minutes listed at Items A to E be received.

**CARRIED**

#### **PUBLIC QUESTION/COMMENT TIME OF WHICH DUE NOTICE HAS BEEN GIVEN**

##### QUESTIONS - MR TERENCE LOVE

Mr Terence Love of 92 Craigie Drive, Craigie submitted the following questions at the Council Meeting on 24 November 1993:

- Q1 Can the Council please provide details of the traffic counter surveys undertaken on and around Eddystone Avenue and Craigie Drive since 1991? The details required are where the counters were placed, when were they used and the counts that were registered.

- A1        The attached list indicates the position and date traffic counters were placed along Eddystone Avenue and Craigie Drive. The results are given as two directional vehicles per day.
- Q2        Can the Council please give details on the cost-benefit or other methods that it has used to decide to pursue proposals for traffic management on Eddystone Avenue and beyond which have effects on Craigie Drive?
- A2        Council considered the Regional Traffic implications regarding the traffic management of Eddystone Avenue. The regional significance is indicated in the MRS and the Traffic report's Load Relief Analysis (A2.4) and Operational Analysis of signalised and unsignalised intersections (A2.5).
- Q3        Can the Council please explain its position on the use of the traffic study performed by Uloth and Associates and the Council's consideration of the conclusions of the Social and Environmental Assessment undertaken by Hocking, Patman Antill Pty Ltd?
- A3        The traffic study was circulated for public comment and was discussed at a Special Electors Meeting. Council also considered requests from residents on proposals for the future planning of Eddystone Avenue.
- While Council has reiterated that the function of Eddystone Avenue is an important regional road connecting to Joondalup Drive, the manner in which this is to be implemented will require future local residents participation. The treatment of Eddystone Avenue, south of Ocean Reef Road with service roads, has been recently approved by Council.
- Q4        Can the Council explain its reasons for appearing to deviate from the "Residential Road Planning" policy document?
- A4        A principle of the Residential Road Planning Policy document is to have a road hierarchy established.

As a result of the Metropolitan Regional Scheme, Eddystone Avenue was designated as an important regional road, north of Ocean Reef Road, connecting to Joondalup Drive. This has been supported by the Road Reserves Review Report R8 of January 1991.

In view of this long term planning, the function of Eddystone Avenue is established. The treatment of the sections of Eddystone Avenue will require further consideration as previously indicated in 3.

- Q5 Can the Council explain what action can be undertaken by residents of Craigie Drive to effectively lobby for diversion of through traffic on Craigie Drive and a reduction in traffic volume, speed and noise?
- A5 Residents of Craigie Drive can participate in any traffic management of this road.
- Q6 Can the Council please explain how considerations of the financial viability of the Belridge Shopping Centre is weighted against the community implications of traffic planning in this area?
- A6 Apart from the Commercial analysis (A2.7) in the traffic report there has been no consideration of the financial viability of the Belridge Shopping Centre.

Appendix I refers

QUESTIONS - MRS AUDREY HINE

Prior to Council meeting of 24 November, the following questions were submitted by Mrs Audrey Hine. At that meeting the Town Clerk suggested that in view of the number of questions it may be more appropriate for Mrs Hine to contact the Town Clerk direct in order to arrange a meeting with relevant officers to discuss her questions and concerns. Mrs Hine has now indicated that she would prefer those questions to be answered in the Minutes.

Q1 Re: Wanneroo Times 3 August, Page 13

- (a) What did the Councillors learn or gain from paying \$5,000 to a consultant to establish an acceptable format on the Open Council Meetings?

ANSWER: Council engaged Senex Consulting to objectively analyse Council's meeting processes and performance, to compare that performance against that of the City of Stirling and the Town of Kwinana, and to assist in the establishment of an acceptable, workable format.

The recommendations of Senex Consulting were considered at Item H50814, Council meeting of 25.8.93.

- Q1 (b) Was that expense really necessary? As Stirling never employed a consultant and seem to do O.K.? Council also went to Stirling to observe.

ANSWER: Council endorsed the payment of the consultancy fee at its meeting on 28 July 1993 and would not have approved such expenditure had it not been considered necessary. Council did visit the City of Stirling to observe a Council meeting as part of its review process.

Q2 Re: Agenda 22.9.93, Page 29

(a) City Planner's Report H20921

Could the full history of Council ownership of the land and the circumstances heading up to the recommendation to sell Lots 12 and 13 Griffiths Road for a price of \$568,000 by private treaty?

ANSWER: Lots 12 and 13 having a combined area of 9.4678 hectares were created by the subdivision of Lot 1 Griffiths Road. Lot 1 itself was acquired by Council in January 1974 from Dr E Griffiths for the price of \$58,650. The funds used to purchase Lot 1 were provided by the special overdraft account for the then Town Planning Scheme No 4 (Wanneroo Townsite Scheme). Town Planning Scheme No 4 was finalised and formally revoked on 11 December 1987.

Lot 1 was outside but contiguous to the northern boundary of the Scheme area in the Rural zone. It was acquired to form part of a future industrial estate that would provide employment opportunities and services to the future residents of the Scheme area. However subsequent planning decisions relocated the industrial estate to Wangara.

Towards the end of the life of Town Planning Scheme No 4 the subdivision of Lot 1 into Lots 12 and 13 was effected and the new lots were put up for sale by public tender. However, there were no acceptable tenders received and as the land was the only remaining asset of the Scheme and it had to be realized before the Scheme could be wound up, Council resolved to acquire it by the municipal fund for the Valuer General's Office recommended value of \$153,000.

At the time of acquisition Council did not have any specific use for the land and it was intended that it would be sold when there appeared to be a demand for it.

Q2 (b) Who made the first approach? Council or Quito?  
To whom? (either way). Quito to Council.

ANSWER: The first approach was made by Quito Pty Ltd in a letter addressed to the Mayor and dated 12 February 1992.

Q2 (c) Prior to the sale of land was there an oral written or binding agreement with the City of Wanneroo for the use of the land for rural purposes only for a specified time? What time specified?

ANSWER: There was no agreement.

The letter of offer from Quito did state they were happy to enter into such an agreement.

Q2 (d) Was there a caveat placed on this land?

ANSWER: No.

Q2 (e) If not, why not?

ANSWER: Notwithstanding Quito's preparedness to enter into legal agreement and be subjected to a Caveat, it was recommended that the policy be dispensed with in this case because given the valuation advice, Council would be selling the land at a price that reflected its future urban zoning and not its current rural zoning. That being so Council would be receiving a premium on the land up front at the time of sale instead of on resubdivision or rezoning at a future date.

Other factors that were considered relevant were:

1. Council's policy states that a Caveat is to be applied to a subdivision application until the end of the 15 year period.
2. It may well be the case that the owner will never seek to rezone or subdivide and Council's policy would therefore be ineffective.
3. The land falls within an area that is identified in the North West Corridor Structure Plan as being future urban within a five to ten year time frame. In the event that the land is rezoned and the applicant applies to subdivide he would be doing so in accordance with government sponsored planning initiatives and it is questionable if Council should

seek to impose on him an additional charge for so doing when Council has already obtained the urban potential price at the time of sale.

- Q2           (f)    I thought that this was an understanding in this City, the policy was a caveat should be used, when an asset with huge potential is sold off. Is the full Council truly satisfied that this land has not been bought for speculative purposes down the track? This area is on A2 standing so I'm told. True or false?

ANSWER:       Council's policy states:

"The sale of municipal land shall be conditional upon the City being granted the right to share in any capital gains realised by the purchaser after being rezoned or resubdivided by him. The determination of the profit share to be afforded the City shall be undertaken on a case by case basis, and shall include consideration of inflation trends and other factors related to value.

The lodgement of a Caveat against the Certificate of Title shall be effected to preserve the City's interest in potential profit; such Caveat to remain in effect for a period of fifteen years."

Council is satisfied that Quito Pty Ltd are bona fide wholesale nursery operators and would use the land for the stated purpose. It is true that the land has urban potential and has been categorised as A2 for that purpose.

Q3           Ref:   Agenda 10.11.93, Page 15

- (a)       Is it time the provision of Section 266 Local Government Act you had the go ahead to sell by private treaty (Land 12 & 13).

But the office put the advert in on the 8th Oct for publication on the 12th Oct.

Legally you say 11th is the signed sealed document. But the Act says it is not legal until it appears in a local newspaper. Which is correct? (Sect. 266C)

ANSWER:       It is correct that Section 266(c) of the Local Government Act states that any approval of the Minister to the sale of land by private treaty

does not have effect until published in a newspaper circulating in the district.

The document was signed on 11 October 1993 and thereafter it remained in Council's possession until settlement was effected on 22 November 1993.

Q3 (b) Was there three (3) rescission notices given by Cr R Waters on Griffiths Road land sale?

ANSWER: Only two rescission motions were put by Councillor Waters on the Griffiths Road land sale.

Q4 Ref: Telephone call to Council prior to last Council meeting 10th November.

I asked had Quito bought the unmade pathway with their land and was it included in the deal? I was told no.

I was told I would get a copy of the boundary from Town Planner at the meeting. But it turned up on the Friday and was still the same as had been shown me before. I also reported that the path had been piled with huge amounts of earth and you couldn't pass. Now this agenda you have the path as being partly closed.

But what angers me is the deceit going on. Not only did I ring at time mentioned, but I'd written to Mr Coffey and posted a letter mentioning this on the 17.11.93. Then in the afternoon, called to library and got the present agenda. And there it all is.

ANSWER: This appears to be a statement and not a question. However, there does appear to be confusion caused by the terms used as the word pathway would have been taken within this office to mean the footpath south of the cul de sac head and not the unconstructed road reserve north of it. It was certainly never intended that any part of the pathway south of the cul de sac head would be included in the sale.

The sale of Lots 12 and 13 did not include any part of the unconstructed road reserve. The closure of that road reserve and amalgamation of part of the land therein into Lot 12 is an entirely separate matter which at that time was uncertain as to actual finalisation.

Q5 24.11.93, H21126 Why is there such a lack of communication these days?

ANSWER: It is considered that there has not been any breakdown in communication and that standard reporting procedures were being followed.

Q6 On your amendment 634, no mention in that paper work of closure of part of Griffiths Road and no dates.

ANSWER: Amendment No 634 contains no reference to the closure of this part of road reserve which is not adjacent to or relevant to the land the subject of that amendment.

Q7 Can the Town Planner if he has time explain about the amendment and the proposed development on Lot 3071.

ANSWER: Location 3071 is proposed for single residential development with a smaller pocket of special residential in the northeastern corner under the aforementioned Amendment No 634. The amendment is currently being advertised and will be kept open for public submission up to 17 December 1993.

Q8 Are deliberate obstacles being put in way of this development?

ANSWER: We are not aware of any obstacles.

Q9 When the closure was brought up at Council some time ago, I did ask some questions as to why the road should be closed and said it should not be closed. So I didn't write in, I thought people were listened to in question time.

ANSWER: Objections to road closures, development applications, rezonings and other matters the subject of public submission are to be made in writing.

Verbal objections made at Council meetings or by telephone to Council staff should be followed up in writing in order that the basis for and terms of the objection may be accurately stated and appropriately recorded.

Q10 When I rang and spoke to Mr Neale (Town Planning) on Friday afternoon, he said it's been no secret and had been published.

I thought when a road closure was to happen, a sign went up on the property. Is this wrong?

ANSWER: It is not a requirement and never has been the practice of Council to erect a sign notifying of a proposal to permanently close an unconstructed dedicated road reserve.

Q11 Suggestion please. When agendas have been made up and items do not go in, fliers go round to the Councillors. Why not do as other Councils do. Pass a copy to all the people in the gallery. We would be grateful.

ANSWER: Where practicable, late items shall be made available to the public at each Council meeting.

Q12 Question in relation to Griffiths Road again? Did the road go up on an unmade fashion up all the way to Vincent Road? I'm told it did. Before it was sold Lots 17 & 50 in 1991.

ANSWER: Griffiths Road never did extend further north than the southern boundary of Lots 17 and 50 Vincent Road.

Q13 Ref: Special Council Meeting 6.10.93

(a) Can the public be told how this Special Council came about?

(b) As I understand it, a type of rescission was put in the proper fashion by a Councillor, as soon as that was done, three Councillors stepped in and called on the Mayor to hold a Special Council meeting? Is this correct? If not, please allow the public to know the actual facts in public (full details please).

ANSWERS: (a) & (b)

Previously answered at A5, page xvi, Council Agenda 10.11.93; and again at A2, A4 and A5, page 22, Council minutes 10.11.93.

Q14 Why no mention of the chicken farm in this agenda? I believe it's a disgrace how they have been treated and jobs held up plus the production they have lost in the length of time making a good decision.

ANSWER: Council's Agenda of 22.9.93 contained no reference to a "chicken farm" as no related business required consideration by Council at that time.

#### QUESTIONS - MRS AUDREY HINE

Mrs Hine submitted the following questions for the Council meeting of 8 December 1993:

Q1 When was the official application made for the closure of the unmade part of Griffiths Road, Wanneroo. Who made that application?

ANSWER By letter dated 15 July 1993 Benara Nurseries applied for the road to be closed.

Q2 You say (last agenda) the cul-de-sac head was uncleared. Was this correct?

ANSWER Yes.

Q3 When did the "City" have someone check out this area of land?

ANSWER On or about 27th July 1993.

Q4 When were the general public ever made aware that the unmade part of Griffiths Road was never intended for pedestrian or vehicle traffic? Date please and where published.

ANSWER To my knowledge no such notification was made.

Q5 Are the present owners of 119 and 120 Canna Place the same people who were previously contacted to buy the unmade road.

ANSWER No

Q6 Why did the City not buy the strip of land in the first place if it was never intended to be of use to anyone else?

ANSWER The City was not prepared to expend funds on acquiring additional land for which it had no intended purpose.

Q7 Who presently owns that land? (Griffiths Road)

ANSWER The Crown.

Q8 When was the Department of Land Administration contacted about this present deal of sale? When did they rule on the land and the price?

ANSWER DOLA has not yet been contacted. When it is referred in accordance with the usual practice DOLA will set the purchase price.

Q9 Where did the money for the land sale on the 11th October 1993 go? Was it used in this area?

ANSWER Municipal Fund - Sale of Assets, unspecified section.

Q10 When will the Council let the public know their intention for this northern section of the town site.

ANSWER If this question relates to the residential section, the answer is that a draft structure plan is presently under consideration.

If the question relates to the shopping centre, further discussion will be needed with the landowners.

- Q11 Are there any plans in the near future to update Dundobar Road? It is in quite a bad state of repair.
- ANSWER The upgrading of Dundobar Road is not included as a specific item in the five year capital works expenditure programme.
- Q12 Yes, I did object to the closure of Griffiths Road when it came to Council some time ago. I asked what particular reason was there for closure of the road. I was not given a good reason (if any reason). Obviously I have to assume there were discussions going on in relation to the sale of land. Is this correct?
- ANSWER Discussions between the company and Senior Land Officer regarding the possible road closure commenced around 14 July 1993.
- Q13 If so, why could the public not have been told, even via our media?
- ANSWER Notification of the proposed closure inviting public comment was published in the Wanneroo Times on 3 August 1993.

#### QUESTIONS - MR VIC HARMAN

Mr Vic Harman, President of Ocean Reef Residents Association Inc submitted the following questions for Council meeting on 8 December 1993 in connection with City Planner's Report H21219 - Renaming of Iluka to "Beaumaris Beach":

- Q1 Would Council delay approval of this recommendation until residents could be advised of this request?
- A1 If it is being suggested that residents of suburbs adjoining Iluka, ie Burns, Connolly, Kinross, Currambine and Ocean Reef be informed of the proposal, this will need to be a matter for Council to resolve.
- Q2 Is Iluka an Aboriginal name?
- A2 Iluka is the Aboriginal word meaning "near the sea".
- Q3 Was the reason for the refusal to accept Beaumaris as a postal district because of the existence of Beaumaris in Victoria?
- A3 Yes.
- Q4 Would Council include the removal of the name Beaumaris from the entrance at Marmion Avenue/Hodges Drive?

- A4 This is a question for Council to consider in determining this report on tonight's agenda.
- Q5 Would Council permit the requested delay until the February 94 Council meeting or at least until the Council meeting on 22 December?
- A5 The developers of Iluka (Beaumaris Beach) estate are proposing to arrange a major opening of the estate in the new year and a delay in the decision would cost them considerable inconvenience. Again, this is a matter for Council to address as part of the report on tonight's agenda.

Cr Moloney left the Chamber at this point, the time being 7.52 pm.

#### **DECLARATIONS OF PECUNIARY INTEREST**

Cr Freame declared an interest in Item H11290.

Cr Rundle declared an interest in Item H51217.

Cr Dammers declared an interest in Item H91222

#### **BUSINESS REQUIRING ACTION** **H91211 TECHNICAL SERVICES**

**MOVED** Cr Marwick, **SECONDED** Cr Gilmore that the Technical Services Reports be received.

**CARRIED**

#### **H11201 1993/94 URBAN ARTERIAL ROAD PROGRAMME - [540-0-3]**

##### **CITY ENGINEER'S REPORT H11201**

Council was advised at its November 1992 meeting (Item G11108 refers) that, as part of the ongoing review of Urban Arterial Road Funds, a new Steering Committee and Working Party had been formed to review the method of distribution for the 1993/94 Pool.

The objective of this review was to evaluate the methods and administration of Urban Arterial Road Funds and to suggest improvements where necessary.

The Working Party met four times and after considerable debate presented their report to the Hon Minister for Transport.

The City Engineer reports on the major changes from the 1992/93 Urban Arterial Programme which includes the distribution of rehabilitation projects and a split of Urban

Pool funds of 50% to improvement projects and 50% to rehabilitation projects.

He advises that Council's submission for the duplication of Marmion Avenue from Ocean Reef Road to Prendiville Avenue has been approved as part of the 1993/94 Urban Arterial Road Programme.

A submission to the Main Roads WA for rehabilitation funding to reconstruct and widen Gngangara Road from Alexander Drive to the City's boundary has been approved. \$80,000 will be required from Council's own sources as no funding for this project has been allowed in the budget.

#### **ADDITIONAL INFORMATION**

The City Engineer further advised that in Report H11201 an amount of \$17,000 was omitted from Item 3 of the Recommendation.

Also the amount quoted under Account No 33123 should read "\$29,890".

**MOVED** Cr Freame, **SECONDED** Cr Marwick that Council:

- 1 reconstructs and widens Gngangara Road, between Alexander Drive and the City's eastern boundary, with funding of \$160,000 from the 1993/94 Urban Arterial Road Programme and \$80,000 from Council sources;
- 2 allocates the special road grant of \$32,486 approved by the Hon Minister for Transport from the Transport Trust Fund and Vehicle License Fees to the Gngangara Road reconstruction and widening project;
- 3 authorises, in accordance with Section 547(12) of the Local Government Act, reallocation of funds from the following projects to the Gngangara Road reconstruction and widening project:

	<u>Account No</u>	<u>Location</u>	<u>Amount</u>
	34157	Ocean Reef Road/Venturi Drive Drainage	
\$17,000			
	33123	Flynn Drive Industrial Area	
\$29,890			

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**H11202 GRADE SEPARATED INTERCHANGE - WANNEROO ROAD AND  
WHITFORDS AVENUE - [510-1900, 510-3000]**

**CITY ENGINEER'S REPORT H11202**

In December 1992 Council considered a report on preliminary designs for grade separated interchanges along Wanneroo Road at Hepburn Avenue, Ocean Reef Road, Burns Beach Road and Whitfords Avenue. These proposed interchanges at the major intersections with Wanneroo Road were supported, except for the Whitfords Avenue proposal which required further assessment, particularly in regard to Gngangara Road being realigned to a four way intersection with Whitfords Avenue (Item G11207 refers).

Accordingly, Council deferred consideration of the need for a grade separated interchange at the Whitfords Avenue and Wanneroo Road intersection, pending further discussions with the Main Roads WA (MRWA) and the Department of Planning and Urban Development (DPUD).

The City Engineer reports on a review of the traffic forecast for 2036 by MRWA which indicates that the Wanneroo Road and Whitford Avenue four way intersection would require grade separation.

He advises that at DPUD's request, the land protection plans for this interchange with ramps on the north-west and south-east quadrants has been submitted for inclusion in the proposed East Wanneroo Major MRS Amendment.

**MOVED** Cr Rundle, **SECONDED** Cr Freame that Council concurs to the Main Roads WA carriageway and land protection plans for the grade separated interchange at Whitfords Avenue and Wanneroo Road on the north-west and south-east quadrants.

**CARRIED**

**H11203 PROPOSED CLOSURE - SPRINGWOOD WAY, WOODVALE - [510-1951]**

#### **CITY ENGINEER'S REPORT H11203**

In September, Council considered a multi-signature petition from Springwood Way residents requesting the reconsideration of the proposed subdivisional connection of this street to Woodvale Drive, Woodvale (Item H10907 refers).

The City Engineer provides details of the options for closure at Woodvale Drive or Duffy Terrace which were referred to the residents for comment.

The overall preference by residents, the developer and the Department of Planning Urban Development was for the closure at Duffy Terrace.

The City Engineer advises that as this section of Springwood Way is connected to Duffy Terrace, the proposed closure will require the Minister's approval in accordance with Section 331B of the Local Government Act.

**MOVED** Cr Gilmore, **SECONDED** Cr Marwick that Council initiates the closure of Springwood Way at Duffy Terrace, Woodvale to vehicular traffic in accordance with Section 331B of the Local Government Act and advertises its intention.

**CARRIED**

**H11204 PLANT AND VEHICLE ADDITIONAL PURCHASES PROGRAMME - TENDER NUMBERS - 034 AND 040-93/94 - [208-6]**

**CITY ENGINEER'S REPORT H11204**

Tenders have been called for the supply of additional vehicles and plant.

The City Engineer reports on the tender submissions received.

**MOVED** Cr Dammers, **SECONDED** Cr Marwick that Council accepts the following tenders as outlined in Attachment 1 to Report H11204:

<u>Tender No</u>	<u>Company</u>	<u>Price</u>
034-93/94	Skipper Trucks	\$183,074.00
040-93/94	Wanneroo Mitsubishi	\$ 18,499.00

**CARRIED**

Appendix II refers

**H11205 TENDER NO 42-93/94 - SUPPLY, INSTALLATION AND COMMISSIONING OF AN AUTOMATIC RETICULATION SYSTEM AT ADDISON PARK, MERRIWA AND TIMBERLANE PARK, WOODVALE. - [208-8]**

**CITY ENGINEER'S REPORT H11205**

Tenders have been called for the supply and installation of an automatic reticulation system at Liddell Park, Merriwa and Timberlane Park, Woodvale.

The City Parks Manager reports on the tender submissions received.

**MOVED** Cr Waters, **SECONDED** Cr Rundle that Council:

- 1 accepts the tender of \$111,040 as submitted by Hugall and Hoile, utilising Toro S10 Sprinklers, for the supply, installation and commissioning of an automatic reticulation system at Addison Park, Merriwa and Timberlane Park, Woodvale;
- 2 authorises signing of the tender documents.

**CARRIED**

**H11206 BUILDING REGULATIONS 1993 - AMENDMENTS: PRIVATE  
SWIMMING POOL FENCING PROVISIONS - [210-8]**

**CITY BUILDING SURVEYOR'S REPORT H11206**

Part 10 of the Building Regulations 1992, regulating fences for private swimming pools has been amended by the Government with the specific intention of removing the requirements to isolate the pool from the nearby house or other buildings. The Regulations are intended to restrict the access of children to swimming pools. The amendments were published in the Government Gazette on 12 November 1993.

The Acting City Building Surveyor reports on the intent of the legislation and Council's responsibilities under the Local Government Act.

**MOVED** Cr Gilmore, **SECONDED** Cr Freame that Council delegates authority to the City Building Surveyor to approve or refuse non standard private swimming pool enclosures, subject to the non standard fence being of an equal or better safety standard.

**CARRIED**

**H11207 MULLALOO SURF LIFE SAVING CLUB: ALTERATIONS TO CLUB  
LOUNGE - [313-5-1]**

**CITY BUILDING SURVEYOR'S REPORT H11207**

The Hon Secretary of the Mullaloo Surf Life Saving Club is seeking Council permission to re-locate the Club's bar function from the existing kitchen to the existing office.

The Club will meet all costs associated with the alterations.

The City Building Surveyor provides details of the considerable modifications which will be required to satisfactorily relocate the bar.

**MOVED** Cr Dammers, **SECONDED** Cr Cooper that Council agrees in principle to the relocation of bar and office at the Mullaloo Surf Life Saving Club, subject to:

- 1 the submission of detailed plans showing the full extent of proposed work;
- 2 all work proposed offering no interference to the suspended concrete floor slab;
- 3 all work proposed complying with the requirements of the City Building Surveyor, the Building Code of Australia, the Health Act, Public Buildings

Regulations and the requirements of the Licensing Court;

- 4 all work proposed not detrimentally affecting the appearance of the building;
- 5 the Club applying for and gaining and undertaking all works necessary for a reclassification of the caretakers flat to an office;
- 6 the Club applying for and gaining and undertaking all works necessary for a building licence;
- 7 the Club providing all funds necessary to meet the above conditions.

**CARRIED**

**H11208 PROPOSED RETAINING WALL: LOT 152 (40) GREYGUM CRESCENT, QUINNS ROCKS - [538/152/40]**

**CITY BUILDING SURVEYOR'S REPORT H11208**

The owners of Lot 152 (40) Greygum Crescent, Quinns Rocks are seeking Council approval to construct a retaining wall in excess of 2000 in height to support the rear and right hand rear corner of their dwelling.

Letters supporting this request have been received from both adjoining owners.

**MOVED** Cr Waters, **SECONDED** Cr Rundle that Council approves the proposed retaining walls at Lot 152 (40) Greygum Crescent, Quinns Rocks to be constructed to a height of 2800.

**CARRIED**

**H11209 TOILET CHANGEROOM BUILDINGS ON MIRROR PARK, LEXCEN PARK, PRINCE REGENT PARK, ALDERSEA PARK AND BLACKMORE PARK RESERVES - [208-032-93/94]**

**CITY BUILDING SURVEYOR'S REPORT H11209**

Tenders have been called as one contract for the construction of toilet changeroom buildings on Mirror Park, Lexcen Park, Prince Regent Park, Aldersea Park and Blackmore Park.

The City Building Surveyor reports on the tender submissions received.

Cr Moloney entered the Room at this point, the time being 8.02pm.

Cr Freame declared an interest in this item.

**MOVED** Cr Marwick, **SECONDED** Cr Waters that Council:

- 1 accepts the tender sum of \$319,950.00 from Mike Lynch Construction for the toilet changeroom buildings on Mirror Park, Lexcen Park, Prince Regent Park, Aldersea Park and Blackmore Park Reserves;
- 2 agrees to the signing of the contract documents.

**CARRIED**

Cr Freame abstained from voting.

**H91212 TOWN PLANNING**

**MOVED** Cr Dammers, **SECONDED** Cr Marwick that the Town Planning Reports be received.

**CARRIED**

**H21201 PROPOSED MEDICAL CONSULTING ROOMS - LOT 191 (22)  
HARMAN ROAD, SORRENTO - [30/4561]**

**CITY PLANNER'S REPORT H21201**

Dr J Moran seeks Council approval to develop medical consulting rooms on Lot 191 (22) Harman Road, Sorrento.

The City Planner reports on the background relating to the subject land and gives details of the proposal.

In the assessment of the application he addresses Council's policy in respect to consulting rooms and advises that the proposed medical consulting rooms is in the vicinity of but neither adjacent nor directly opposite a shopping centre. He considers it reasonable for Council to approve the application.

**RECOMMENDATION**

That Council:

- 1 approves the application submitted by Sandover Architects on behalf of Mr J Moran/C Fallon for medical consulting rooms on Lot 191 (22) Harman Road, Sorrento subject to:
- (a) the detailed design being to the satisfaction of the City Planner;
  - (b) only one practitioner consulting at the premises at any one time;
  - (c) six (6) car parking bays being provided;
  - (d) satisfactory landscaping to maintain the streetscape and amenity of neighbouring properties where reduced set backs apply;

- 2           exercises its discretion under Clause 5.9 of Town  
Planning Scheme No 1 to reduce the normal scheme  
standards applicable to consulting rooms in this case.

### **ADDITIONAL INFORMATION**

The advertising period for the above proposal closed on 7 December 1993. Since the preparation of the report a number of additional submissions have been received.

As stated in Report H21201, 9 signatures of support have been received, however, two of these signatures have also submitted an objection through the petition received by Council.

The total number of objections received include 16 written letters and 1 petition with 117 signatures. The objections in the petition are based on the following points:

- 1           adequate dental services already exist in the area;
- 2           dental surgery should not be housed in a residential property;
- 3           added security problems for the area;
- 4           increased traffic to Harman Road;
- 5           parking problems will create traffic hazard; and
- 6           resale value of surrounding properties will be lowered.

Additional concerns raised through the letters of objection are:

1.           the traffic volumes on nearby residential streets, such as Albacore Drive, will increase and result in a decrease in the safety levels of these roads;
2.           suitable commercial premises are available in the centre on the southern side of Harman Road;
3.           approval will adversely affect the amenity and value of the surrounding residential area;
4.           parking for the surgery will create a traffic hazard should the number of cars exceed the 7 bays planned for staff and clients;
5.           the block is required to be 800m<sup>2</sup> under the provisions of Council's Town Planning Scheme yet Lot 191 is only 770m<sup>2</sup>;

6. Harman Road currently carries a large amount of traffic, without adding to it through the approval of a dental surgery;
7. the dentist proposes to place an advertising light in front of the house and this will create visual pollution, adverse lighting and be a target for vandals;
8. the footpath used by students from Sorrento Primary and Duncraig High School is located near the surgery and would decrease the safety of the footpath;
9. the backyard of the adjoining property will be adversely affected through noise from the car park;
10. the subject site does not provide a buffer between itself and adjoining residential areas;

A number of the written objections have requested that their letters be available for the Mayor and Councillors to consider and be informed of their objections. It is advised that the letters are available should Councillors wish to read them.

Despite the number of objections it is not considered appropriate to alter the recommendation, other than for Council to note the submissions received, as the proposal is in accordance with the proposed revised policy for Medical Consulting Rooms in residential areas.

#### **RECOMMENDATION:**

THAT Council

1. notes the submissions received during the advertising;
2. approves the application submitted by Sandover Architects on behalf of Mr J Moran/C Fallon for medical consulting rooms on Lot 191 Harman Road, Sorrento subject to:
  - a) the detailed design being to the satisfaction of the City Planner;
  - b) only one practitioner consulting at the premises at any one time;
  - c) six (6) car parking bays being provided;
  - d) satisfactory landscaping to maintain the streetscape and amenity of neighbouring properties where reduced set backs apply;

3. exercises its discretion and Clause 5.9 of Town Planning Scheme No 1 to reduce the normal scheme standards applicable to consulting rooms in this case.

The City Planner further advised that following the close of advertising additional submissions were received, including one petition of 99 signatures in support, and one withdrawal of objection.

**MOVED** Cr Rundle, **SECONDED** Cr MacLean that:

- 1 CITY PLANNER'S REPORT H21201 AND MEMORANDUM be received;
- 2 Council:
- (a) notes the submissions received during the advertising;
  - (b) approves the application submitted by Sandover Architects on behalf of Mr J Moran/C Fallon for medical consulting rooms on Lot 191 Harman Road, Sorrento subject to:
    - (i) the detailed design being to the satisfaction of the City Planner;
    - (ii) only one practitioner consulting at the premises at any one time;
    - (iii) six (6) car parking bays being provided;
    - (iv) satisfactory landscaping to maintain the streetscape and amenity of neighbouring properties where reduced set backs apply;
    - (v) signage and lighting complying with the requirements of the City Building Surveyor;
  - (c) exercises its discretion and Clause 5.9 of Town Planning Scheme No 1 to reduce the normal scheme standards applicable to consulting rooms in this case.

**CARRIED**

**H21202 PROPOSED CHILD CARE CENTRE ON LOTS 109 & 110 HIGHCLERE BOULEVARD/BANNERMAN COURT, MARANGAROO - [30/4013]**

**CITY PLANNER'S REPORT H21202**

Taylor & Binet Architects on behalf of Enderby Holdings WA Pty Ltd seek Council approval to develop a Child Care Centre on

Lots 109 and 110 corner Highclere Boulevard and Marangaroo Drive, Marangaroo.

The City Planner reports on the background relating to the subject land and gives details of the proposal.

He gives reasons why he does not support this type of development in a predominantly residential area.

**MOVED** Cr Dammers, **SECONDED** Cr Wood that Council refuses the application for a Child Care Centre on Lots 109 (4) Highclere Boulevard and 110 (21) Bannerman Court, Marangaroo as submitted by Taylor and Binet Architects on behalf of Enderby Holdings WA Pty Ltd for the following reasons:

- 1 traffic generation from this development will cause significant conflicts at a major intersection;
- 2 potential detrimental effect on the amenity of surrounding residents.

**CARRIED**

**H21203 PROPOSED USE APPROVAL FOR SALE OF VENISON : LOT 155 (583) ALEXANDER DRIVE, LANDSDALE - [30/2317]**

**CITY PLANNER'S REPORT H21203**

G E Dunjey is seeking use approval for the sale of venison from Lot 155 (583) Alexander Drive, Landsdale.

The City Planner reports on the background relating to the subject and gives details of the proposal.

He advises that it would be inappropriate for Council to approve the proposal as the use being proposed would constitute a Retail Outlet which is contrary to the provisions of the Rural Zone in Town Planning Scheme No 1.

**RECOMMENDATION**

That Council refuses the proposed use approval for the sale of venison on Lot 155 (583) Alexander Drive, Landsdale submitted by Mr G E Dunjey for the following reasons:

- 1 the proposed use is contrary to the provisions of the Rural zone in Town Planning Scheme No 1;
- 2 insufficient information and plans were provided for a full assessment of the use;
- 3 approval of the use could set a precedent for the establishment of additional retail outlets in the Rural Zone.

**MOVED** Cr Dammers, **SECONDED** Cr Gilmore that:

1 CITY PLANNER'S REPORT H21203 be received;

2 Council:

(a) refuses the proposed use approval for the sale of venison on Lot 155 (583) Alexander Drive, Landsdale submitted by Mr G E Dunjey for the following reasons:

(i) the proposed use is contrary to the provisions of the Rural zone in Town Planning Scheme No 1;

(ii) insufficient information and plans were provided for a full assessment of the use;

(iii) approval of the use could set a precedent for the establishment of additional retail outlets in the Rural Zone;

(b) instructs the applicant to cease the retail sale of venison from Lot 155 (583) Alexander Drive, Landsdale immediately.

**CARRIED**

**H21204 PROPOSED ADDITIONS TO GLENGARRY HOSPITAL LOT 412 (53) ARNISDALE ROAD, DUNCRAIG - [30/431]**

**CITY PLANNER'S REPORT H21204**

Hadassah Pty Ltd on behalf of Silver Thomas Hanley Architects seeks Council approval to construct a second storey extension to Glengarry Hospital on Lot 412 (53) Arnisdale Road, Duncraig.

The City Planner reports on the background relating to the subject and gives details of the proposal.

As the proposed additions are to be used for staff amenity facilities and no additional car parking bays are required, this application may be supported.

**MOVED** Cr Rundle, **SECONDED** Cr Dammers that Council approves the application submitted by Silver Thomas Hanley on behalf of Hadassah Pty Limited for additions to Glengarry Hospital on Lot 412 (53) Arnisdale Road, Duncraig subject to standard and appropriate development conditions.

**CARRIED**

**H21205 REDUCED SIDE SETBACK FOR TWO GROUPED DWELLING**  
**APPLICATION ON LOT 221 NILSEN RIDGE, CLARKSON -**  
**[30/4428]**

**CITY PLANNER'S REPORT H21205**

In August 1993 the City's Town Planning Department approved a two grouped dwelling application for Lot 221 Nilsen Ridge, Clarkson as submitted by Fur Holdings.

The City Planner reports on the background relating to the subject site and advises that the owner has now applied for individual strata titles for the two units which has revealed that the actual buildings are not located on the site in accordance with the Town Planning and Building approvals.

Considering the building has already been constructed and the discrepancies in the setback requirements are minimal, it is recommended that Council approves the reduced setbacks.

**MOVED** Cr Marwick, **SECONDED** Cr Waters that Council exercises its discretion under Clause 5.9 of its Town Planning Scheme No 1 and allows a reduction in the side setback requirement for the two grouped dwelling on Lot 221 Nilson Ridge, Clarkson as outlined in Report H21205 and attachments thereto.

**CARRIED**

Appendix III refers.

**H21206 PROPOSED TWO GROUPED DWELLING: LOT 177 RALEIGH ROAD,**  
**SORRENTO - [30/3850]**

**CITY PLANNER'S REPORT H21206**

Webb & Brown-Neaves Pty Ltd on behalf of L & C Tonicich is seeking Council approval to develop an additional dwelling unit on Lot 177 Raleigh Road, Sorrento.

The City Planner provides background details to the proposal which was approved originally on 17 December 1991 but was not acted upon within the two year period. One unsolicited objection was received.

He advises that the original proposed development conformed to the requirements of the Residential Planning Codes.

**MOVED** Cr Rundle, **SECONDED** Cr Freame that Council approves the application submitted by Webb and Brown-Neaves on behalf of L and C Tonicich for an additional unit (two grouped dwellings) on Lot 177 Raleigh Road, Sorrento subject to standard and appropriate development conditions.

**CARRIED**

**H21207   PROPOSED GROUPED DWELLING AND AGED PERSONS DWELLING  
ADDITIONS TO LOT 701 (13) TAYLOR WAY, HILLARYS -  
[30/4470]**

**CITY PLANNER'S REPORT H21207**

Overman Zuideveld Pty Ltd is seeking reconsideration by Council of its application for one grouped dwelling and one aged persons dwelling additional to existing residence on Lot 701 (13) Taylor Way, Hillarys.

The City Planner reports on the background relating to the subject and the reasons for refusal of the application.

He advises that although the applicant has addressed some of the concerns of Council, the development does not comply with density provisions of the R-Codes and should not be supported.

**MOVED** Cr Freame, **SECONDED** Cr Rundle that Council refuses the application submitted by Overman Zuideveld Pty Ltd on behalf of C and R Davidson for the addition of one grouped dwelling and one aged persons dwelling on Lot 701 (13) Taylor Way, Hillarys for the following reasons:

- 1        the application does not provide sufficient assurance as to the long term use and management of the unit for aged persons;
- 2        Council is not prepared to accept this proposal as being suitable for it to use its discretion to allow the density bonus requested;
- 3        without a density bonus this proposal does not comply with the requirements of the Residential Planning Codes for the R20 area.

**CARRIED**

**H21208   PROPOSED THREE GROUPED DWELLINGS : LOT 679 (15)  
BREDGAR WAY, MARANGAROO - [30/3613]**

**CITY PLANNER'S REPORT H21208**

Mr Ingo Hagemann is seeking Council approval to develop Lot 679 (15) Bredgar Way, Marangaroo with three grouped dwellings.

The City Planner reports on the proposal and advises a previous application for a similar development was approved by the Development Assessment Unit in January 1991, valid for a period of 24 months. Development did not commence in this period.

**MOVED** Cr Gilmore, **SECONDED** Cr Rundle that, in the light of the approval granted on 29 January 1991, Council exercises its discretion under Clause 5.9 of Town Planning Scheme No 1 and

approves the application submitted by Mr I Hagemann for three grouped dwellings on Lot 679 (15) Bredgar Way, Marangaroo, subject to standard and appropriate conditions.

**CARRIED**

**H21209 DEDICATION OF PART OF CHARONIA ROAD, MULLALOO - [510-1836]**

**CITY PLANNER'S REPORT H21209**

A portion of Charonia Road, Mullaloo remains in private ownership although the road has been constructed and is in public use.

The City Planner reports on the background relating to the subject and advises that the owners of the land, Millie Nominees Pty Ltd have agreed in writing to the resumption without entitlement to compensation, subject to Council meeting costs of implementing the resumption.

**MOVED** Cr Marwick, **SECONDED** Cr Cooper that Council indemnifies the Minister for Lands against all costs attached to the resumption from Millie Nominees Pty Limited of approximately 420m<sup>2</sup> from Swan Location 1370 and requests the Hon Minister to dedicate the land as a public road pursuant to Section 228 of the Local Government Act.

**CARRIED**

**H21210 REQUEST FOR RELAXATION, LOT 689 (8) URAWA ROAD, DUNCRAIG - [30/4552]**

**CITY PLANNER'S REPORT H21210**

Mr Richard Lester has applied to Council for a group dwelling requesting a relaxation on Lot 689 (8) Urawa Road, Duncraig.

The City Planner reports that the subject land is 893m<sup>2</sup> inclusive of truncation.

He advises that under the Residential Planning Codes land in this code area can be developed for two units (duplex) if it has an area of 450m<sup>2</sup> per unit.

The City Planner does not support the relaxing of these rules in this instance as there are no doubt many owners of similar sized lots who would like to construct an additional unit.

**RECOMMENDATION**

That Council advises Mr R Lester that it is not prepared to exercise its discretion under its Town Planning Scheme to allow the development of two units of group housing on Lot 689 (8) Urawa Road, Duncraig.

**MOVED** Cr Rundle, **SECONDED** Cr Freame that:

- 1 CITY PLANNER'S REPORT H21210 be received;
- 2 City Planner's Recommendation **NOT BE ADOPTED** - Item H21210A refers.

**CARRIED**

**H21210A REQUEST FOR RELAXATION, LOT 689 (8) URAWA ROAD, DUNCRAIG - [30/4552]**

**MOVED** Cr Rundle, **SECONDED** Cr Freame that Council exercises its discretion under Town Planning Scheme No 1 to allow the development of two units of group housing on Lot 689 (8) Urawa Road, Duncraig subject to standard and appropriate development conditions.

**CARRIED**

**H21211 DIVIDING FENCE CLAIM : LOT 10 AYLESFORD DRIVE, MARANGAROO - [1936/10/76]**

**CITY PLANNER'S REPORT H21211**

The City owns Lot 10 (76) Aylesford Drive, Marangaroo in its capacity as the authority responsible for Town Planning Scheme No 7A. The owner of Lot 94 has made a claim against the City for a contribution of \$525 as half the cost of 1800mm Hardiflex fence on the common boundary.

The City Planner reports on legal advice sought on the matter which suggests that the City is not exempt from the operation of the Dividing Fences Act.

**MOVED** Cr Cooper, **SECONDED** Cr Dammers that Council authorises payment of \$525.00 to Mr G Gobby for the half cost of a dividing fence between Lots 10 and 94 Aylesford Drive, Marangaroo to be paid from Town Planning Scheme No 7A Part B Special Overdraft Account.

**CARRIED**

**H21212 SOUTH WANNEROO LOCAL STRUCTURE PLAN - [290-8]**

**CITY PLANNER'S REPORT H21212**

In December 1992 Council resolved inter alia to adopt the Draft South Wanneroo Local Structure Plan and referred it to the Department of Planning and Urban Development as the approved local structure plan for the area.

The City Planner reports that the Department of Planning and Urban Development has considered the plan and has resolved to require several modifications prior to it being adopted.

He outlines the main items of concern and suggests that the modified structure plan be advertised for a period of 14 days amongst the landowners directly affected by the changes.

**MOVED** Cr Dammers, **SECONDED** Cr Cooper that Council:

- 1       advertises the modified structure plan for a period of 14 days amongst the landowners directly affected by the modifications identified by the Department of Planning and Urban Development;
- 2       subject to no adverse comments being received, endorses the modified South Wanneroo Local Structure Plan and refers it to the Department of Planning and Urban Development for its final adoption as the approved local structure plan.

**CARRIED**

**H21213   PROPOSED SUBDIVISION OF LOT 4 PRIEST ROAD, LANDSDALE - [740-91003]**

**CITY PLANNER'S REPORT H21213**

Feilman Planning Consultants on behalf of T & M Priets are seeking Council approval for a residential subdivision of Lot 4 Priest Road, Landsdale.

The City Planner reports that the subject lot abuts a portion of Gngara Road which is currently proposed for realignment and widening to form part of Ocean Reef Road extension. Details for the proposed widening are yet to be finalised with the Department of Planning and Urban Development, therefore, support for the proposed subdivision cannot be given until the location for the widening of Gngara Road is determined.

**MOVED** Cr Dammers, **SECONDED** Cr Marwick that Council defers the application submitted by Feilman Planning Consultants on behalf of T & M Priets for the subdivision of Lot 4 Priest Road, Landsdale pending a resolution of the Gngara Road widening and the future direction of proposed Town Planning Scheme No 21.

**CARRIED**

**H21214   PROPOSED SUBDIVISION, LOT 118 (52) CANNA PLACE, WANNEROO - [740-90927]**

**CITY PLANNER'S REPORT H21214**

Urban Focus on behalf of S S & M Elias seeks Council approval for the subdivision of Lot 118 (52) Canna Place, Wanneroo. Lot 118 is located within the Garden Park Special Rural Zone (No 3).

The City Planner reports on the background relating to the subject site and gives details of the proposal.

He gives an assessment of the proposal and advises that the application does not comply with the "Development Guide Map".

**MOVED** Cr Dammers, **SECONDED** Cr Rundle that Council does not support the application submitted by Urban Focus on behalf of S S and M Elias for the subdivision of Lot 118 (52) Canna Place, Wanneroo for the following reasons:

- 1 the subdivision is contrary to the Special Provisions for this zone which prescribes an average lot size being not less than 1.5 hectares and all subdivision being carried out in accordance with the "Development Guide Plan";
- 2 support for this proposal would result in an undesirable precedent being set for the further fragmentation of lots in the area, contrary to Town Planning Scheme provisions.

**CARRIED**

**H21215 TOWN PLANNING SCHEME NO 7A MARANGAROO - COMPENSATION FOR LAND ACQUISITION, BARIN & WYNADEN SYNDICATE - [780-7A]**

**CITY PLANNER'S REPORT H21215**

The City Planner reports on the payment of a sum of compensation to close the outstanding matter in the administration of Part B of Town Planning Scheme No 7A in Marangaroo.

He provides background details relating to the subject and advises of the failure to agree a settlement for compensation with the land owners Barin & Wynaden Syndicate.

Advice was sought from Council's solicitors and an independent valuation of the land in question carried out. McLeod & Co recommend that Council makes an immediate payment of \$190,000.

**RECOMMENDATION**

That Council authorises payment of an amount of \$190,000 to Setiawin Barin and Harry Christopher Wynaden from Town Planning Scheme No 7A Part B Special Overdraft Account in compensation for land resumed from them for the purpose of that Scheme.

**MOVED** Cr Cooper, **SECONDED** Cr Rundle that consideration of payment of compensation to Setiawin Barin and Harry Christopher Wynaden from Town Planning Scheme No 7A Part B

Special Overdraft Account in compensation for land resumed from them for the purpose of that Scheme be held behind closed doors.

CARRIED

**H21216 LOCAL TOWN PLANNING SCHEME AMENDMENT NO 566, LOT 10  
MARMION AVENUE, JINDALEE - [790-566]**

**CITY PLANNER'S REPORT H21216**

The City Planner reports on proposed changes in the local structure plan and design for Lot 10 Marmion Avenue Jindalee which will require Amendment No 566 to Town Planning Scheme No 1.

He provides an assessment of the changes in relation to higher residential densities, modification to internal roads and minor changes to the location of the Neighbourhood Centre which he considers to be satisfactory.

**MOVED** Cr Cooper, **SECONDED** Cr Dammers that Council:

- 1 modifies Amendment No 566 to Town Planning Scheme No 1 in accordance with the amended Local Structure Plan (dated August 1993) submitted by Chapman Glendinning and Associates shown as Attachment 3 of the City Planner's Report No H21216 to:
  - (a) shift the location of the proposed Commercial, Special Zone (Restricted Use) Medical Centre, Special Zone (Restricted Use) Church, Service Station and Civic zones in the Scheme Amendment Map slightly to the south to the extent shown on the amended Plan;
  - (b) include in the proposed Residential Density Code Map Amendment documents, the proposed R40 and R60 residential areas adjacent to the proposed Regional Beach site as shown in the modified Plan;
  - (c) include on the Amendment Map all land west of the proposed coastal roadway as shown on the modified Plan within the proposed Parks and Recreation Reserve;
- 2 delegates authority to the City Planner to undertake the consequential amendments to the Scheme Amendment text necessitated by 1 above;
- 3 finally adopts Amendment No 566 to Town Planning Scheme No 1;
- 4 authorises affixation of the Common Seal to, and signing of, the amending documents;

- 5 approves the modified local structure plan for Lot 10 Jindalee prepared by Chapman Glendinning and Associates and which is shown on Attachment 3 of Report H21216, subject to the following matters being resolved at the detailed subdivision stage:
- (a) detailed engineering assessment of the local structure plan, in particular road design in the R40 and R60 residential density areas adjacent to the regional beach;
  - (b) recommended changes in the road design which may emanate from the Quinns/Alkimos Traffic Study currently being prepared by Ove Arup & Partners being given strong consideration of and where considered appropriate by officers of the Department of Planning and Urban Development and Council, included in the subdivision design;
  - (c) the preparation of a Foreshore Management Plan for the beach and foreshore reserve adjacent to Lot 10 Jindalee.

**CARRIED**

Appendix IV refers.

**H21217 CLOSE OF ADVERTISING : AMENDMENT NO 592, LOTS 5, 7, 53 AND PT LOC 3144 ADAMS ROAD, MARIGINIUP - [790-592]**

**CITY PLANNER'S REPORT H21217**

The City Planner reports on Amendment No 592 which was initiated by Council to rezone Lots 5, 7, 53 and Pt Loc 3144 Adams Road, Mariginiup from "Rural" to "Special Rural".

Advertising of Amendment 592 closed on 12 November 1993 and one submission was received from the Water Authority opposing the rezoning.

The City Planner advises that final approval will not be granted until the Interim Rural Strategy Plan, detailed Structure Plan and revised Special Rural Zone proposal are acceptable to all State Government Authorities.

**MOVED** Cr Dammers, **SECONDED** Cr Marwick that Council:

- 1 reaffirms its previous resolution that prior to considering granting final approval to Amendment No 592, it will require:
- (a) an Interim Rural Strategy Plan for the area bounded by Neaves Road, Pinjar Road, Caporn

Street, Rousset Road, Townsend Road and the State Forest;

- (b) a more detailed Structure Plan for the area bounded by Neaves Road, Adams Road, the proposed major north-south road, Rousset Road (southern end), Townsend Road, the State Forest and the western boundary of the Meadowlands Special Rural Zone;
- (c) a revised detailed Special Rural Zone proposal for the subject land which accords with the outcome of (a) and (b) above;

- 2 forwards to Feilman Planning Consultants the submission received from the Water Authority of WA.

**CARRIED**

**H21218 CLOSE OF ADVERTISING: AMENDMENT NO 656 -  
RATIONALISATION OF GROUP HOUSING SITES, WHITFORDS  
BEACH ESTATE, HILLARYS - [790-656]**

**CITY PLANNER'S REPORT H21218**

Feilman Planning Consultants on behalf of Whitfords Beach Pty Ltd has requested a rationalisation of group housing sites by deleting six existing R40 sites in Pt M1362 Whitfords Avenue, Hillarys and recoding four new R40 sites from R20 in Whitfords Avenue/Waterston Gardens, Hillarys.

Council in support of the application initiated Amendment No 656 for the rationalisation of group housing sites in Whitfords Beach Estate.

Advertising of the amendment closed on 15 November 1993.

The City Planner reports on five submissions received opposing the proposal.

**ADDITIONAL INFORMATION**

The City Planner advised of an error in Report H21218. The report related to Amendment No 656, however points 1 and 2 to the Recommendation referred to Amendment No 595 and are to be corrected to read "Amendment No 656".

**MOVED** Cr Dammers, **SECONDED** Cr Maclean that:

- 1 CITY PLANNER'S REPORT H21218, amended as above, be received;
- 2 Council:
  - (a) modifies Amendment No 656 to Town Planning Scheme No 1 by inserting in the amending

documents the modified R40 boundary to the proposed group housing site on the corner of Flinders Avenue and Centennial Gardens as featured in Attachment No 2 to Report H21218;

- (b) seeks approval from the Department of Planning and Urban Development for the subdivision of Pt Lot M1362 Whitfords Beach Estate, Hillarys (DPUD Ref No 91452) prior to modifying Amendment No 656;
- (c) progresses the amendment in accordance with the Town Planning Regulations.

**CARRIED**

Appendix V refers.

**H21219 REQUEST TO RENAME THE LOCALITY OF ILUKA TO "BEAUMARIS BEACH" - [727-0]**

**CITY PLANNER'S REPORT H21219**

Beaumaris Land Sales, who currently markets large portions of land between Hodges Drive in Ocean Reef and Burns Beach Road, Currambine, have requested Council to consider renaming the locality of Iluka to Beaumaris Beach.

The City Planner advises that Beaumaris Land Sales has previously requested to rename portions of Ocean Reef to Beaumaris but due to the number of residents, this was not pursued. Iluka has few residents at present.

Any change will require that the matter be referred to the Geographic Names Committee of the Department of Land Administration.

**RECOMMENDATION**

That Council agrees to the renaming of the locality of Iluka to "Beaumaris Beach" and seeks the consent of the Geographic Names Committee, conditional on:

- 1 Beaumaris Land Sales meeting any costs of the change that would be incurred by:
  - (a) Council;
  - (b) present businesses within the locality;
- 2 Beaumaris Land Sales ceasing all use of the name "Beaumaris" in future land releases in the localities of Ocean Reef, Connolly and Currambine. This does not however apply to the use of the Company name of Beaumaris Land Sales;

- 3 removing "Beaumaris" from the Currumbine Heights entry statement on Shenton Avenue.

**MOVED** Cr Dammers, **SECONDED** Cr Rundle that:

- 1 CITY PLANNER'S REPORT H21219 be received;
- 2 Council agrees to the renaming of the locality of Iluka to "Beaumaris Beach" and seeks the consent of the Geographic Names Committee, conditional on:
- (a) Beaumaris Land Sales meeting any costs of the change that would be incurred by:
    - (i) Council;
    - (ii) present businesses within the locality;
  - (b) Beaumaris Land Sales ceasing all use of the name "Beaumaris" in future land releases in the localities of Ocean Reef, Connolly and Currumbine. This does not however apply to the use of the Company name of Beaumaris Land Sales;
  - (c) removing "Beaumaris" from the Currumbine Heights entry statement on Shenton Avenue;
- 3 City Planner liaises with Mr Vic Harman of Ocean Reef Residents Association Inc to address the concerns of the residents.

**CARRIED**

**H21220 TUART TREE - LOTS 313 AND 314 OUTLOOK DRIVE, EDGEWATER**  
**- [1297/313/5]**

**CITY PLANNER'S AND CITY PARKS MANAGER'S REPORT H21220**

The Anglican Church of Australia has been endeavouring to sell Lots 313 and 314 Outlook Drive, Edgewater.

In December 1992 Council resolved to issue a preservation order on a Tuart Tree located on Lot 313. The Church objected to this proposal on the grounds that it would restrict development potential for Lot 313.

The City Planner provides background details on the subject and suggests options to resolve the matter.

**MOVED** Cr Rundle, **SECONDED** Cr Dammers that Council does not proceed with the purchase of Lots 313 and 314 Outlook Drive or the preservation order on the Tuart Tree on Lot 313 Outlook Drive, Edgewater and advises the Anglican Church of Australia accordingly.

CARRIED

**H91213 FINANCE & ADMINISTRATIVE RESOURCES**

**MOVED** Cr Cooper, **SECONDED** Cr Marwick that the Finance and Administrative Resources Reports be received.

CARRIED

**H31201 HUMAN RESOURCE MATTERS - [404-0]**

**TOWN CLERK'S REPORT H31201**

The Town Clerk gives details of staff appointments and resignations and seeks authorisation of a officer in accordance with the Dog Act.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council:

- 1 in accordance with the provisions of Section 157A of the Local Government Act, approves the appointment of all officers as detailed in report H31201;
- 2 in accordance with the provisions of Section 16 of the Dog Act 1976 approves the appointment of Paul Brogan as an Authorised Registration Officer.

CARRIED

Appendix VI refers.

**H31202 AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]**

**CITY TREASURER'S REPORT H31202**

The City Treasurer submits a schedule of requests for authorisation to re-allocate funds within the adopted 1993/94 Budget.

The net result of these re-allocations and adjustments is a budget deficit of \$34,523.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council authorises, in accordance with Section 547(12) of the Local Government Act, amendments to the adopted 1993/94 Budget as detailed in the Schedule of Budget Reallocations Requests - 8 December 1993.

CARRIED BY AN

ABSOLUTE MAJORITY

Appendix VII refers.

**H31203    CASH ADVANCE - WANNEROO RECREATION CENTRE - [330-7-1]**

**CITY TREASURER'S REPORT H31203**

The City Treasurer reports that a request has been received from the City Recreation & Cultural Services Manager to increase the cash advance at Wanneroo Recreation Centre from \$100.00 to \$180.00

This would provide \$100 to be used as petty cash and \$80 for the daily till float.

**MOVED** Cr Marwick, **SECONDED** Cr Dammers that Council:

- 1        advances the Wanneroo Recreation Centre a further \$80.00 cash float;
- 2        ensures the cash float is updated in accordance with the provisions of the Local Government Accounting Directions of 1985.

**CARRIED**

**H91214    COMMUNITY SERVICES**

**MOVED** Cr Gilmore, **SECONDED** Cr Freame that the Community Services Reports be received.

**CARRIED**

**H41201    SUBSTANDARD FOOD - SAMPLE NO 9362 - [30/582A]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT H41201**

The City Environmental Health Manager reports on an incident of the sale of substandard minced meat.

He seeks Council approval to instigate legal proceedings against the proprietors under Section 246L of the Health Act.

**MOVED** Cr Cooper, **SECONDED** Cr Freame that, in accordance with the provisions of the Health Act 1911, Council institutes legal proceedings against the proprietors of "Mike's Meats", Craigie Plaza Shopping Centre, Perilya Road, Craigie in regard to food sample number 9362.

**CARRIED**

**H41202    SUBSTANDARD FOOD - SAMPLE NO 9308 - [30/423]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT H41202**

The City Environmental Health Manager reports on the sale of substandard hamburger meat.

He seeks Council approval to instigate legal proceedings against the proprietors under Section 246L of the Health Act.

**MOVED** Cr Freame, **SECONDED** Cr Cooper that, in accordance with the provisions of Section 246L of the Health Act 1911, Council institutes legal proceedings against the proprietors of Cheapfoods Food Barns, Wanneroo Shopping Centre, 32 Dundobar Road, Wanneroo.

**CARRIED**

**H41203 APPLICATION - PIGEONS - [225/130/287]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT H41203**

Mr M and Mrs N Casella are seeking Council approval to keep pigeons at Lot 130 (287) Landsdale Road, Landsdale.

The City Environmental Health Manager reports that the application is the result of a complaint from an adjacent property owner.

Two neighbours have objected to the application.

**MOVED** Cr Gilmore, **SECONDED** Cr Freame that Council refuses the application from Mr M and Mrs M Casella of Lot 130 (287) Landsdale Road, Landsdale to keep pigeons and authorises action under the Health Act 1911 to require removal of the pigeons within twenty-one (21) days.

**CARRIED**

**H41204 APPLICATION TO KEEP OSTRICH - [30/2763, C264/4/22]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT H41204**

Mr A Moss of Lot 4 (22) Rousset Road, Wanneroo is seeking Council approval to farm ostrich.

The City Environmental Health Manager reports on the requirements of the Agriculture Protection Board and the advice provided by Mr K Mullins, President of the West Australian Ostrich Association with regard to the keeping and breeding of ostrich.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Dammers that Council approves the application by Mr A Moss of Lot 4 (22) Rousset Road, Wanneroo to commence ostrich farming subject to:

- 1 breeding pairs not to exceed six (6) and offspring to be removed upon attaining twelve (12) months of age;
- 2 the applicant obtaining a permit from the Agriculture Protection Board to keep ostrich.

**CARRIED**

**H41205    APPLICATION - CARAVAN OCCUPANCY - [3189/527/14]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT H41205**

Mr and Mrs B A Munro of Lot 527 (14) Bayport Circuit, Mindarie are seeking Council approval for occupancy of a caravan currently being used on the property.

The City Environmental Health Manager reports that the caravan is to be used for sleeping purposes only on a temporary basis and could be located at the rear of the property.

**MOVED** Cr Freame, **SECONDED** Cr Rundle that Council approves the application from Mr and Mrs B A Munro of Lot 527 (14) Bayport Circuit, Mindarie to use a caravan for residence by members of the family for a period of six (6) months subject to:

- 1            the annexe to the caravan being removed;
- 2            the caravan being located at the rear of the property.

**CARRIED**

**H41206    KIOSK OPERATION - SORRENTO DUNCRAIG RECREATION CENTRE  
              - [330-1-1]**

**CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT  
H41206**

At its meeting on 22 September 1993 Council resolved to grant an extension of the licence to operate the Kiosk/Coffee Lounge at the Sorrento Duncraig Recreation Centre under the same conditions to the current operator until redevelopment of the Foyer/Office at the Centre was complete (Item H40917 refers).

The City Recreation and Cultural Services Manager reports on the licence conditions which currently exist and the reluctance of Mrs Wood, the operator of the kiosk, to commit herself to a change in the licence conditions until she has traded for twelve months from the new location.

He gives reasons why he supports the extension of the existing agreement for a further twelve months.

**MOVED** Cr Gilmore, **SECONDED** Cr Freame that Council:

- 1            extends the licence to operate the Kiosk/Coffee Lounge at the Sorrento Duncraig Recreation Centre to the current operator, Mrs Colleen Wood, for a further 12 months to be reviewed at that time;
- 2            alters the licence to include a requirement to provide a minimum level of service at all times the Recreation

Centre is open equivalent to that of the provision of vending machines;

- 3 deletes Clause 4(e) from the licence relating to public liability insurance.

**CARRIED**

**H41207 DRAFT REPORT : CITY OF WANNEROO INVENTORY OF HERITAGE PLACES - [050-2]**

**CITY PLANNER'S AND RECREATION AND CULTURAL SERVICES  
MANAGER'S REPORT H41207**

W G Martinick and Associates Pty Ltd, Council's consultant, has provided the City with a draft report of the City of Wanneroo Inventory of Heritage Places. Comments on the Report were provided by the Inventory's Steering Committee and Council's officers. The draft report has been submitted to the Historical Sites Advisory Committee for consideration and formulation of recommendations to Council.

The Committee discussed the draft report and agreed that it should be widely publicised in the local media in order to encourage public comment.

The City Planner and City Recreation and Cultural Services Manager report on the background details to the undertaking of the Municipal Inventory and the involvement of the wider community through a Public Workshop and Public Open Day to nominate possible cultural heritage places.

Nominated places were ranked according to their significance and categorised to their preservation requirements. Finally the heritage places were listed in descending order based on their significance.

This will allow the nomination of places to enter the State Register of Heritage Places.

**MOVED** Cr Dammers, **SECONDED** Cr Marwick that Council:

- 1 releases the "Draft Report: City of Wanneroo Inventory of Heritage Places" for public comment for a period of eight weeks commencing 3 January 1994;
- 2 encourages public participation by publicising the Draft Report in the Wanneroo Times, making adequate copies available throughout Council's Libraries and Recreation Centres and writes to the property owners whose sites are recommended in the report for listing on the Heritage Inventory;
- 3 considers the matter further upon completion of the public comment period.

**CARRIED**

**H91215 BUSINESS FOR INFORMATION**

**MOVED** Cr Gilmore, **SECONDED** Cr Cooper that the Reports for Information be received.

**CARRIED**

**H61201 TRAINING GUARANTEE ACT - EXPENDITURE FOR YEAR ENDED  
30 JUNE 1993 - [404-8-1]**

**TOWN CLERK'S REPORT H61201**

The Deputy Town Clerk reports that under the Training Guarantee Act, employers are required to spend a minimum amount of funds on training.

The threshold or minimum amount required to be spent is 1½% of annual payrolls above \$222,000.

He provides a detailed account of eligible training expenditure for the 1992/93 financial year which indicates that Council exceeded its obligation under this Act.

**MOVED** Cr Gilmore, **SECONDED** Cr Cooper that TOWN CLERK'S REPORT H61201 be received.

**CARRIED**

**H61202 ENGINEERING DEPARTMENT CURRENT WORKS - [201-2]**

**CITY ENGINEER'S REPORT H61202**

The City Engineer reports on Council works, pedestrian and dual use paths, traffic management treatments, car parks, road resurfacing and maintenance, rubbish disposal and sub-divisional development for the period ending 19 November 1993.

**MOVED** Cr Dammers, **SECONDED** Cr Marwick that CITY ENGINEER'S REPORT H61202 be received.

**CARRIED**

**H61203 CARRAMAR GOLF COURSE DEVELOPMENT PROGRESS REPORT -  
[208-063-92/93]**

**CITY ENGINEER'S REPORT H61203**

The City Engineer provides details of the progress of development of the Carramar Golf Course to date.

**MOVED** Cr Freame, **SECONDED** Cr MacLean that CITY ENGINEER'S REPORT H61203 be received.

**H61204    WATER AUTHORITY POLICY CHANGE : GROUNDWATER WELL  
LICENCE ISSUE AND TENURE - [322-18-1]**

**CITY PLANNER'S REPORT H61204**

The Water Authority of Western Australia has written to Council advising that the way Groundwater Licences are issued has now been changed.

The previous practice of issuing a licence for five years has been changed to allow the issue of Groundwater Well Licences for periods up to ten years and the Licence is to be issued against the land.

The City Planner reports on the benefits of the new policy.

**MOVED** Cr Rundle, **SECONDED** Cr Wood that CITY PLANNER'S REPORT H61204 be received.

CARRIED

**H61205    APPEAL DETERMINATION : LOT 47 (2092) WANNEROO ROAD,  
NEERABUP - [30/4209]**

**CITY PLANNER'S REPORT H61205**

The City Planner reports that the Hon Minister for Planning has upheld the appeal lodged by Mr Sangalli for the development of a retail nursery on Lot 47 (2092) Wanneroo Road, Neerabup subject to certain conditions.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that CITY PLANNER'S REPORT H61205 be received.

CARRIED

**H61206    HEALTH ACT 1911 - FOOD COMPLAINT PROSECUTIONS - [851-  
7, 30/2036-2, 30/7672, 30/1350]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT H61206**

The City Environmental Health Manager reports on the results of five food complaint prosecutions.

George Weston Foods Ltd pleaded guilty to a charge that it was responsible for the sale of hot cross buns which were adulterated.

A fine of \$600.00 with costs of \$270 was imposed.

Country Fresh Australia Pty Ltd pleaded guilty to a charge of being responsible for the sale of orange juice containing glass. A fine of \$400.00 with costs of \$386.85 was imposed.

Malcolm Stephen Ross pleaded guilty to a charge of being responsible for the sale of a rock cake which contained a piece of wire. He was fined \$400.00 with costs of \$364.95.

Country Bake (WA) Pty Ltd pleaded guilty to a charge of being responsible for the sale of a pikelet which contained a bolt. A fine of \$250.00 with costs of \$339.55 was imposed.

Murphy Crisps Pty Ltd pleaded guilty to a charge that it was responsible for the sale of potato crisps which contained a surgical strip wrapper. A fine of \$300.00 with costs of \$341.75 was imposed.

**MOVED** Cr Freame, **SECONDED** Cr Wood that CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT H61206 be received.

**CARRIED**

**H61207    COMBINED RECREATION ASSOCIATIONS - COMMUNITY AND RECREATION STRATEGIC PLANNING REVIEW COMMITTEE - [330-4 C260-0]**

**CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT  
H61207**

On 13 October 1993 meeting Council authorised the City Recreation and Cultural Services Manager to formally discuss with the joint Recreation Associations the intent of the proposed "Community and Recreation Strategic Planning Review Committee" (Item H41008 refers).

The City Recreation and Cultural Services Manager reports that the Recreation Associations perceive this proposed committee as providing input and advice into recreation and leisure issues affecting the community on a City-wide basis similar to the Youth Advisory Committee. They have suggested this Committee comprise the Presidents of the ten Recreation Associations, together with Councillor and Staff representation.

Further action on this matter has been postponed until mid-March 1994 when a broader range of options can be discussed.

**MOVED** Cr Gilmore, **SECONDED** Cr Freame that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT H61207 be received.

**CARRIED**

**H61208    MULTICULTURAL FESTIVAL SORRENTO QUAY MARCH 1994 - [429-1-2]**

**CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT  
H61208**

Following the success of 'Festival of Nations' held on 28 March 1993, it has been decided to make an annual festival part of the multicultural Arts Centre of WA's calendar.

The 1993 festival ran for six hours and an estimated 6000 people attended.

The City Recreation and Cultural Services Manager provides details of a proposal that the City of Wanneroo host the 1994 Festival at Sorrento Quay as the culmination event of Multicultural Week which will run from 20 - 27 March 1994.

The day's events will involve performances and visual displays incorporating traditional costume, dance, visual art, music and food.

Contributory funding will be sought from the Department for the Arts and Healthway.

**MOVED** Cr Freame, **SECONDED** Cr Rundle that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT H61208 be received.

**CARRIED**

#### **H91216 REPORT OF OCCASIONAL COMMITTEE**

**MOVED** Cr Marwick, **SECONDED** Cr Dammers that the Report of the Alkimos/Eglinton Major Metropolitan Regional Scheme Amendment Occasional Committee, held on Monday 29 November 1993, be received.

**CARRIED**

#### **ATTENDANCES**

Councillors:	G A MAJOR - JP, Mayor - Chairman	South-West Ward
	P NOSOW - Deputy Mayor, from 5.42 pm	South Ward
	A V DAMMERS	Central Ward
	H M WATERS	North Ward
	C P DAVIES from 5.52 pm	North Ward
	N RUNDLE	South-West Ward
	W H MARWICK - Observer from 5.34 pm	Central Ward
	B A COOPER - Observer	Central Ward
	L A EWEN-CHAPPELL - Observer from 5.38pm	Central Ward
	K H WOOD - Observer	South Ward
	G W CURTIS - Observer from 5.42 pm	South-West Ward

Town Clerk:	R F COFFEY
Deputy Town Clerk:	A ROBSON
City Planner:	O G DRESCHER
Co-ordinator - Strategic Planning:	P J THOMPSON
Planning Officer:	P J NEILSON
Minute Clerk:	J CARROLL

## **DECLARATIONS OF PECUNIARY INTEREST**

Nil

## **MEETING TIMES**

Commenced: 5.33 pm

Closed: 6.30 pm

**CITY PLANNER'S REPORT H71201**

The City Planner advises that the public submission period for the Alkimos/Eglinton Metropolitan Regional Scheme (MRS) Amendment is nearing completion and it is appropriate for Council to consider lodging a submission with the State Planning Commission advising its position in respect of the proposed amendment.

He reports on the background relating to the proposed MRS Amendment and District Structure Plan.

He highlights a number of further concerns which have come to light since Council's earlier advice to the Department of Planning and Urban Development in July.

**MOVED** Cr Rundle, **SECONDED** Cr Dammers that Council lodges a submission with the State Planning Commission in respect of the Alkimos/Eglinton Metropolitan Region Scheme amendment advising the Commission of its support for the proposed amendment subject to the concerns raised in Report H71201 being addressed by the Commission and in particular:

- 1 the need to reconsider those outstanding concerns already referred to the Department of Planning and Urban Development in July 1993 and which are included in Report H20740. In particular the need for the amendment document to address in detail Council's concerns with Regional Roadways to ensure that formal arrangements for the acquisition and construction of these roadways are put in place prior to finalisation of this amendment. At present the amendment documents do not address this concern adequately and should be modified to do so;
- 2 the need for a Formal Environmental Impact Assessment by the Environmental Protection Authority, prior to finalisation of the amendment, to examine concerns relating to the Mitchell Freeway, Pipidiny Swamp, the effects of the east-west road links on the Yanchep and Neerabup National Parks (and areas to be added thereto), loss of native vegetation and conservation values (including Aboriginal significance of coastal wetlands) as discussed in more detail in Attachments 6 and 7 of Report H71201 which were the subject of Council's appeal to the Environmental Protection Authority on its decision to informally assess the Alkimos/Eglinton Amendment;
- 3 that having regard to the odour problems experienced at Floreat and Beenyup, that until such time as the Alkimos Groundwater and Waste Water Treatment Plant is

fully operational and the full extent of the expectant odour problems are fully ascertained, there should be no reduction in the size of the proposed odour buffer zone to that presently shown in the District Structure Plan. In particular this refers to the land shown in the Amendment documents as an "Urban Deferred" zone immediately to the south of the Treatment Plant. The northern portion of this buffer zone (abutting the southern boundary of the Treatment Plant site) which will clearly need to be retained as buffer zone should be reserved as Parks and Recreation to avoid any possibility of it ever being inappropriately used. The southern balance of this buffer zone area should remain as "Urban Deferred" until the plant is operating and a thorough knowledge of the associated odour pollution is available. Until then no residential development should be allowed to occur within this area. Past experience with the Beenyup Water Treatment Plant has shown that the extent of odour pollution can only be fully determined after the plant is operating and conditions experienced. Until such time, it is prudent to err on the side of caution and maintain as wide as possible buffer around such treatment plants;

- 4 Council has no objection to the recent proposal to modify the alignment of the Pipidinnny east-west road connection which is proposed to connect Wanneroo Road with the Mitchell Freeway across the proposed future Parks and Recreation Reserve to minimise the impact of the roadway on existing properties and buildings by utilising the existing alignment of Pipidinnny Road (with necessary widening);
- 5 while in principle it agrees with the concept of the north-south linear Parks and Recreation strip intended to connect Neerabup National Park with Yanchep Park as shown in the Amendment, Council believes that the Government should ensure that adequate funds are available to allow early acquisition of the properties of affected landowners where landowners seek such early acquisition, and that the Metropolitan Region Improvement Tax be increased if this is what is required to generate those funds.

**CARRIED**

Cr Rundle dissented.

Appendices VIII and IX refers.

#### **H91217 POLICY AND SPECIAL PURPOSES COMMITTEE**

**MOVED** Cr Marwick, **SECONDED** Cr Gilmore that the Report of the Policy and Special Purposes Committee Meeting, held on 1 December 1993, be received.



Cr Rundle declared her intention to dissent on Item H51216A at the next meeting of Council.

Cr Rundle declared an interest in Item H51207.

**MEETING TIMES**

Commenced: 6.03 pm

Closed: 8.25 pm

**H51201    WA LOCAL GOVERNMENT SUPERANNUATION PLAN - SALARY  
SACRIFICE - [017-1]**

**TOWN CLERK'S REPORT H51201**

The Town Clerk reports on the merger of two Superannuation Schemes (the WA Local Government Superannuation Contributing Scheme and the WA Local Government Occupational Superannuation Fund) into one scheme called the WA Local Government Superannuation Plan.

He advises that new legislation and fund merger permits 'salary sacrifice' to occur at the discretion of Council, and recommends Council gives approval to officers who may wish to avail themselves of the opportunity and enter into a 'salary sacrifice' agreement.

Salary sacrifice occurs when an officer nominates a stipulated amount which he/she wishes to 'sacrifice' or have deducted from the gross cash remuneration he/she currently receives and request this amount be allocated towards superannuation as an additional contribution.

**MOVED** Cr Freame, **SECONDED** Cr Dammers that Council approves of officers entering into salary sacrifice agreements, as permitted under the Local Government Superannuation Plan and relevant industry Awards.

**CARRIED**

**H51202    TERMINATION AND PROTECTION OF LOCAL GOVERNMENT  
OFFICERS - [312-2]**

**TOWN CLERK'S REPORT H51202**

In November 1993, (Item H51122A refers) Council resolved that a report be submitted on the formulation of a policy on a more equitable arrangement for the protection of all Council officers.

The Town Clerk reports on Section 158(4)(9) of the Local Government Act which currently offers protection to various senior officers.

He gives details of a joint submission by the WA Municipal Association, the Australian Services Union and the Institute of Municipal Management on appropriate replacement provisions of Section 158, which was agreed to, in principle, by the Minister for Local Government.

It is proposed that Council writes to the Minister, expressing support for the joint parties' submission but further requesting that an additional provision be incorporated extending the protection of Section 158 to other designated senior officers in the case of particular Councils.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council:

- 1 confirms that all employees of the City of Wanneroo should be subject to the principle of equal, fair and reasonable employment/service conditions;
- 2 advises the Western Australian Municipal Association in writing that it does not support the Memorandum of Undertaking prepared by the joint working party concerning the protection of Environmental Health Officers under the Health Act as outlined in Attachment 2 to Report H51202;
- 3 expresses its support for the Executive Director Public Health being able to determine the minimum qualifications for Environmental Health Officers and being consulted on terminations of Environmental Health Officers on health matters;
- 4 advises the Minister for Local Government of its support for the submission forwarded by WAMA/IMM/ASU in relation to amendments to Section 158 of the Local Government Act providing there is a facilitative provision giving flexibility to a 'head of Power' to take account of the particular circumstances of individual Councils and that Section 158 should cover all senior officers. In the case of the City of Wanneroo these would be -  
  
Town Clerk  
Deputy Town Clerk  
City Engineer  
City Treasurer  
City Building Surveyor  
City Planner  
City Parks Manager  
City Librarian  
City Recreation & Cultural Services Manager  
Manager - Welfare Services  
Manager - Municipal Law & Fire Services;
- 5 requests the Minister for Health to amend the Health Act 1911 to incorporate a provision similar to Section 158 of the Local Government Act for Principal Environmental Health Officers.

**CARRIED**

Appendix X refers.

**H51203 PUBLIC RELATIONS SECTION - STRUCTURE AND ROLE - [404-01]**

**TOWN CLERK'S REPORT H51203**

The Town Clerk submits previous reports on the Public Relations Section - Structure and Role, for Council's consideration and discussion.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council consideration of the Public Relations Section - Structure and Role be deferred to the next Policy and Special Purposes Meeting.

**CARRIED**

**H51204 REGISTER OF DELEGATION OF AUTHORITY - [201-1-1]**

**DEPUTY TOWN CLERK'S REPORT H51204**

Section 157 (4) of the Local Government Act requires the annual review of all delegated authority granted by Council to its officers.

The Deputy Town Clerk submits a list of all current delegated authorities and seeks Council's direction as to the extent of the desired review and, if possible, an indication as to which delegated authorities are now considered inappropriate.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that:

- 1 Council:
  - (a) amends the period of delegation for all Delegation of Authority to twelve (12) months;
  - (b) deletes Urban Farmland from the Register of Delegation of Authority;
- 2 a report on Delegation of Authority regarding Extractive Industry Control be submitted to the next Policy and Special Purposes Committee.

**CARRIED**

**H51205 EYESIGHT SCREENING POLICY - [405-18]**

**DEPUTY TOWN CLERK'S REPORT H51205**

The Deputy Town Clerk reports on the necessity to include the provision for the hardening of prescription lenses in Council's current policy relating to eyesight screening/protection.

The availability of lens hardening would be restricted to those employees whose positions required that such protection was necessary from a safety aspect.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council amends its Policy B2-08 - Eyesight Screening by including the following provisions:

"The Council will reimburse personnel who wear prescription lenses for the additional cost of having the lenses hardened when prescription lenses are required as part of that employee's position within the organisation.

Reimbursement will also be made to employees who require their existing lenses hardened, subject to the suitability of those lenses for the hardening process."

**CARRIED**

**H51206 RESIDENTIAL REFUGES - [290-0]**

**CITY PLANNER'S REPORT H51206**

The City Planner reports on concerns caused to local residents whenever notice of proposals to establish residential refuges is given.

He advises that residential accommodation is permitted in residential neighbourhoods and no planning approvals are required at all for households not exceeding six unrelated persons.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that CITY PLANNER'S REPORT H51206 be received.

**CARRIED**

**H51207 ALTERATION TO LEASING ARRANGEMENT - BURNS BEACH CARAVAN PARK RESERVE 31632 - [940-3]**

**CITY PLANNER'S REPORT H51207**

Council has recently given consideration (Items H30511, H30408 and H30211 refer) to requested alterations to the area term and conditions that apply to the lease of the Burns Beach Caravan Park to the operators, Burns Beach Caravan Resort Pty Ltd.

At its May 1993 meeting, Council declined to approve the surrender and restructuring of the lease as proposed by Burns Beach Caravan Resort Pty Ltd and gave authority to the Town Clerk to enter into further discussion with them.

Several meetings have been held between the Town Clerk, City Treasurer and Senior Land Officer with the principals of Burns Beach Caravan Resort Pty Ltd.

The City Planner gives details of the history relating to Burns Beach Caravan Park, the current lease and new lease proposal.

He discusses various factors affecting the proposal and reports on the amended proposal, Council expectations and gives an appraisal of the new lease proposal.

Cr Rundle declared an interest in this item.

**MOVED** Cr Dammers, **SECONDED** Cr Gilmore that Council:

- 1 does not accept the proposal of Burns Beach Caravan Resort Pty Ltd to alter the lease term, rental and conditions of the existing caravan park on Reserve 31632;
- 2 does not agree to surrender its vesting over Reserve 31632;
- 3 subject to the approval of the Minister for Lands, offers to lease an adjacent area of 0.2919 hectares to Burns Beach Caravan Resort Pty Ltd at an annual rental of \$3,410 with annual Consumer Price Index increases for a term expiring on 30 June 2006 for caravan park purposes.

**CARRIED**

Cr Rundle abstained from voting.

**H51208 MODIFICATION TO CONSULTING ROOMS POLICY - [702-1]**

**CITY PLANNER'S REPORT H51208**

The City Planner reports on Council's Consulting Rooms Policy G3-10 and advises on problems experienced in available lots adjacent to commercial centres, being insufficient in size to meet the scheme standards for consulting rooms.

In order to overcome this difficulty, he recommends that Council insert a statement in its policy about its willingness to relax normal Town Planning Scheme standards for consulting rooms located adjacent or opposite to a shopping centre in accordance with the policy.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council amends its Consulting Rooms Policy G3-10 by inserting the following new paragraph:

**"G RELAXATION OF SCHEME STANDARDS**

The Council acknowledges that existing lots adjacent to or opposite commercial centres may be too small to meet its normal Town Planning Scheme standards relating to set backs and site area for consulting rooms. It is, therefore, prepared to consider a relaxation of the normal scheme standards in such cases where detailed plans illustrate that the proposed consulting

room can be accommodated in a satisfactory manner. Relaxations will not apply to car parking standards."

**CARRIED**

**H51209 POLICY ON DONATIONS - COMMUNITY GROUPS - [009-1]**

**CITY TREASURER'S REPORT H51209**

The City Treasurer advises that a report has been requested on the feasibility of implementing a policy which precludes Council from making donations to the community groups and organisations which currently have outstanding debts with the City in excess of 90 days.

To enable Council to consider each application on its merits, it is suggested that each application for financial assistance from community groups and organisations be accompanied by a summary of its debtors history with the City.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council implements a policy where a community group or organisation seeks financial assistance from Council that its application be accompanied with a summary of its debtors history with the City.

**CARRIED**

**H51210 SECURITY FOR ADMINISTRATION CENTRE CAR PARK - [605-16]**

**CITY BUILDING SURVEYOR'S REPORT H51210**

The City Building Surveyor reports on security measures that can be undertaken to address tampering with cars parked in the main Council car park, off Boas Avenue, Joondalup.

He advises on the following options for improving security:

- . physical security patrols
- . upgrading the car park lighting
- . close circuit television monitoring.

**MOVED** Cr Marwick, **SECONDED** Cr Dammers that Council:

- 1 upgrades the lighting in the Joondalup Administration Centre car park at an estimated cost of \$18,000.00;
- 2 authorises, in accordance with Section 547(12) of the Local Government Act, the provision of \$18,000.00 to upgrade the car park lighting.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**H51211 PROPOSED POLICY ON THE CONTROL OF MOVEABLE OR PORTABLE  
SIGNS - [920-19]**

**ACTING CITY BUILDING SURVEYOR'S REPORT H51211**

The Acting City Building Surveyor re-submits the report on the proposed policy for the control of moveable or portable signs.

He reports on types of moveable/portable signs and the responsibility of the Engineering Department's Council signage maintenance crew to monitor and remove all signs, placed contrary to Council policy, from the road reserves.

**RECOMMENDATION**

That Council:

- 1 authorises the City Building Surveyor to engage the services of a tow truck company to tow vehicles or trailers displaying unauthorised advertising signs from where they are parked to the Council Depot;
- 2 adopts a Policy on the control of moveable or portable signs as follows:

**"MOVEABLE OR PORTABLE SIGNS**

To control the unauthorised use of advertising signage on vehicles or trailers, the following procedure is to be carried out when it is established who is responsible for the offence:

- 1 A letter is to be sent to the offender advising that the advertising device is a contravention of Council By-law S3 : Signs, Hoardings and Billposting and continued offence will lead to the vehicle or trailer being impounded. A fee of \$120.00 is to be paid before the release of vehicle or trailer.
- 2 If the offence continues after 7 days of the letter being sent, the City Building Surveyor may arrange for the vehicle or trailer to be towed to Council's Depot.
- 3 A Council officer shall be present when the tow truck operator removes the vehicle or trailer and shall escort the operator and the impounded advertising device to the Council Depot.
- 4 The Council officer shall photograph the offending vehicle or trailer and record the time and date of the offence.

- 5       The Depot clerk shall issue a receipt for the impounding fee and authorisation for the vehicle or trailer to be removed from the Depot. The person who collects the vehicle or trailer shall also sign a receipt.
- 6       In the event of a repeated offence, the documentation of the first event will serve as evidence should Council consider prosecution."

**MOVED** Cr Dammers, **SECONDED** Cr Gilmore that:

- 1       ACTING CITY BUILDING SURVEYOR'S REPORT H51211 be received;
- 2       consideration of the Policy on the control of moveable or portable signs be deferred pending the receipt of legal advice regarding possible liability for damage to signs and trailers.

**CARRIED**

**H51212   NAMING OF NEW FACILITY, GUMBLOSSOM RESERVE, QUINNS ROCKS - [061-149-2]**

**CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT  
H51212**

The City Recreation and Cultural Services Manager reports on a request from the residents of Quinns Rocks that the new facility currently under construction at Gumblossom Hall, Quinns Rocks be called the "Edgar Grant Hall" to commemorate the memory of one of the locality's early pioneers.

He advises that, although Council's policy allows for the naming of buildings after deceased persons, major buildings, in most instances, have been named after the suburb or street to allow for easier identification.

**RECOMMENDATION**

That Council:

- 1       resolves that the new facility currently under construction at Gumblossom Reserve, Quinns Rocks, be named the "Gumblossom Community Centre";
- 2       recognises the late Edgar Grant as a pioneer of the Quinns Rocks area;
- 3       retains his name on file in the event that his memory can be suitably recognised in the future.

**MOVED** Cr Waters, **SECONDED** Cr Dammers that:

- 1 CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT H51212 be received;
- 2 Council resolves that the new facility currently under construction at Gumblossom Reserve, Quinns Rocks, be named the "Gumblossom Community Centre" and it be dedicated to Edgar Grant, Pioneer of Quinns.

**CARRIED**

**H51213 CONTRACT MOWING - [250-0]**

**CITY PARKS MANAGER'S REPORT H51213**

In August 1993 (Item H50801 refers) Council requested a report on the feasibility of utilising contractors to carry out some of the lawn moving maintenance functions undertaken by the Parks Department.

The City Parks Manager reports on contract moving of public open space undertaken in 1988/89.

He advises that recently, advertisements were placed in the Wanneroo Times and the West Australian calling on contractors to register their interest in mowing the public open spaces throughout the South West Ward. Specifications were issued to 23 interested parties and of these only six firms submitted information and prices for evaluation.

He submits a schedule of actual costs expended by Council's workforce in mowing both reticulated and dry parks in the South West Ward for 1992/93 together with rates submitted by five contractors for Council information.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that CITY PARKS MANAGER'S REPORT H51213 be received.

**CARRIED**

**H51213A CONTRACT MOWING - [250-0]**

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that a suitable specification be prepared for the calling of tenders for contractors to mow up to a total of twelve (12) selected dry and reticulated parks for a period of three years and the standard of the contractor's work be reported on by the independent assessor or consultant.

**CARRIED**

**H51214 GRAFFITI TASK FORCE MURAL ARTS PROGRAMME FOR BUS SHELTERS AND UNDERPASSES - [210-7, 429-1-4]**

**CITY ENGINEER'S REPORT H51214**

The City Engineer reports on Council's previous resolutions relating to graffiti control within the City of Wanneroo.

He gives details of the State Government Working Party Report and outlines the information from a three month pilot study undertaken, of graffiti audit and removal in the Padbury and Kingsley area.

He advises that Council is now in possession of sufficient data and field experience to lay down a specific course of action in the management of graffiti. Three key areas will be impacted upon by any policy statement. The initiatives must interweave involvement through the following groups:

- . State Government
- . Council (Local Government)
- . Ratepayers/residents

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council:

- 1 endorses the State Government's Report of the Working Party on Graffiti and informs the Project Co-ordinator accordingly;
- 2 endorses extension of a community involved mural arts programme under the joint co-ordination of the City Engineer and the Recreation and Cultural Services Manager to follow through mural painting on bus shelters and underpasses;
- 3 continues the engagement of private contractors to remove graffiti;
- 4 endorses the policy of applying surface sealants to all new assets as part of the construction cost;
- 5 allocates \$2,000 to enable the connection of two surveillance cameras by the Police Department at sites to be chosen by the City Engineer;
- 6 authorises the City Engineer to co-ordinate assistance to ratepayer and community groups in becoming involved with the State Government paint-out programme;
- 7 empowers the City Engineer and City Parks Manager to make provision for vines, shrubs or landscaping appropriate to relevant areas of paint-out;
- 8 encourages the Manager, Municipal Law and Fire Services to assist in the arrest of graffitiists;
- 9 assists in the supervision of remedial works handed down by courts to graffitiists.
- 10 directs the Task Force to compile an expanded policy for the elimination of graffiti as a priority responsibility.

**H51215    PROPOSED ALFRESCO DINING POLICY FOR JOONDALUP CITY CENTRE - [702/1]**

**CITY PLANNER'S REPORT H51215**

The City Planner reports that enquiries to the acceptability of alfresco dining in the Joondalup City Centre has led to the need to prepare and adopt a policy which will guide and control alfresco dining within the City Centre.

He advises that relevant policies of the Cities of Perth and Fremantle were examined for guidance in the preparation of a draft policy. The matter has also been discussed with LandCorp and the City's Engineering Building, Health and Parks Departments.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council adopts the following Draft Alfresco Dining Policy:

**"ALFRESCO DINING POLICY"**

- |             |   |  |
|-------------|---|--|
| OBJECTIVES: | 1 | To establish guidelines for alfresco dining facilities to ensure a consistency of form and function.   |
|             | 2 | To allow for the operations of alfresco dining in such a manner that will not conflict with, or prejudice, the adjacent businesses and/or residential activities or other normal functions of the area.                    |
| AREA:       |   | These guidelines apply to all alfresco dining facilities located within the Joondalup City Centre Zone.  |
| STATEMENTS: | 1 | Alfresco dining areas should be appropriate to the character and functions of the area in which they are proposed to be located.   |
|             | 2 | Alfresco dining areas will not be approved where, in the opinion of Council, the gathering of customers or the elements of design will impede pedestrian or vehicular movements, or cause conflicts with other activities. |
|             | 3 | Applications to establish alfresco dining areas will also need to comply with specific requirements of any   |

relevant policy relating to the location and/or type of activity proposed, unless the Council considers such compliance is not necessary in a particular instance.

- 4 An alfresco dining area will only be approved where the proposal is part of an application to establish an eating house within an adjacent building, or is proposed as an extension of an existing eating house already operating within an adjacent building.
- 5 The establishment of alfresco dining facilities should not conflict with or inconvenience other adjacent activities.
- 6 Structures associated with alfresco dining areas, including tables and chairs, will not generally be able to be fixed in any manner to the footpath or to any other structure; unless specifically agreed to by the Council.

Structures and furniture must be stable under windy conditions and provision must be made for out of sight storage when not in use.

- 7 The operator shall not, without the prior approval of the Council:
  - 2.1 make use of any method of noise making (ie live music, record, tape, radio, etc);
  - 2.2 carry out any specific functions (ie fashion parades, art exhibitions, etc);
  - 2.3 prevent the public from using the alfresco area, whether paying customers or not.
- 8 The operator shall keep the alfresco area clean and free from rubbish to the satisfaction of the Council.
- 9 The alfresco dining area is to be designed to accommodate disabled access.

- 10 The exits from the adjoining building the alfresco area is attached to, are not to be impeded in any way.
- 11 The alfresco areas will need to be designed to accommodate emergency vehicle movements to the satisfaction of the Council.
- 12 Any relocation of existing street furniture, trees or services shall not be removed or modified without the prior approval of the Council. All costs associated with any such works will be totally at the applicant(s) expense.
- 13 Failure to comply with this policy will result, upon resolution of Council, in the revocation of the development approval for alfresco dining.

IMPLEMENTATION:

- 1 Applications for alfresco dining will be treated as Development Applications (Form 1) and considered in accordance with Council's Development Assessment Unit Policy. The application will need to be renewed on a twelve monthly basis.
- 2 Applications must be accompanied by plans, drawn to scale, indicating the number and location of proposed tables, chairs and any other proposed and existing structures and their relationship to the building in which the eating house is located.
- 3 A condition of approval for alfresco dining will require that the licence holder make adequate insurance arrangements to the satisfaction of the Council, in the joint names of the Council and the operator, for public liability insurance cover of not less than five million dollars (\$5,000,000) in respect of any one event to provide indemnity in respect to both injury to persons and damage to property. A copy of the policy will need to be provided to the City prior to the commencement of trading. The City shall be advised directly

by the insurance company of any possible changes to the policy.

FEES:	Development Application Fee	\$100.00
	Renewal Fee	\$100.00
	Alfresco dining fee	\$10.00
	(per person/seat accommodated p.a)"	

**CARRIED**

**H51216 CHANGEOVER AND UPGRADING OF MAYORAL CAR - [702-3-2, 507-1]**

The Mayor reports on the cost of fuel involved in running the present mayoral car and makes comparison to the Australian National Average Fuel Consumption (NAFC). In addition, he gives an approximate estimate of the passengers in the mayoral car over a six month period.

He recommends that the mayoral car is changed over to a smaller more fuel efficient model and that Council submits an entry to the National Energy Awards in 1994.

Mayor's Report H51216 recommended that Council:

- 1 changes over the Mayoral car to a vehicle with the rated fuel consumption of less than 8 litres per 100 km and with maximum Australian content;
- 2 submits an entry to the National Energy Awards in 1994.

**H51216A CHANGEOVER AND UPGRADING OF MAYORAL CAR - [702-3-2, 507-1]**

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council does not change its Policy with regard to the provision of the Mayoral Car.

**CARRIED**

Cr Rundle dissented.

**H51217 DEBT RESTRUCTURE PROPOSAL - [015-0]**

With lower interest rates prevailing in the financial market, Treasury officers have, for some time, been investigating the feasibility and cost effectiveness of refinancing Council's loan portfolio at lower rates. The current 5 year borrowing rate is 6.75% and the weighted average cost of Council's existing borrowings is 11.9%.

The City Treasurer reports on a debt restructure proposal and outlines the benefits to Council of proceeding with the restructure/refinancing proposal.

City Treasurer's Report H51217 recommended that Council:

- 1 awards United Pacific Finance Pty Ltd the exclusive mandate to arrange the restructure and re-finance of Council's loan portfolio until revoked in writing;
- 2 authorises United Pacific Finance Pty Ltd to contact all loan creditors and negotiate payouts of all existing loans in order that the re-finance can be settled in line with Council requirements;
- 3 acknowledges the confidentiality of all information provided and to be provided by United Pacific Finance Pty Ltd and undertakes not to disclose any of the information to third parties without the prior consent of United Pacific Finance Pty Ltd;
- 4 refers with the approval of United Pacific Finance Pty Ltd the final negotiated loan restructure/refinancing proposal to Council's auditor Deloitte Touche Tohmatsu for comment;
- 5 advises Council's bankers, National Australia Bank Ltd, of Council's intention.

**H51217A DEBT RESTRUCTURE PROPOSAL - [015-0]**

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that consideration of Council's Debt Restructure Proposal be deferred pending a further report incorporating tender specifications being submitted to Policy and Special Purposes Committee.

**CARRIED**

**H91218 MEETING TO DISCUSS COUNCIL'S DEBT RESTRUCTURE PROPOSAL - [015-0]**

**MOVED** Cr Gilmore, **SECONDED** Cr Cooper that Council invites Mr Bruce Chandler to meet with officers and interested Councillors to discuss Council's Debt Restructure Proposal.

**CARRIED**

**H51218 USE OF 1080 BAITES WITHIN THE CITY OF WANNEROO - [865-2]**

**TOWN CLERK'S REPORT H51218**

In response to publicity in respect of the use of "1080" poison baits to control the fox population within the metropolitan area, Cr Waters has requested that this item be included on the agenda of the Policy and Special Purposes Committee for discussion.

The Town Clerk reports on comments provided by the Agriculture Protection Board to assist Council in its consideration of a position in the matter.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that consideration of the use of 1080 Baits within the City of Wanneroo be deferred and referred to the next meeting of Policy and Special Purposes Committee.

**CARRIED**

#### **H51219 DEVELOPERS' COVENANTS - [210-16]**

The Acting City Building Surveyor reports on community concerns regarding the enforcement of developers covenants and the background relating to withholding the issue of building licences pending developers approval of proposed dwellings.

He discusses community expectations, developers responsibility, options available to Council and the implication of Council becoming involved in the administration of covenants.

Acting City Building Surveyor's Report H51219 recommended that Council:

- 1        advises the Minister for Lands of the property owners' concerns in respect of covenants and indicates that both the property owners and developers would welcome Council's involvement in the administration of covenants;
- 2        proposes that the Minister amends the legislation so that the Minister and the Local Authority:
  - (a)        jointly approves developers' covenants to their satisfaction;
  - (b)        provides for the Local Authority to administer covenant conditions;
  - (c)        includes authority for the Local Authority to charge a fee.

#### **H51219A DEVELOPERS' COVENANTS - [210-16]**

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that a report on the cost and implementation of Council's involvement in the administration of covenants be submitted to the next Policy and Special Purposes Committee meeting.

**CARRIED**

#### **COUNCIL DELEGATES - RECREATION ASSOCIATIONS/MANAGEMENT COMMITTEES - 264-1]**

Cr Dammers enquired on the necessity of appointing Council delegates to Recreation Associations and Management Committees. He advised that any Councillor should be able to attend.

Town Clerk advised that following the next Municipal Elections in May 1994, it could be noted that Recreation Associations and Management Committees are to be represented by a Councillor in the appropriate Ward, if and when required.

#### **H51220 GOODS AND SERVICES PURCHASING POLICY - [010-0-1]**

Cr Marwick requested a report on Council's Policy on the purchase of goods and services.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that a report on Council's Goods and Services Purchasing Policy be submitted to Policy and Special Purposes Committee.

**CARRIED**

#### **URBAN DEVELOPMENT INSTITUTE - OPEN FORUM - [702-0]**

City Planner reported that the Local Division of the Urban Development Institute has requested an open forum with Councillors, to be held on Tuesday 8 February 1994.

The forum is for Local Members and Executives of the Institute, Councillors and Council officers to discuss matters associated with the development industry.

The City Planner advised that it would be quite informative in terms of giving Councillors an appreciation of how the industry operates and what its concerns are, and equally, Council may raise concerns that it may have with the industry.

#### **H51221 CITY OF WANNEROO ENVIRONMENTAL GRANTS - [305-6]**

Cr Marwick referred to Council's previous resolution that any Environmental Grant from the City of Wanneroo be referred to the Environmental Advisory Committee for its recommendation on the worthiness of the application.

He advised that the Committee preferred not to have that privilege, as it is seen as a matter of policy with Council and not an environmental issue, and accordingly requested that the Policy be examined.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that a report on the policy relating to City of Wanneroo Environmental Grants be submitted to the Policy and Special Purposes Committee.

**CARRIED**

#### **H91219 TOWN CLERK'S REPORT**

**MOVED** Cr Marwick, **SECONDED** Cr Freame that the Town Clerk's Report be received.

**CARRIED**

**H91220 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [200-0-1]**

Document: Lease Agreement  
Parties: City of Wanneroo and Kallaroo Pre-School Committee  
Description: Lot 171 Batavia Place, Kallaroo  
Date: 18.11.93

Document: Withdrawal of Caveat  
Parties: City of Wanneroo and S McI & M M Barnes  
Description: Lot 2 (7) Reflection Close, Edgewater  
Purpose: To permit a property transaction  
Date: 18.11.93

Document: Transfer of Land  
Parties: City of Wanneroo and Burns Management Pty Ltd  
Description: Lot 1254 Edinburgh Avenue, Kinross  
Purpose: Community Purpose Site  
Date: 29.11.93

Document: Withdrawal of Caveat  
Parties: City of Wanneroo and D K and M F Lynch  
Description: Lot 31 (21) Conductor Retreat, Mariginiup  
Purpose: To clear encumbrances  
Date: 29.11.93

Document: Deed  
Parties: City of Wanneroo and V Mobilia and M and A D'Uva  
Description: Lot 2 (239) Badgerup Road, Wanneroo  
Purpose: TPS No 1 Amendment No 437  
Date: 1.12.93

**MOVED** Cr Dammers, **SECONDED** Cr Gilmore that the Schedule of Documents executed by means of Affixing the Common Seal, be received.

**CARRIED**

**H91221 DEVELOPMENT ASSESSMENT UNIT - [290-1]**

The City Planner submits a resumé of the development applications for the period 19 November 1993 to 2 December 1993.

**MOVED** Cr Dammers, **SECONDED** Cr Freame that Council adopts the recommendations in the list of development applications processed for the period 19 November 1993 to 2 December 1993

and approves the applications, subject to standard and appropriate conditions of development.

**CARRIED**

Appendix XI refers

**H91222 URBAN DEVELOPMENT INSTITUTE OF AUSTRALIA - 23RD NATIONAL CONGRESS - [202-1-1]**

Nominations have been invited for attendance at the Urban Development Institute of Australia 23rd National Congress to be held in Sydney from Tuesday 1 to Friday 4 March 1994.

The City has always sent representatives to this conference which have been of great benefit to the participants due to the topical nature of the issues discussed. Next year's topic is "Sustainable Urban Growth" which will focus on this problem within the theme "Back to Basics". The program will include local national and international speakers concentrating on the creation of value, maintenance of the quality of life we all seek and urban development products that satisfy the demands of the 90's and beyond.

Funds are available for the attendance of a Councillor and the City Planner as conferences budgeted for in the 1993/94 budget have not been attended.

Cr Cooper nominated Cr Dammers.

Cr Dammers declared an interest in this item.

**MOVED** Cr Marwick, **SECONDED** Cr Cooper that Council:

- 3        nominates Councillor Dammers and authorises the City Planner to attend the Urban Development Institute of Australia 23rd National Congress from 1 to 4 March 1994;
- 4        approves payment of fees from conference expenses account numbers 20006 and 27751 respectively.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Cr Dammers abstained from voting.

**H91223 DONATION - PETER AND JULIE RICHARDSON - [009-1]**

Consideration of the request for financial assistance for Peter and Julie Richardson (Item H31109 refers) to participate as umpires in the National Softball Tournament to be held at the Mirrabooka Stadium in January 1994 was deferred pending further information.

Advice has now been received from Peter and Julie Richardson clarifying these points.

The compulsory levy of \$450.00 is paid by all umpires irrespective of where the championships are held. The levy covers airfares and accommodation and it is mandatory to stay in a hotel with all the other umpires who participate in the championships.

This year the umpires are staying at the Greetings Hometel in Wellington Street, Perth. Each umpire must also cover the cost of his/her own meals and hiring of buses including petrol.

In view of this it is suggested that the normal \$50.00 donation be paid to each participant.

**MOVED** Cr Gilmore, **SECONDED** Cr Freame that Council donates \$50.00 each to Peter and Julie Richardson to participate in the National Softball Tournament to be held at the Mirrabooka Stadium in January 1994, such donation to be from Account No 29470 - Donations - Recreation Control.

**CARRIED**

**H91224 JOONDALUP STATION BUS DECK - [510-3715]**

Westrail has advised that remedial works are required to be carried out on the bus turnaround at the Joondalup Station.

The works will require closure of the bus turnaround and utilisation of Collier Pass as a temporary pick up and set down area.

Transperth buses will be parked along the northern side of Collier pass with Westrail providing temporary bus signs and paving for pedestrians.

The works commenced on 29 November 1993 and are programmed for completion by 23 December 1993. During this period the west bound traffic along Collier Pass, from Grand Boulevard to the station, will be closed. This closure is required to ensure the safety of traffic and bus movement operations. Detour signs and advanced pre-warning signs have been installed to divert traffic to the Joondalup Drive/Collier Pass entrance.

**MOVED** Cr Rundle, **SECONDED** Cr Freame that CITY ENGINEER'S REPORT H91224 be received.

**CARRIED**

**H91225 PLANT REPLACEMENT RESERVE PROGRAMME TENDER NOS 050 & 051-93/94 - [208-6]**

Tenders were advertised on 20 and 23 November 1993 for the supply and delivery of:

Tender No 050-93/94                      One (1) 4 door 8 cylinder prestige sedan

Tender No 051-93/94  
sedan

One (1) 4 door 6 cylinder prestige

Tenders closed at 11.00am on Wednesday 1 December 1993 and are as per Appendices III and IV.

As the low tenders at both tenders comply with Council specification and are within Budget estimates, both are recommended accordingly.

**MOVED** Cr Dammers, **SECONDED** Cr Cooper that Council:

- 1 accepts Tender No 050-93/94 from Houghton Motors for the supply of a Ford LTD sedan for the changeover price of \$2,523 as outlined in Appendix XII;
- 2 accepts Tender No 051-93/94 from Titan Ford for the supply of a Ford Fairlane sedan for the changeover price of \$3,487 (credit) as outlined in Appendix XIII.

**CARRIED**

Appendices XII and XIII refer

**H91226 GRATUITY PAYMENT AND FUNCTION - T O'SHEA - [404-0]**

Mr Thomas O'Shea has given notice that he will retire from Council's employ on 23 December 1993.

Mr O'Shea has been employed by the City since October 1980 and by virtue of that length of service, qualifies for a gratuity payment and retirement function.

**MOVED** Cr Cooper, **SECONDED** Cr Rundle that Council approves a gratuity payment of \$500 to Mr Thomas O'Shea on his retirement on 23 December 1993.

**CARRIED**

Cr Dammers left the Chamber at this point, the time being 8.56 pm.

**MOTIONS FOR FURTHER ACTION**

Nil

**MOTIONS FOR REPORT**

**H91227 OFFICE HIGH RISE CONTROLS IN CENTRAL BUSINESS DISTRICT OF JOONDALUP - [730-8-1]**

The Acting Town Clerk, on behalf of Cr Curtis, requested a report on the viability of office high rise controls in the Central Business District of Joondalup not exceeding three storeys in height.

**RESOLVED** that a report on the viability of office high rise controls in the Central Business District of Joondalup not exceeding three storeys in height be submitted to Council.

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**NOTICE OF MOTION - CR WOOD - [702-0]**

Cr Wood had given Notice of his intention to move the following Motion at Council Meeting on 8 December 1993:

"That Council rescinds its resolution H21115, viz:

That Council supports the application by Asia Securities (Aust) Pty Ltd to use Lot 163 (460) Kingsway, Landsdale for a residential children's home subject to:

- 1 an application for approval to commence development being submitted and approved before the use or any building commenced;
- 2 not more than eight children being accommodated."

Should this rescission motion be successful, he would then move that:

"The proposal be advertised as per the standard 28 days to allow the residents in the immediate vicinity to comment prior to the further consideration by Council".

Cr Wood advised that he wished to have the MOTION

**WITHDRAWN**

**H91228 NOTICE OF MOTION - CR NOSOW - [702-0]**

Cr Nosow had given Notice of his intention to move the following Motion at Council Meeting on 8 December 1993:

"That Council rescinds its resolution H21115, viz:

That Council supports the application by Asia Securities (Aust) Pty Ltd to use Lot 163 (460) Kingsway, Landsdale for a residential children's home subject to:

- 1 an application for approval to commence development being submitted and approved before the use or any building commenced;
- 2 not more than eight children being accommodated."

Should this rescission motion be successful, he would then move that:

"The proposal be advertised on site for the reduced period of 21 days to enable residents in the nearby vicinity the opportunity to comment prior to Council making a determination on the application."

Cr Nosow had given authorisation for Cr Wood to move his rescission motion listed in the Agenda for the next ordinary meeting of Council on 8 December 1993, viz:

"That Council rescinds its resolution H21115, viz:

That Council supports the application by Asia Securities (Aust) Pty Ltd to use Lot 163 (460) Kingsway, Landsdale for a residential children's home subject to:

- 1 an application for approval to commence development being submitted and approved before the use or any building commenced;
- 2 not more than eight children being accommodated."

Cr Nosow had further advised that it was his intention to alter the second part of his motion to reflect the current intent as suggested by the City Planner.

The second part of the motion should read:

"Should this rescission motion be successful, I will then move that:

Information on the proposal as supplied by the applicants for that purpose, be distributed to adjoining landowners and requesting them if they so wish, to attend a meeting to be held on Tuesday, 14 December 1993 or alternatively to respond in writing by Wednesday, 15 December 1993 to enable a final report to be prepared for Council determination on 22 December 1993."

**MOVED** Cr Wood, **SECONDED** Cr MacLean that:

- 1 Council rescinds its resolution H21115, viz:

"That Council supports the application by Asia Securities (Aust) Pty Ltd to use Lot 163 (460) Kingsway, Landsdale for a residential children's home subject to:

- 1 an application for approval to commence development being submitted and approved before the use or any building commenced;

2 not more than eight children being accommodated.";

2 information on the proposal as supplied by the applicants for that purpose, be distributed to adjoining landowners and requesting them if they so wish, to attend a meeting to be held on Tuesday, 14 December 1993 or alternatively to respond in writing by Wednesday, 15 December 1993 to enable a final report to be prepared for Council determination on 22 December 1993.

**CARRIED**

**MOVED** Cr Wood, **SECONDED** Cr Rundle that Council sets aside its policy in respect of "Communication of Council Resolutions" in this instance to enable the City Planner to initiate action prior to 3.00 pm on Friday 10 December 1993.

**CARRIED**

Cr Gilmore left the Chamber at this point, the time being 8.59 pm.

**NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING,  
IF GIVEN DURING THE MEETING**

Nil

Crs Freame and Rundle left the Chamber at this point, the time being 9.00 pm.

**PUBLIC QUESTION/COMMENT TIME**

THERE THEN FOLLOWED A 15-MINUTE PERIOD OF QUESTION/COMMENT TIME, DURING WHICH QUESTIONS WERE PUT OR COMMENTS MADE BY THE PUBLIC ON BUSINESS DISCUSSED DURING THE COURSE OF THE MEETING.

**CONFIDENTIAL BUSINESS**

**MOVED** Cr Waters, **SECONDED** Cr Marwick that the Meeting be adjourned for five minutes, the time being 9.04 pm.

The public and members of the press left the Chamber at this point.

**MOVED** Cr Waters, **SECONDED** Cr Marwick that the meeting resume, behind closed doors, the time being 9.13 pm.

**H21215 TOWN PLANNING SCHEME NO 7A MARANGAROO - COMPENSATION  
FOR LAND ACQUISITION, BARIN & WYNADEN SYNDICATE -  
[780-7A]**

**MOVED** Cr Rundle, **SECONDED** Cr Gilmore that Council authorises payment of an amount of \$190,000 to Setiawin Barin and Harry

Christopher Wynaden from Town Planning Scheme No 7A Part B Special Overdraft Account in compensation for land resumed from them for the purpose of that Scheme.

**CARRIED**

**MOVED** Cr Dammers, **SECONDED** Cr Marwick that the meeting be held with the doors open.

**CARRIED**

#### **DATE OF NEXT MEETING**

The next Ordinary Meeting of Council has been scheduled for 7.30 pm on **WEDNESDAY 22 DECEMBER 1993.**

#### **CLOSE OF BUSINESS**

There being no further business, the Acting Mayor declared the Meeting closed at 9.25 pm, the following Councillors being present at that time:

COUNCILLORS:    NOSOW  
                  WATERS  
                  MARWICK  
                  DAMMERS  
                  COOPER  
                  EWEN-CHAPPELL  
                  GILMORE  
                  MOLONEY  
                  WOOD  
                  MACLEAN  
                  RUNDLE

**H11200**

CITY OF WANNEROO

TECHNICAL SERVICES SECTION

REPORTS FOR COUNCIL MEETING

8 DECEMBER 1993

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 540-0-3

SUBJECT: 1993/94 URBAN ARTERIAL ROAD PROGRAMME

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#### REVIEW OF URBAN ARTERIAL ROAD FUNDING

Council was advised at its November 1992 meeting (Item G11108 refers) that, as part of the ongoing review of Urban Arterial Road Funds, a new Steering Committee and Working Party had been formed to review the method of distribution for the 1993/94 Pool.

The terms of reference for the Working Party are outlined below:

The objective of this review is to evaluate the methods and administration of Urban Arterial Road Funds and to suggest improvements where necessary. The review should be as broad as necessary but should include the following as a minimum:

- 5 The means of allocating funds to preservation and improvement.
- 6 An assessment of the effects of the Road Classification Study.
- 7 The means by which the principle of effort neutrality can be applied to preservation and improvement projects.
- 8 The method of approval for projects which need to be funded over more than one year.
- 9 Detailed consideration, where necessary, of the models used for asset enhancement and asset preservation on a needs basis.
- 10 The administration of the approval process on an annual basis.

- 11 Administrative procedures for dealing with variation to the scope and cost of projects between approval and completion of construction.

The Working Party met on four occasions between September 1992 and February 1993. Working Party members provided strong representation of the requirements of their respective districts. As the district requirements differed considerably, it was impossible to achieve consensus between members on some of the issues discussed. However, after considerable debate, the recommendations presented were supported by a majority of Working Party members.

The "Working Party Report to the Steering Committee" was presented in May 1993. The Honourable Minister for Transport accepted the recommendations of the Steering Committee and the Working Party Report on 21 June 1993.

The fourteen recommendations of the report are outlined at Attachment 1.

The major changes from the 1992/93 Urban Arterial Road Programme include:

1. In the 1992/93 Urban Arterial Programme, 25% of the total Urban Pool Fund was set aside for preservation works. The funds were distributed to Local Authorities in accordance with the Road Preservation Model. Council's allocation in 1992/93 was \$173,341 and this was expended on road resurfacing works.

For 1993/94, the distribution of preservation (rehabilitation) funds is on a needs basis for rehabilitation projects. A multi-criteria analysis technique was adopted to evaluate rehabilitation projects based on criteria such as surface condition by visual assessment, surface type and age, bus route, traffic volume and pavement structural condition. Rehabilitation projects are defined as high cost preservation projects where the physical road is retained and failed links are repaired and replaced to the pre-existing physical dimensions. Typical examples of these projects are construction, resurfacing and reconditioning of drainage.

2. Local Authorities are required to contribute 25% of the cost of improvement and rehabilitation projects. In previous years, contribution to projects was not a requirement for approval for Urban Pool Funds. This change in philosophy ensures a financial commitment to the arterial road network by Local Authorities and increases the total pool of funds and hence the number of urban arterial projects approved in 1993/94.

3. The Urban Arterial Road Funds Advisory Committee approved, at its meeting on 23 September 1993, an Urban Pool split of 50% to improvement projects and 50% to rehabilitation projects. In 1992/93 the split was 75% to improvement projects and 25% to rehabilitation projects.

#### 1993/94 URBAN ARTERIAL ROAD PROGRAMME SUBMISSIONS

At its February 1993 meeting, Council endorsed the submission of the following projects for consideration of funding as part of the improvement component of the 1993/94 Urban Arterial Road Programme:

Marmion Avenue - Ocean Reef Road to Prendiville Avenue  
(Road Duplication)

Marangaroo Drive - Mirrabooka Avenue to Alexander Drive  
(Road Duplication)

Based on the 1992/93 projects approvals, it was considered that only one of these projects would be approved, and consequently only funding for the Marmion Avenue project was included in the 1993/94 Budget. The funding allocation included Council's contribution to the project.

On 21 June 1993 Main Roads WA invited submissions of projects for funding consideration as part of the rehabilitation component of the 1993/94 Urban Arterial Road Programme.

The two projects listed below were found to rate the highest, based on the multi criteria analysis formula for rehabilitation projects and were submitted to Main Roads WA for funding consideration:

Gnangara Road - Alexander Drive to eastern City boundary

Gnangara Road - Hartman Drive to Cowle Street

Advice was received on 4 November that the Hon Minister for Transport has approved the funding of the following projects as part of the 1993/94 Urban Arterial Road Programme:

Marmion Avenue - Ocean Reef Road to Prendiville Avenue

Construct 2nd Carriageway

Estimate - \$1,400,000  
Approved Funding - \$1,050,000  
Council Funding - \$ 350,000

Gnangara Road - Alexander Drive to Boundary

Reconstruction Total		Widening
Estimate	- \$213,000	\$27,000
\$240,000		
Approved Funding	- \$160,000	-
\$160,000		
Council Funding		\$
80,000		

The Gngangara Road project includes a widening component that does not fit the criteria for rehabilitation funding. The total estimated cost for the reconstruction and widening of this section of Gngangara Road is \$240,000. No funding for this project has been allowed in the budget and the shortfall for funding by Council is \$80,000.

Recommended sources of funding are summarised below:

*ACCOUNT NO 34157 - OCEAN REEF ROAD/VENTURI DRIVE DRAINAGE - \$17,000*

It is considered that further drainage upgrading works at this location have a lower priority than the Gngangara Road project.

*ACCOUNT NO 33123 - FLYNN DRIVE INDUSTRIAL AREA - \$29,890*

Loan funds were raised in 1991/92 for the construction of Mather Street, Turnbull Road, Avery Street and Warman Street on the Flynn Drive Industrial Area to a sealed standard with minimal drainage. These works are complete and unexpended funds are available for reallocation.

*SPECIAL GRANT - CONSTRUCTION OF SPECIFIC MAINTENANCE PROJECTS - \$32,486*

Main Roads WA advised on 25 October 1993 that the Hon Minister for Transport has approved the allocation of an additional special grant of \$32,486 to be spent on either construction or specific maintenance works. These fund were derived from an increase in the allocation to Main Roads WA from the Transport Trust Fund and Vehicle Licence Fees. The Gngangara Road reconstruction and widening project is an appropriate project on which to expend this special grant.

#### **REVIEW OF 1994/95 URBAN ARTERIAL ROAD FUNDING**

In accordance with Recommendation 14, a Working Party has been formed to further review the distribution of Urban Arterial Road Funds. The North West Region will be represented on the Working Party by the Deputy City Engineer, Dennis Blair. The first meeting was held on 18 October and a second Party meeting is scheduled for 27 November.

## RECOMMENDATION

That Council:

1. reconstructs and widens Gngangara Road, between Alexander Drive and the City's eastern boundary, with funding of \$160,000 from the 1993/94 Urban Arterial Road Programme and \$80,000 from Council sources;
2. allocates the special road grant of \$32,486 approved by the Hon Minister for Transport from the Transport Trust Fund and Vehicle License Fees to the Gngangara Road reconstruction and widening project;
3. authorises, BY ABSOLUTE MAJORITY, in accordance with Section 547 (12) of the Local Government Act, reallocation of funds from the following projects to the Gngangara Road reconstruction and widening project:

<u>Account No</u>	<u>Location</u>
	<u>Amount</u>
34157	Ocean Reef Road/Venturi Drive
	Drainage
33123	Flynn Drive Industrial Area
\$28,890	

R T McNALLY  
City Engineer  
Aere1202

DRB:AT

### **REVIEW OF URBAN ARTERIAL ROAD FUNDING WORKING PARTY REPORT RECOMMENDATIONS**

- R1 That Preservation funding should cease from the commencement of Federal funding for all Local Authority responsible roads (1993/94).
- R2 That Urban Arterial Road funds be made available to Local Authorities state-wide on a needs basis for rehabilitation projects on defined urban arterial roads.
- R3 That rehabilitation project proposals shall only exist on classified or defined urban arterial roads.

- R4** That the Multi-criteria analysis technique contained in Appendix A be used to evaluate rehabilitation project proposals for the 1993/94 year and be reviewed prior to submissions being called for the 1994/95 year.
- R5** That the Improvement Project administration procedures be used to decide which rehabilitation projects shall be funded.
- R6** That Local Authorities be required to contribute 25% of the cost of rehabilitation projects.
- R7** That Local Authorities be invited to submit rehabilitation project proposals for consideration during the 1993/94 distribution.
- R8** That the Project Evaluation Method for Improvement Projects should not be changed prior to the 1993/94 distribution but should be reviewed prior to submissions being called for the 1994/95 year.
- R9** That Local Authorities be required to contribute 25% of the cost towards funded improvement projects except for projects committed and approved on or before 1992/93.
- R10** The funding split between improvement and rehabilitation projects for the 1993/94 year be determined by the Advisory Committee as follows:
- . 50% be allocated to improvement projects on the basis of their ranking.
  - . The remaining 50% be allocated in part to rehabilitate projects and part to the remaining improvement projects. This split to be decided by the Advisory Committee after comparing the rankings of all remaining projects.
- R11** The funding split between improvement and rehabilitation projects for future years be determined annually by the Advisory Committee taking account of the merit of ranked projects and guidelines yet to be determined.
- R12** That a Technical Committee be arranged for Non-metropolitan Councils as per the metropolitan Councils

with membership limited to eight technical and eight elected members.

**R13** That the Technical Committees be renamed Regional Road Funding Committees.

**R14** A further review of urban arterial road funding be undertaken following the 1993/94 distribution.

**H11202**

**NOT FOR PUBLICATION**

**CITY OF WANNEROO REPORT NO H11202**

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 510-1900, 510-3000

SUBJECT: GRADE SEPARATED INTERCHANGE - WANNEROO ROAD AND WHITFORDS AVENUE

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At its December 1992 meeting (Item G11207 refers) Council considered a report on preliminary designs for grade separated interchanges along Wanneroo Road at Hepburn Avenue, Ocean Reef Road, Burns Beach Road and Whitfords Avenue. These proposed interchanges at the major intersections with Wanneroo Road were supported, except for the Whitfords Avenue proposal which required further assessment, particularly in regard to Gngangara Road being realigned to a four way intersection with Whitfords Avenue.

Accordingly, Council deferred consideration of the need for a grade separated interchange at the Whitfords Avenue and Wanneroo Road intersection, pending further discussions with the Main Roads WA (MRWA) and the Department of Planning and Urban Development (DPUD).

Following further liaison on this matter, MRWA has advised that a review of the traffic forecast for 2036 indicates that the staggered Tee junction of Whitfords Avenue and Gngangara Road was not satisfactory for the forecasted traffic volumes.

It also confirmed that the Wanneroo Road and Whitfords Avenue four way intersection would require grade separation.

With regard to the grade separated ramps at this intersection, the preferred layout is for the ramps in the north-west and south-east quadrants, as shown on Attachment 1. In this regard comments on the ramp locations are as follows:

### Ramp East of Wanneroo Road

The location of the ramp in the south-east quadrant has been generally agreed as appropriate, taking into consideration the realignment of Gngangara Road and future land use planning. The structure plan prepared for the future industrial expansion to the Wangara Estate has promoted the use of the ramp in the south-east quadrant.

The option of utilising the existing Gngangara Road alignment and pavement as a ramp for the proposed interchange has also been investigated. MRWA does not consider this option to be suitable for a ramp alignment for the following reasons:

- . "Travel distance for certain movements would be up to 1.2 km longer compared to the proposed ramp at the south east quadrant.
- . Existing Gngangara Road has a steep grade near Wanneroo Road unsuitable for an interchange ramp.
- . Land south of realigned Gngangara Road would have to be redeveloped".

### Ramp West of Wanneroo Road

MRWA has provided the following advice regarding the option of locating the ramp, south of Whitfords Avenue and west of Wanneroo Road, as shown on Attachment 2.

"The ramp on the south-west quadrant would require about the same area of land as for the ramp on the north-west quadrant. However, the ramp on the south-west quadrant would affect the caravan park and the indoor sports pavilion. It would also be too close to Hocking Road (less than 100m) to provide an acceptable weaving distance for turning vehicles on Wanneroo Road.

The ramp on the south-west quadrant would require the northbound traffic from Whitfords Avenue to go to south first before turning to north on Wanneroo Road, thus travelling an additional 250m. Future turning traffic estimates show that the number of west to north traffic would be significantly greater than the south to west traffic. Locating the ramp on the south-west quadrant would therefore disadvantage the dominant traffic flow and increase overall road user costs."

Also, while a more detailed cost benefit analysis of the two ramp options has not been undertaken, the reasons mentioned indicate that the ramp on the north-west quadrant has some significant advantages over the ramp on the south-west quadrant.

It has also been indicated that, at the DPUD's request, the land protection plans for this interchange, with ramps on the north-west and south-east quadrants, has been submitted for inclusion in the proposed East Wanneroo Major MRS Amendment. Copies of these details, including the Gngara Road realignment, are shown on Attachments 3 and 4 respectively.

#### RECOMMENDATION

That Council concurs to the MRWA carriageway and land protection plans for the grade separated interchange at Whitfords Avenue and Wanneroo Road on the north-west and south-east quadrants.

R T McNALLY  
City Engineer

PP:AT  
aerel205  
H11203

#### CITY OF WANNEROO REPORT NO H11203

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 510-1951

SUBJECT: PROPOSED CLOSURE - SPRINGWOOD WAY,  
WOODVALE

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At its September meeting, Council considered a multi-signature petition from Springwood Way residents requesting the reconsideration of the proposed subdivisional connection of this street to Woodvale Drive, Woodvale (Item H10907 refers). Consideration of this matter was deferred, pending the City Planner and City Engineer liaising with the subdivisional developer, Department of Planning and Urban Development and petitioning residents on the preferred option for the road closure. It was indicated that, on planning grounds, any closure of Springwood Way should occur at Duffy Terrace.

Accordingly Springwood Way residents were requested to consider the options and assign them a preference rating. The proposed closure options at Woodvale Drive (Option 1) or Duffy

Terrace (Options 2) are shown on Attachment 1. A third option was for no closure of Springwood Way. The results of the residents' survey is shown in graphical form on Attachment 2.

Of the twenty households that responded, nineteen supported the closure principle, with the overall preference marginally in favour of Option 2 (closure of Springwood Way at Duffy Terrace). The residents comments indicate that they recognised the access limitations Option 1 would cause.

Both the developer and Department of Planning and Urban Development have also supported Option 2. The developer has advised that the construction of the Springwood Way connection to Woodvale Drive is programmed to commence shortly.

Accordingly, it is recommended that Council supports the closure of Springwood Way at Duffy Terrace.

However, as this section of Springwood Way is connected to Duffy Terrace, the proposed closure to prohibit vehicular traffic will require the Minister's approval in accordance with Section 331B of the Local Government Act. Prior to formally seeking the Minister's approval, the proposed closure is required to be advertised for public comment.

#### RECOMMENDATION

That Council initiates the closure of Springwood Way at Duffy Terrace, Woodvale, to vehicular traffic in accordance with Section 331B of the Local Government Act and advertises its intention.

R T McNALLY  
City Engineer

DP:AT  
Aere1201  
H11204

**CITY OF WANNEROO : REPORT NO H11204**

TO: TOWN CLERK  
FROM: CITY ENGINEER  
FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION  
MEETING DATE: 8 DECEMBER 1993  
FILE REF: 208-6

SUBJECT: PLANT AND VEHICLE ADDITIONAL PURCHASES  
PROGRAMME - TENDER NUMBERS - 034 AND  
040-93/94

---

Tender Numbers 034 and 040-93/94 were advertised on 16 and 19 October 1993 for the supply of the following new items of plant approved in the 1993/94 Budget:

Tender No:

034-93/94 One (1) Domestic side loading refuse truck.

040-93/94 One (1) 4 cylinder crew cab utility

Tenders closed at 11.00am on Friday, 5 November 1993 and are as per the attached schedule.

Generally, tenders providing the lowest price and to Council specification are recommended.

Tender No: 034-93/94

This tender is for the purchase of one (1) additional domestic refuse collection truck.

The increased number of services and the need to maintain spare vehicles to cover services require the addition of one truck.

The low tender of Skipper Trucks for the supply of an International 1950E Cab Chassis with MJE Boyd is recommended.

Tender No: 040-93/94

The addition of a crew cab utility was requested by the City Parks Manager to provide transport for the Technical Officer supervising the Corrective Services 30 man crew and the Chemical Spraying Programme.

The low tender of Wanneroo Mitsubishi for the supply of a Mitsubishi Triton Utility is recommended.

RECOMMENDATION

That Council:

- 1 accepts the following tenders as outlined in Attachment 1 to Report No H11204:

<u>Tender No</u>	<u>Company</u>	<u>Price</u>
034-93/94	Skipper Trucks	\$183,074.00
040-93/94	Wanneroo Mitsubishi	\$ 18,499.00

R T McNALLY  
City Engineer

BD:PRG  
drell3  
H11205

**CITY OF WANNEROO REPORT NO: H11205**

TO: TOWN CLERK

FROM: CITY PARKS MANAGER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 208-8

SUBJECT: TENDER NO 42-93/94 - SUPPLY, INSTALLATION  
AND COMMISSIONING OF AN AUTOMATIC  
RETICULATION SYSTEM AT ADDISON PARK,  
MERRIWA AND TIMBERLANE PARK, WOODVALE

---

Tenders were advertised during November for the supply, installation and commissioning of an automatic reticulation system at Liddell Park, Merriwa and Timberlane Park, Woodvale.

Tender documents were issued to the following companies on request:-

Swan Irrigation, 484 Scarborough Beach Road, Osborne Park  
Electric Pump Co of WA, 37 Hector Street, Osborne Park  
Malua Reticulation, Box 409, Morley  
Quinti & Co, 17 Kew Street, Belmont  
Elliotts Irrigation, 24 Canham Way, Greenwood  
Total Eden Watering Systems, 6 Portpirie St, Bibra Lake  
Hugall & Hoile, 9 Stanford Way, Malaga

Tenders were received from the following companies:-

Total Eden Watering Systems	\$125,815
Swan Irrigation (various options) A	\$118,123
B	\$106,478
C	\$121,685
Malua Irrigation option 1	\$111,846

Hugall & Hoile

option 2	\$101,203
	\$111,040

### Summary

#### **Malua Irrigation**

##### **Option 1 - Toro S610 sprinklers as per design specification**

This company has successfully undertaken work for Council over a number of years, recently installing the system at Carramar Golf Course under contract to Ertech.

##### **Option 2 - Hunter I41 and I21 sprinklers**

These sprinklers conform to design requirements, but are lighter in construction thus life span may be reduced.

#### **Hugall & Hoile**

This company has recently recommenced tendering for Council works and the price submitted is very competitive.

Company representative Mr R Cunningham has previously co-ordinated installations for the City.

#### **Total Eden Watering Systems**

Due to price this tender was not considered.

#### **Swan Irrigation - various options submitted**

This tenderer omitted rubber ring joint mainline, therefore an additional \$4,258 would apply.

Toro S10 sprinklers with a rubber ring joint mainline -  
\$118,123

Hunter sprinklers with a rubber ring joint mainline -  
\$106,478

Rainbird R70 with a rubber ring joint mainline -  
\$121,685

This company has successfully installed systems previously for Council.

### General Comments

Council's specifications require a rubber ring joint mainline as standard. The addition of \$4,258 to Swan Irrigation's tender is, therefore, applicable.

The choice of sprinklers is difficult as both Hunter and Toro S10s are similar in initial performance. The long term operation of Hunters has been suspect due to component materials, ie nylon/plastic internal parts.

### **RECOMMENDATION**

That Council:

- (a) accepts the tender of \$111,040 as submitted by Hugall & Hoile, utilising Toro S10 sprinklers, for the supply, installation and commissioning of an automatic

reticulation system at Addison Park, Merriwa and Timberlane Park, Woodvale, and;

(b) authorises signing of the tender documents.

F GRIFFIN  
City Parks Manager

DHC:JB  
grel200  
H11206

**CITY OF WANNEROO REPORT NO: H11206**

TO: TOWN CLERK

FROM: ACTING CITY BUILDING SURVEYOR

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 210 - 8

SUBJECT: BUILDING REGULATIONS 1993 - AMENDMENTS:  
PRIVATE SWIMMING POOL FENCING PROVISIONS

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**AMENDMENTS**

Part 10 of the Building Regulations 1992, regulating fences for private swimming pools has been amended by the Government with the specific intention of removing the requirement to isolate the pool from the nearby house or other buildings. The Regulations are intended to restrict the access of children to swimming pools.

The amendments were published in the Government Gazette on 12 November, 1993. The Department of Local Government has issued a Building Note No:56 which gives explanatory notes and illustrations as shown on Attachment 'A'.

**INTENT OF THE LEGISLATION**

The Private Swimming Pool Fencing Provisions are intended to restrict access to private swimming pools to reduce the risk of drowning faced by a child under the age of five years. A swimming pool is described in the Local Government Act and the

Regulations as a pool with a water depth of more than 300mm, which is intended for swimming, wading and like activities and to which the public are not permitted access.

Councils have discretion to assess individual proposals for compliance with the Regulations.

#### THE LOCAL GOVERNMENT ACT

Section 374 of the Local Government Act requires that a person obtain a building licence for the construction of a building. The installation of a private swimming pool qualifies as a building and as such requires a licence.

The Act empowers Councils to regulate the installation of private pool structures and associated safety devices. Section 245A specifically provides by-law and regulation making power for the safety provisions of private swimming pools. All Councils are required to inspect each pool enclosure at least once every four years. The City of Wanneroo will commence its second round of mandatory swimming pool inspections in 1993-94.

#### AUSTRALIAN STANDARDS

The Australian Standard AS1926 is applicable to the design of swimming pools and pool fencing. It is intended that AS1926.1 is for use in regulatory control. It is referenced in the Regulations as the standard for complying fences, gates, retaining walls, balconies, doors, windows and other barriers.

#### THE REGULATIONS

Briefly, the regulations require any gates or doors accessing the pool area to be fitted with self closing and self latching mechanisms. The openable portion of windows which face the pool area where the height of the sill from the floor level is not greater than 900mm shall be totally covered by bars or a mesh screen.

Alternatively a fixed device may be fitted within the window to prevent it from opening more than 100mm. Where a window or balcony is higher than 2400 from the external ground level it does not require any treatment.

External gates must still open away from the pool area, but doors may open in any direction. A perimeter fence requires to be a minimum height of 1200 on one side of the fence only. Councils by-laws require a minimum height of a boundary fence to be 1500.

#### ABOVE GROUND POOLS

For above ground pools, the walls of the pool shall be an effective barrier if they are not less than 1200mm effective

height and any ladders or steps are placed within the pool or completely removed.

#### COUNCIL DISCRETION

There is considerable variety in the circumstances effecting private swimming pools and their locations. Because there may be situations where it is not practical for the standard fencing requirements to apply, Councils are given the discretion to approve alternative barriers. Proposals for alternative barriers will often provide restriction to access equivalent to that provided by a standard pool fence, and should be considered by Council.

#### DELEGATION

The previous ban provided by Regulation 38E on Councils delegating the authority to approve non standard enclosures has been deleted. Councils may now delegate to Council officers, acceptance and refusal for enclosures.

#### APPEALS

Although swimming pools and fences are buildings, there is only a limited capacity for appeal to the Minister through Section 374 of the Local Government Act. The Department of Local Government has indicated that there is no right of appeal in respect of a Council's determination under Section 245A of the Act.

#### RECOMMENDATION

That Council delegate authority to the City Building Surveyor to approve or refuse non standard private swimming pool enclosures, subject to the non standard fence being of an equal or better safety standard.

L. CANDIDO  
Acting City Building Surveyor

LC:lc  
brel2008  
H11207

**CITY OF WANNEROO REPORT NO: H11207**

TO: TOWN CLERK

FROM: CITY BUILDING SURVEYOR

FOR MEETING OF: COUNCIL

MEETING DATE: 8 DECEMBER 1993

FILE REF: 313-5-1

SUBJECT: MULLALOO SURF LIFE SAVING CLUB: ALTERATIONS  
TO CLUB LOUNGE

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The Honorary Secretary of the Mullaloo Surf Life Saving Club has written to Council seeking permission to re-locate the Clubs bar function from the existing kitchen to the existing office, with the office being moved to the now vacant caretakers flat, as shown on Attachment A. The Honorary Secretary states that the existing dual function is inconvenient and prevents minors from assisting in the kitchen.

He further states that the Club would meet all costs associated with the alterations.

When the Club was designed, all "wet" areas were placed so that no cutting or drilling of the existing suspended concrete floor slab was necessary to prevent any possibility of concrete cancer occurring as a result of the redevelopment. This has some serious consequences for the proposed alterations, namely:

- 1 Plumbing must be arranged so that all connections are made under the existing ramp to the east of the proposed new bar and no drilling or cutting of the suspended slab is required;
- 2 Floor drains required by the Licensing Court and Health Department will need either a topping to the existing slab with a drain through the wall near the bin store or a suspended false floor with drains to the outside.

Further, problems associated with mixing conditioned air (existing office) and evaporatively cooled air (existing Clubrooms) must be addressed, and problems associated with raising the floor level of the proposed new bar and providing new drains must not have a detrimental impact on the external appearance of the building.

It must also be noted that the change of use of the caretakers flat will require a reclassification of that part of the building from Class 4 to Class 5 or Class 9B under the Building Code of Australia.

#### RECOMMENDATION

That Council agrees in principle to the relocation of bar and office at the Mullaloo Surf and Life Saving Club, subject to:

- 1 the submission of detailed plans showing the full extent of proposed work;

- 2 all work proposed offering no interference to the suspended concrete floor slab;
- 3 all work proposed complying with the requirements of the City Building Surveyor, the Building Code of Australia, the Health Act, Public Buildings Regulations and the requirements of the Licensing Court;
- 4 all work proposed not detrimentally affecting the appearance of the building;
- 5 the Club applying for and gaining and undertaking all works necessary for a reclassification of the caretakers flat to an office;
- 6 the Club applying for and gaining and undertaking all works necessary for a building licence;
- 7 the Club providing all funds necessary to meet the above conditions.

R FISCHER  
City Building Surveyor

PW:SE

bre12002

**H11208**

**CITY OF WANNEROO REPORT NO: H11208**

TO: TOWN CLERK

FROM: ACTING CITY BUILDING SURVEYOR

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 538/152/40

SUBJECT: PROPOSED RETAINING WALL: LOT 152 (40)  
GREYGUM CRESCENT, QUINNS ROCKS

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**APPLICATION**

An application has been submitted for approval to construct a dwelling at Lot 152 (40) Greygum Crescent, Quinns Rocks. A retaining wall in excess of 2000 in height is required to

support the rear and right hand rear corner of the dwelling (see Attachment 'A').

#### COUNCIL POLICY

The City Building Surveyor is authorised to approve retaining walls up to 2000 in height. Applications for walls which exceed 2000 in height are to be submitted to Council for consideration. Submissions for approval to construct retaining walls on a boundary exceeding 1000 in height require the submission of adjoining owners comments.

#### BACKGROUND

The proposed wall on the right hand boundary commences 17500 back from the from boundary at a height of 1000. The wall is 9500 in length and tapers from 1000 to 2800 in height. A second wall at the rear of the dwelling and within the property is 13500 in length and an overall height of 2800. The level of the lot falls 7790 from the right hand front corner to the left hand rear corner.

Letters of favourable comment have been received from both adjoining owners.

#### RECOMMENDATION

That Council approve the proposed retaining walls at Lot 152 (40) Greygum Crescent, Quinns Rocks, to be constructed to a height of 2800.

L.CANDIDO

Acting City Building Surveyor

LC:lc

brel2007

H11209

**CITY OF WANNEROO REPORT NO: H11209**

TO: TOWN CLERK

FROM: CITY BUILDING SURVEYOR

FOR MEETING OF: COUNCIL

MEETING DATE: 8 DECEMBER 1993

FILE REF: 208-032-93/94

SUBJECT: TOILET CHANGEROOM BUILDINGS ON MIRROR PARK,  
LEXCEN PARK, PRINCE REGENT PARK, ALDERSEA  
PARK AND BLACKMORE PARK RESERVES

Tenders closed for the above projects on 15 November 1993. The various buildings of similar design were offered as one contract to the building industry and (10) ten tenders were received:

	\$
Swan Construction (tender withdrawn)	289,950.00
Brown & Joy Industries Pty Ltd (tender withdrawn)	295,000.00
Mike Lynch Construction (tender confirmed)	319,950.00
Alan Woodward Builder	323,404.00
WD Petersen & Son	334,341.00
Longo Construction	340,000.00
Paradam Construction	343,510.00
Homestead Construction Pty Ltd	374,925.00
Keith Anderson Construction Pty Ltd	375,620.00
TSB Constructions	496,581.00

The lowest two tenderers withdrew their offer.

Mike Lynch confirmed his tender of \$319,950.00 for the construction of the five toilet changeroom buildings on the listed reserves. This contractor is not new to the building industry but has only been operating as a solo trader/registered builder for the past 18 months. He has not contracted with Council previously and this project will be his first work won at open public tender. There is no way to determine his financial standing due to the short time he has been in operation.

Due to the simple methods of construction required for these similar five toilet buildings this contractor is considered to be competent and capable of completing the works.

The budget for the works comprises:

	\$
Mirror Park Reserve, Ocean Reef	75,000.00
Lexcen Park Reserve, Ocean Reef	75,000.00
Prince Regent park Reserve, Heathridge	75,000.00
Aldersea Park Reserve, Clarkson	60,000.00
Blackmore Park Reserve, Girrawheen	<u>75,000.00</u>
Total	\$360,000.00

The tendered sum is within budget and an allowance of some \$15,000.00 has been included in the tender sum for flood lighting of future and adjoining car parks.

RECOMMENDATION

That Council:

- . accepts the tender sum of \$319,950.00 from Mike Lynch Construction for the toilet changeroom buildings on Mirror Park, Lexcen Park, Prince Regent Park, Aldersea Park and Blackmore Park Reserves;
- . agrees to the signing of the contract documents.

R FISCHER  
City Building Surveyor

JS:SE

bre12006

H21200

CITY OF WANNEROO

TOWN PLANNING SECTION

REPORTS FOR COUNCIL MEETING

8 DECEMBER 1993

H21201

CITY OF WANNEROO REPORT NO: H21201

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 30/4561

SUBJECT: PROPOSED MEDICAL CONSULTING ROOMS - LOT 191  
(22) HARMAN ROAD, SORRENTO

---

METRO SCHEME: Urban

LOCAL SCHEME: Residential Development

APPLICANT/OWNER: Dr J Moran/C Fallon

CONSULTANT: Sandover Architects

INTRODUCTION

Council received an application on 3 November 1993 for medical consulting rooms on Lot 191 (22) Harman Road, Sorrento (Attachment 1 and 2 refers).

BACKGROUND

The subject site is zoned residential development and a consulting room is an AA use (a use not permitted unless approval is granted by Council) in this zone.

The proposal is to convert an existing residence to consulting rooms for the use of one practitioner (dentist). The subject site has a lot area of 770m<sup>2</sup>, adjoins residential lots and is located opposite a reserve for public recreation.

ASSESSMENT

The proposed use is being advertised with a closing date of 7 December 1993. The applicant has submitted 9 signatures of support for the proposal from surrounding residents. To date, one objection has been received stating concern over the number of dental clinics in the locality and the intrusion of dental clinics in the locality and the intrusions of non-residential uses in residential areas. Council will be advised should any more submissions be received. Attachment 2 shows a land-use survey of surrounding lots which displays a predominance of residential use in the locality.

Council's policy, in respect to consulting rooms, states that it encourages their locations in or adjacent to shopping centres or where they will provide suitable buffers to protect residential amenity.

Town Planning Scheme No 1 states that the minimum lot area, if in a residential zone, is 800m<sup>2</sup>. Side setbacks are required to be 3m. The subject site has 1.3m on the eastern boundary and 6.3m on the western boundary. The applicant proposes heavy planting on the eastern boundary to act as a screen and buffer.

The practice is currently located within the nearby commercial area and is therefore operating fully in accordance with Council's scheme and policy. The proposed site will enable the applicant to relocate his practice 100m from commercial premises to premises presently used for residential purposes.

A separate report to the Policy and Special Purposes Committee addresses modifications to Council's Consulting Rooms Policy in respect of relaxations necessary to accommodate consulting rooms on lots adjacent/opposite shopping centres. Such lots are favoured by the policy but often do not meet the normal scheme standards for consulting rooms. To overcome the conflict, it is reasonable for Council to at least consider relaxation when it can be shown that the development can be satisfactorily accommodated on a lot smaller than 800m<sup>2</sup>.

The application for lot 191 is in the vicinity of but neither adjacent nor directly opposite the shopping centre. It, therefore, goes somewhat beyond the policy but in the absence of any strong reason for refusal and the general support, Council may approve the application.

#### RECOMMENDATION:

THAT Council

12 approves the application submitted by Sandover Architects on behalf of Mr J Moran/C Fallon for medical consulting rooms on Lot 191 Harman Road, Sorrento subject to:

- a) the detailed design being to the satisfaction of the City Planner;

- b) only one practitioner consulting at the premises at any one time;
- c) six (6) car parking bays being provided;
- d) satisfactory landscaping to maintain the streetscape and amenity of neighbouring properties where reduced set backs apply;

13 exercises its discretion and Clause 5.9 of Town Planning Scheme No 1 to reduce the normal scheme standards applicable to consulting rooms in this case.

O G DRESCHER  
City Planner

PJE:HY  
pre931221  
22.11.93  
**H21202**

**CITY OF WANNEROO REPORT NO: H21202**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 30/4013

SUBJECT: PROPOSED CHILD CARE CENTRE ON LOTS 109 & 110 HIGHCLERE BOULEVARD/BANNERMAN COURT, MARANGAROO

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METRO SCHEME:	Urban
LOCAL SCHEME:	Residential Development
APPLICANT/OWNER:	Enderby Holdings WA Pty Limited
CONSULTANT:	Taylor & Binet Architects

**INTRODUCTION**

An application has been received from Taylor & Binet Architects on behalf of Enderby Holdings WA Pty Limited for a Child Care Centre on lots 109 and 110, corner Highclere Boulevard and Marangaroo Drive, Marangaroo.

**BACKGROUND**

A previous application for medical consulting rooms received by Council on 9 September 1992 from Noor-Di Vingilio & Associates on behalf of Dominic Casella (report G20905 refers) was refused approval for the following reasons:

1. the application did not comply with Council's policy with regard to proximity to shopping centres;
2. traffic generation of the development would cause conflicts at the intersection;
3. significant resident objection.

Lot 110 is presently accessed via a battleaxe leg off Bannerman Court. Approval of this application would necessitate amalgamation of lots 109 and 110 to enable access to be supplied off Highclere Boulevard. Amalgamation would also be necessary for the development to comply with Council's minimum lot size requirement of 800m<sup>2</sup> for this type of facility.

Traffic generated from this use would peak in the early mornings and afternoons. The Development Assessment Unit has commented on the recent submission and would require a traffic management study to be undertaken by the developer should Council express support for the application.

Advertising of this proposal has not yet been undertaken in view of previous negative responses. It is considered that similar concerns could be raised about this proposal.

#### ASSESSMENT

Although this proposal differs in type from that refused previously by Council, the issues are essentially the same with regard to location and traffic generation and safety. In fact, traffic associated with a child care centre would have a greater impact than a medical centre as the latter would generate a more regular and therefore less disruptive flow. Council's Planning Department has an information sheet on Child Care Centres which identifies locations in which they are preferred. The policy is directed at preserving the amenity of residents in residential areas and, therefore, this type of development should be located adjacent to a school site, public open space, local commercial centre, civic facilities etc, rather than in a predominantly residential area. Accordingly, this application is not be supported on town planning grounds.

#### RECOMMENDATION:

THAT Council refuses the application for a Child Care Centre on Lots 109 (4) Highclere Boulevard and 110 (21) Bannerman Court, Marangaroo as submitted by Taylor & Binet Architects on behalf of Enderby Holdings WA Pty Limited for the following reasons:

1. traffic generation from this development will cause significant conflicts at a major intersection;
2. potential detrimental effect on the amenity of surrounding residents.

O G DRESCHER  
City Planner

HJG:HY  
pre931224  
23.11.93  
**H21203**

**CITY OF WANNEROO REPORT NO: H21203**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 30/2317

SUBJECT: PROPOSED USE APPROVAL FOR SALE OF VENISON :  
LOT 155 (583) ALEXANDER DRIVE, LANDSDALE

---

METRO SCHEME: Rural  
LOCAL SCHEME: Rural  
APPLICANT/OWNER: G E Dunjey

**INTRODUCTION**

Council received a request for a use approval on 13 September 1993 for the sale of venison from Lot 155 (583) Alexander Drive, Landsdale (see Attachment 1).

**BACKGROUND**

The subject site is zoned Rural under Town Planning Scheme No 1 and has a total area of 4.19 ha.

The applicant currently rears venison on the property which are slaughtered at a licensed abattoir and sold to a wholesale butcher who processes and packs the meat.

It is proposed that the balance of the slaughter not sold to the wholesale butcher be permitted to be sold from the above property. The applicant has advised that this would constitute approximately 50 animals per year.

#### ASSESSMENT

Rural Use is a permitted use in the Rural zone and is defined as "means and includes agriculture, horticulture, forestry, pasture and poultry farming and may include the retail sale of produce grown on the property where satisfactory access and parking can be provided."

The use proposed cannot be considered as a Rural Use as the sale proposed does not offer the product in its rural state, rather it is offering a processed product derived from the rural base.

A Rural Industry is also a permitted use in the Rural zone and is defined as "an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop, servicing plant or equipment used for rural purposes in the locality."

Given that the venison is only reared on the property and not processed in any manner, the sale of processed goods on the property does not follow in a manner consistent with the intention of the Rural Industry definition.

Council's Environmental Health Department has advised that the slaughtering of venison would not be permitted on the subject site and if the sale of venison was to be approved, detailed plans and specifications of the area in which meat is to be sold off is required for approval.

It is suggested that the use being proposed would constitute a Retail Outlet. The use "Shop" is an "X" use in the Rural zone under the provisions of Town Planning Scheme No 1.

Council may recall that an approval for the sale of strawberry wine at Lot 29 (2024) Wanneroo Road, Neerabup was issued in March 1993 on a similar basis (H20311). However, the sale of strawberry wine was permitted for a period of 2 years even though the strawberries grown at Lot 29 were being fermented and bottled at the Berry Farm in the Margaret River district. It was proposed that if this proved to be viable, the wine may be made on site. It should be noted that limited approval for the sale of venison would not be acceptable as the processing would never be considered as acceptable on the subject site.

It would be inappropriate for Council to approve the proposed use especially in the absence of detailed plans indicating areas and standards for the portions of the lot that would be associated with the sale of venison.

RECOMMENDATION:

THAT Council refuse the proposed use approval for the sale of venison on Lot 155 (583) Alexander Drive, Landsdale submitted by Mr G E Dunjey for the following reasons:

- 14 the proposed use is contrary to the provisions of the Rural zone in Town Planning Scheme No 1;
- 15 insufficient information and plans were provided for a full assessment of the use;
- 16 approval of the use could set a precedent for the establishment of additional retail outlets in the Rural zone.

O G DRESCHER  
City Planner

pje:rp  
pre931214  
19.11.93  
**H21204**

**CITY OF WANNEROO REPORT NO: H21204**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 30/431

SUBJECT: PROPOSED ADDITIONS TO GLENGARRY HOSPITAL  
LOT 412 (53) ARNISDALE ROAD, DUNCRAIG

---

METRO SCHEME: Urban  
LOCAL SCHEME: Residential Development  
APPLICANT/OWNER: Hadassah Pty Limited  
CONSULTANT: Silver Thomas Hanley Architects

INTRODUCTION

Council received an application for extensions to the Glengarry Hospital on Lot 412 (53) Arnisdale Road, Duncraig. The

application involves a second storey with no additional site coverage (refer Attachment 1).

#### BACKGROUND

Council approved additions to the existing hospital on 16 November 1992. This permitted expansion to the hospital in addition to the renovation of existing buildings. The applicant was also advised on the 22 September 1992 that future expansions proposing further site coverage would not be supported by Council as the existing building exceeds the capacity stated in Town Planning Scheme No 1.

The subject expansions do not propose to increase the site coverage, however, plot ratio will increase.

#### ASSESSMENT

The existing site coverage is 0.442. The maximum permitted under Town Planning Scheme No 1 is 0.3 thus, it is recommended that Council maintains its stance on not permitting any further site coverage. The maximum plot ration permitted under Town Planning Scheme No. 1. is 0.5. The existing building area is approximately 4,850m<sup>2</sup> with an area of 160.8m<sup>2</sup> of proposed additions. If approved, the area of buildings totals 5,010.8 on a lot area of 10,801m<sup>2</sup> which calculates to a plot ratio of 0.46.

The applicant advises that no additional staff will be generated by the proposed expansion and no additional beds are proposed. Thus, existing car parking levels are in accordance with the scheme requirements.

The proposed additions are to be used for staff amenity facilities such as library, meeting room and staff development. Their relocation is a result of the previous extension and works approved by Council. All additional beds were assessed in the previous approval hence, no additional carparking bays are required.

#### RECOMMENDATION:

THAT Council approves the application submitted by Silver Thomas Hanley on behalf of Hadassah Pty Limited for additions to Glengarry Hospital on Lot 412 (53) Arnisdale Road, Duncraig subject to standard and appropriate development conditions.

## City Planner

PJE:HY  
pre931223  
23.11.93  
H21205

### CITY OF WANNEROO REPORT NO: H21205

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 30/4428

SUBJECT: REDUCED SIDE SETBACK FOR TWO GROUPED  
DWELLING APPLICATION ON LOT 221 NILSEN  
RIDGE, CLARKSON

---

METRO SCHEME: Urban  
LOCAL SCHEME: Residential Development R20  
OWNER: Fur Holdings pty Ltd

#### INTRODUCTION/BACKGROUND

On the 9 August 1993 the City's Town Planning Department approved a two grouped dwelling application for Lot 221 Nilsen Ridge, Clarkson as submitted by Fur Holdings Pty Ltd.

The subject site is zoned Residential Development R20 under the City's Town Planning Scheme No 1 and is comprised of 900m<sup>2</sup> in area. It therefore meets the minimum lot size requirement for a two grouped dwelling.

On 13 August 1993 the City's Building Department issued a building licence with plans identical to those approved by the Town Planning Department on 9 August 1993.

The building has subsequently been constructed.

#### STRATA TITLE APPLICATION

The owner has now applied for individual strata titles for the two units which has revealed that the actual building is not located on site in accordance with the Town Planning and Building approvals and consequently it is not in accordance with the requirements of the Residential Planning Codes (see Attachment No 2). Walls with major openings have been constructed at 1.4 metres from the boundary instead of 1.5

metres and walls without major openings have been constructed at 0.81 metres instead of 1.0 metre.

Considering the building has already been constructed, and that the discrepancies in the setback requirements are extremely minimal, it is recommended that Council exercises its discretion under Clause 5.9 of its Town Planning Scheme No 1 and approves the reduced setbacks.

**RECOMMENDATION:**

THAT Council exercises its discretion under Clause 5.9 of its Town Planning Scheme No 1 and allows a reduction in the side setback requirement for the two grouped dwelling on Lot 221 Nilsen Ridge, Clarkson as outlined in this report and the report's attachment.

O G DRESCHER  
City Planner

tk:gm  
pre931208  
17.11.93  
**H21206**

**CITY OF WANNEROO REPORT NO: H21206**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 30/3850

SUBJECT: PROPOSED TWO GROUPED DWELLING, LOT 177  
RALEIGH ROAD, SORRENTO

---

METRO SCHEME: Urban  
LOCAL SCHEME: Residential  
APPLICANT/OWNER: T & C Toncich  
CONSULTANT: Webb & Brown-Neaves Pty Ltd

**INTRODUCTION**

An application has been received from Webb & Brown-Neaves Pty Ltd on behalf of L and C Toncich for approval to develop an additional dwelling unit on Lot 177 Raleigh Road, Sorrento.

#### BACKGROUND

Approval for this three storey development was granted by Council on 17th December 1991 but was not acted upon within the two year approval period. This proposal was not advertised but an unsolicited objection was received from Mr B J Hogan of neighbouring Lot 50 (14) Frobisher Avenue. The issues raised were:

- 17        three level development will affect views and amenity;
- 18        creation of a six metre wall in full view of their formal dining and lounge rooms will be visually unacceptable;
- 19        the additional crossover will cause a dangerous traffic situation on this corner;
- 20        the proposed additional crossover will be located over a major stormwater drainage drain and may cause drainage problems.

#### ASSESSMENT

The original proposed development conformed to the requirements of the Residential Planning Codes and approval was granted by the Development Assessment Unit under delegated authority. The Engineering Department has examined the proposal and has no concerns with the location of the additional crossover. The objection to this fresh application is presented here for Council's information.

#### RECOMMENDATION:

THAT Council approves the application for an additional unit (two grouped dwellings) submitted by Webb & Brown-Neaves on behalf of L and C Toncich subject to standard and appropriate development conditions.

O G DRESCHER  
City Planner

hg:rp  
pre931215  
22.11.93  
H21207

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 22 DECEMBER 1993

FILE REF: 2173/169/30

SUBJECT: PETITION CONCERNING TRUCK PARKING, KERB  
DAMAGE AND LOWERED AMENITY AT LOT 169 (30)  
LE GRAND GARDENS, MARANGAROO

---

METRO SCHEME: Urban

LOCAL SCHEME: Residential Development

OWNER: Mr T Roza

Council will recall that at its meeting on 22 September 1993 (H20931) it resolved to refer the matter of truck parking, kerb damage and lowered amenity at Lot 169 (30) Le Grand Gardens, Marangaroo to its solicitors for appropriate legal action.

Since Council's resolution Mr Roza has sold the subject property and his present address is unknown.

In view of the foregoing therefore there seems no point in pursuing the matter relating to the minor kerb damage (which in any event would be difficult to prove in Court) and I therefore feel the matter should now be closed.

RECOMMENDATION:

THAT Council instructs its solicitors to take no further action in this case.

O G DRESCHER  
City Planner

jhw:rp  
pre931226  
H21207

CITY OF WANNEROO REPORT NO: H21207

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION  
MEETING DATE: 8 DECEMBER 1993  
FILE REF: 30/3613  
SUBJECT: PROPOSED THREE GROUPED DWELLINGS : LOT 679  
(15) BREDGAR WAY, MARANGAROO

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential Development  
APPLICANT/OWNER: Mr Ingo Hagemann

## INTRODUCTION

An application has been received from Mr Hagemann for approval to develop Lot 679 (15) Bredgar Way, Marangaroo with three grouped dwellings (see Attachment No 1).

## BACKGROUND

The subject lot is zoned Residential Development under the City's Town Planning Scheme No 1 and is 1230m<sup>2</sup> in area. The site is smaller than that required under the Residential Planning Codes (R Codes) for three grouped dwellings in this area of density coding R20. The proposal is the equivalent of confirming an R25 coding on the lot.

A previous application for a similar development received in November 1990 led to review of and amendment to Clause 5.9 of Town Planning Scheme No 1 giving discretion to Council to relax the requirements of the R Codes.

Approval was granted for this development by the Development Assessment Unit in January 1991, valid for a period of 24 months. Development did not, however, commence in this period and the applicant has submitted another application.

The proposed development is presented in Attachment No 3 and differs slightly from the approved layout of January 1991 (Attachment No 2).

## ASSESSMENT

The proposed development conforms to all other requirements of the R Codes in terms of setbacks, open space, parking and storage requirements. In addition, grouped dwellings in excess of two, require the submission of detailed landscape drawings to the City Parks Manager prior to the issue of a building licence.

The original proposal was advertised under Clause 5.9 and objections were received from the owners of Lots 852 and 853 opposite the subject lot. It was claimed by these objectors that a triplex development would increase traffic and parking problems and would devalue their properties. It was considered that the history of this proposed development had been adequately portrayed with the report proposing Town Planning Scheme Amendment No 514 (relaxation of the requirements of the R Codes) and approval was therefore granted.

RECOMMENDATION:

THAT Council, in the light of the approval granted on 29 January 1991, exercises its discretion under Clause 5.9 of Town Planning Scheme No 1 and approves the application submitted by Mr I Hagemann for three grouped dwellings on Lot 679 (15) Bredgar Way, Marangaroo, subject to standard and appropriate conditions.

O G DRESCHER  
City Planner

hjj:gm  
pre931205  
16.11.93  
**H21209**

**CITY OF WANNEROO REPORT NO: H21209**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 510-1836

SUBJECT: DEDICATION OF PART OF CHARONIA ROAD,  
MULLALOO

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The portion of Charonia Road, Mullaloo shown shaded on Attachment 1 remains in private ownership. The road is constructed and has been used for public traffic for several years and it is appropriate that it now be dedicated for public use.

That the land remains in private ownership is merely an oversight by the developer and his consulting surveyors. The

Department of Land Administration can easily rectify the situation by resuming the land, subject to an indemnity against costs and a resolution to dedicate the road from Council.

The owners from the land, Millie Nominees Pty Limited, have agreed in writing to the resumption without entitlement to compensation, subject to Council meeting the costs of implementing the resumption (if any).

RECOMMENDATION:

THAT Council indemnify the Minister for Lands against all costs attached to the resumption from Millie Nominees Pty Limited of approximately 420m<sup>2</sup> from Swan Location 1370 and requests the Hon Minister to dedicate the land as a public road pursuant to Section 288 of the Local Government Act.

O G DRESCHER  
City Planner

TWN:HY  
pre931222  
23.11.93  
**H21210**

**CITY OF WANNEROO REPORT NO: H21210**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 30/4552

SUBJECT: REQUEST FOR RELAXATION, LOT 689 (8) URAWA ROAD, DUNCRAIG

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential R20  
APPLICANT/OWNER: Richard Lester

INTRODUCTION

Council received an application on 27 October 1993 for a group dwelling requesting relaxation on Lot 689 (8) Urawa Road, Duncraig (see Attachment 1).

## BACKGROUND

The site has a total area of 875m<sup>2</sup>, however is located on a corner. The Residential Planning Codes state in Clause 6.1.1, that any land adjacent to a lot which is contained within the abutting road reserve as a standard 8.5m corner truncation shall be credited towards the area of the lot.

The inclusion of the truncation results in the lot having an area of 893m<sup>2</sup>.

## ASSESSMENT

The subject land is included in the R20 code area under Council's Scheme and under the Residential Planning Codes, land in this code area can only be developed for two units of group housing (duplex) if it has an area of 450 square metres per unit (900 square metres total area). The minimum site area per dwelling unit is only one of the requirements contained in the Codes, others relate to setbacks, car parking, open space. The Codes provide discretion for some of these requirements to be varied but no such discretion is provided for the minimum site area requirements.

In 1990 Council amended Clause 5.9 of its Town Planning Scheme to give it discretion to vary the requirements of the Residential Planning Codes. This discretion extends to the minimum lot size requirements and was intended to allow for those situations where an additional dwelling unit would have been precluded from development because the lot was a few square metres less than the minimum lot size. This discretion has been exercised by Council on a number of occasions but the minimum lot sizes contained in the Codes have generally been applied as the norm.

The applicant has provided some points in support of the application which can be seen in Attachment 2. The applicant has been advised of the provisions of the Residential Planning Codes however, has requested Council use its discretionary powers in this instance.

If Council was to support the proposal the provision of storerooms for both units will be required and additional details in respect to site and finished floor levels.

Boundary setbacks, private open space and car parking provisions are in accordance with the requirements of the Residential Planning Codes. The site plan can be seen in Attachment 3.

There are no overriding reasons for the rules to be relaxed in this instance and there are no doubt many owners of similar sized lots who would like to take advantage of the possibility to construct an additional unit.

**RECOMMENDATION:**

THAT Council advises Mr R Lester that it is not prepared to exercise its discretion under its Town Planning Scheme to allow the development of two units of group housing on Lot 689 (8) Urawa Road, Duncraig.

O G DRESCHER  
City Planner

pje:rp  
pre931212  
19.11.93  
**H21211**

**CITY OF WANNEROO REPORT NO: H21211**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 1936/10/76

SUBJECT: DIVIDING FENCE CLAIM : LOT 10 AYLESFORD DRIVE, MARANGAROO

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The City owns Lot 10 (76) Aylesford Drive, Marangaroo in its capacity as the authority responsible for Town Planning Scheme No 7A. The owner of the adjoining Lot 94 has made a claim against the City under the Dividing Fences Act for a contribution of \$525.00 as half the cost of erecting an 1800mm high Hardiflex fence on the common boundary.

Legal advice on the matter suggests that the City is not exempt from the operation of the Dividing Fences Act on the grounds that it holds land as a responsible authority for a Town Planning Scheme. If the City later transfers the subject land to an entitled Scheme landowner, the City might attempt to recover the amount of the claim from that Scheme landowner but their liability is uncertain. If recovery is not possible, the cost of the claim would probably be viewed as a legitimate cost against the Scheme. If the subject land is later sold by the

City the increased value of the land attributable to the fence would be reflected in the sale proceeds which would be credited to the Scheme account.

Funds to meet the claim are held in Town Planning Scheme No 7A Part B Special Overdraft Account.

RECOMMENDATION:

THAT Council authorises payment of \$525.00 to Mr G Gobby for the half cost of a dividing fence between Lots 10 and 94 Aylesford Drive, Marangaroo to be paid from Town Planning Scheme No 7A Part B Special overdraft Account.

O G DRESCHER  
City Planner

town:rp  
pre931206  
17.11.93  
H21212

CITY OF WANNEROO REPORT NO: H21212

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 290-8

SUBJECT: SOUTH WANNEROO LOCAL STRUCTURE PLAN

---

INTRODUCTION

Council will recall that at its December 1993 meeting (Report No G21203), it considered the matter of the Draft South Wanneroo Local Structure Plan (refer Attachment 1). At that meeting the Council resolved inter alia, to adopt the local structure plan and refer it to the DPUD for adoption as the approved local structure plan for the area.

THE STRUCTURE PLAN

Council is now advised that the DPUD has considered the local structure plan and has resolved to require several

modifications to the plan prior to it being adopted. The majority of changes requested are only minor and will not have a major impact on the the area. Basically, these changes include the identification of the interchange requirements for the Ocean Reef Road/Wanneroo Road interchange (as specified by MRWA), the identification of specific medium density sites, rationalisation of the boundaries of different land-uses, e.g. POS with the existing cadastral boundaries, etc.

One modification, however, has resulted in a significant change to the design of the plan. The Department has proposed that the location of the northernmost primary school and adjoining public open space and neighbourhood centre site be relocated to the western side of the Wyatt Road extension, adjacent the proposed catholic school sites (refer Attachment 2). This change has resulted from a request from the landowners on the southern side of Nicholas Road who argued that they did not want these facilities located on their landholding. Normally such a request is not supported unless sufficient justification is provided. An on-site meeting was, therefore, held to examine this matter and to consider an alternative location.

The current location was subsequently proposed as it offered a better opportunity for the co-location and joint sharing of facilities between the schools and POS. In addition, this area was considered a more suitable location than the previous area because the topography was less severe. It was also considered that the previous location was more desirable for residential development due to the availability of views.

As a result of the modifications, the landowners within the area have not had an opportunity to comment on the new plan. It is, therefore, believed that this plan should be referred to those landowners affected by the changes for comment prior to the plan being adopted. Once they have considered the revised plan, the Council will then need to make its determination in the light of any comments received. If no comments are made it is believed that the Council can support the modified structure plan as proposed.

## CONCLUSION

In general, the majority of modifications to the Local Structure Plan for the area do not significantly affect the landowners in the area. Whilst the change of location to the primary school site and adjoining land-uses is significant, it is believed that this is a desirable and necessary modification which improves the design and function of the area.

## RECOMMENDATION

THAT Council

- 21       advertises the modified structure plan for a period of 14 days amongst the landowners directly affected by the modifications identified by the Department of Planning and Urban Development;
- 22       subject to no adverse comments being received, endorses the modified South Wanneroo Local Structure Plan and refers it to the DPUD for its final adoption as the approved local structure plan.

O G DRESCHER  
City Planner

RWZ:HY  
pre931219  
22.11.93  
H21213

**CITY OF WANNEROO REPORT NO: H21213**

TO:                   TOWN CLERK

FROM:                CITY PLANNER

FOR MEETING OF:    COUNCIL - TOWN PLANNING SECTION

MEETING DATE:       8 DECEMBER 1993

FILE REF:           740-91003

SUBJECT:            PROPOSED SUBDIVISION OF LOT 4 PRIEST ROAD,  
                     LANDSDALE

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METRO SCHEME:       Rural  
LOCAL SCHEME:       Rural  
APPLICANT/OWNER:    T & M Priest  
CONSULTANT:          Feilman Planning Consultants

**INTRODUCTION**

An application has been received from Feilman Planning Consultants on behalf of T&M Priest for a residential subdivision (DPUD Reference No 91003) of Lot 4 Priest Road, Landsdale (Attachment 1 refers).

**BACKGROUND**

Lot 4 Priest Road comprises part of the North East Landsdale Local Structure Plan which identifies the residential subdivision of land bounded by Gnangara Road, future Mirrabooka Avenue, Kingsway and the eastern boundaries of Lot 46 Kingsway, Swan Locations 1914, 1803 and Lots 2 and 4 Priest Road, Landsdale.

Amendment No 599, which seeks the rezoning of the land within the North East Landsdale Local Structure Plan from Rural to Residential Development, is currently with the Minister for final approval. However, the amendment is pending the resolution of Town Planning Scheme No 21.

#### CURRENT SITUATION

The subject lot abuts a portion of Gnangara Road which is currently proposed for realignment and widening to form part of Ocean Reef Road extension. The actual location and land acquisition details for the proposed widening are yet to be finalised. Council is currently awaiting a decision by DPUD.

Part of Lot 4 Priest Road may need to be acquired so as to allow for the road widening.

As such, support for the proposed subdivision (DPUD reference number 91003) cannot be given until the location for the widening of Gnangara Road is determined.

#### RECOMMENDATION:

THAT Council defers the application submitted by Feilman Planning Consultants on behalf of T&M Priest for the subdivision of Lot 4 Priest Road, Landsdale pending a resolution of the Gnangara Road widening and the future direction of proposed Town Planning Scheme No 21.

O G DRESCHER  
City Planner

sk:hy  
pre931225  
23.11.93  
H21214

**CITY OF WANNEROO REPORT NO: H21214**

TO:

TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 740-90927

SUBJECT: PROPOSED SUBDIVISION, LOT 118 (52) CANNA PLACE, WANNEROO

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METRO SCHEME: Rural

LOCAL SCHEME: Special Rural

APPLICANT/OWNER: S S & M Elias

CONSULTANT: Urban Focus

#### INTRODUCTION

An application has been received from Urban Focus on behalf of S S and M Elias for the subdivision of Lot 118 (52) Canna Place, Wanneroo. Lot 118 is located within the Garden Park Special Rural Zone (No 3).

#### BACKGROUND

Amendment No 69 to Town Planning Scheme No 1 established the provisions for subdivision and development within the area. The minimum lot size shall be not less than 1.0 ha with the average lot size being not less than 1.5 ha. Subdivision is required to be generally in accordance with the "Development Guide Map."

#### ASSESSMENT

The proposal complies with the minimum 1 ha lot size however, calculations reveal that the average lot size for the area will be less than the prescribed 1.5 ha. It would appear that the Special Rural zone has already reached its potential lot yield. Further, the application does not comply with the "Development Guide Map".

Although the provisions in Schedule 4 of Town Planning Scheme No 1 state that subdivision shall generally be in accordance with the "Development Guide Map", it should also be noted that access is intended to be off Griffiths Road. During the design stage of the subdivision all lots adjacent to Griffiths Road were provided with access to the internal road system of Garden Park Special Rural zone. To allow for access onto Griffiths Road through subdivision would further contravene the "Development Guide Map".

#### RECOMMENDATION:

THAT Council does not support the application submitted by Urban Focus on behalf of S S and M Elias for the subdivision of Lot 118 (52) Canna Place, Wanneroo for the following reasons:

- 23 the subdivision is contrary to the Special Provisions for this zone which prescribes an average lot size being not less than 1.5 hectares and all subdivision being carried out in accordance with the "Development Guide Plan";
- 24 support for the proposal would result in an undesirable precedent being set for the further fragmentation of lots in the area, contrary to Town Planning Scheme provisions.

O G DRESCHER  
City Planner

pje:rp  
pre931213  
19.11.93  
**H21215**

**NOT FOR PUBLICATION**

**CITY OF WANNEROO REPORT NO: H21215**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 780-7A

SUBJECT: TOWN PLANNING SCHEME NO 7A MARANGAROO -  
COMPENSATION FOR LAND ACQUISITION, BARIN  
& WYNADEN SYNDICATE

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**BACKGROUND**

This report recommends the payment of a sum of compensation in an attempt to bring to a close the one outstanding matter in the administration of Part B of Town Planning Scheme No 7A in Marangaroo.

Part B of the Scheme was designed to operate under guided development principles with very little Council involvement.

The City, as the owner of a parcel of land in its capacity as the authority responsible for the Scheme, undertook a subdivision jointly with three other Scheme landowners in the latter part of 1988. The joint subdividers reached agreement with the Barin Wynaden Syndicate which had affected its own subdivision on the matters of shared road, sewer and water construction costs land exchanges and value adjustments but the Barin Wynaden Syndicate later reneged on those agreements.

The Barin Wynaden Syndicate land was strategically placed so that any delay on their part to complete their subdivision would prevent the other joint subdividers from proceeding, thereby putting them at risk to suffer contract difficulties and interest penalties on their development funds. The joint subdividers had been disadvantaged by previous difficulties experienced with the Scheme when it was operated by the City as a resumptive Scheme and it was their cooperation with the City which enabled Part B of the Scheme to be converted to a guided development model. After several meetings were held unsuccessfully with the Barin Wynaden Syndicate in an attempt to resolve the differences, Council at the request of the other joint subdividers resolved at its December 1988 meeting (C91244) to resume part of the Barin Wynaden Syndicate land for the purposes of enabling further subdivision within the Scheme Area.

#### ENTITLEMENT AND CLAIM

An area of 5667m<sup>2</sup> in two portions as shown on the Attachment was resumed by notice published in the Government Gazette on 14 July 1989. This area equates to 6.43 residential lots of average size for that part of the Scheme after allowing for a half width of the roads that service those lots. It was the City's intention to transfer 6 fully serviced lots and pay the valuation equivalent for a further 0.43% of another lot and pay a cost adjustment of \$2977.01 for the subdivisional and Scheme Costs by way of full and final compensation to the dispossessed owners.

In January 1990, the owners submitted a claim equal to 8 new residential lots for the area resumed and a further 2 lots for a sump site they provided elsewhere within their subdivision plus subdivisional cost adjustments of \$70,877 plus a sum of \$5000 for alleged loss of value to 5 of their lots which surrounded their sump site. The claim included a further amount for interest which was contrary to the provisions of the Public Works Act.

The claim for a transfer of 8 new lots was based on the total subdivision of the 5667m<sup>2</sup> that was resumed without making any provision for the roads that would have to be provided (half width only) to service each of those lots.

The claim for subdivisional cost adjustments amounting to \$70,877 approximated the previously agreed cost for certain

works but it made no provision for the cost of similar works carried out by the other joint subdividers which directly benefited the Barin Wynaden lots. The claim for interest on those costs was seriously incorrect as to the rate and period claimed.

The claim for a transfer of 2 lots for a sump site and payment of \$5000 for devaluation to 5 lots adjacent to it bore no relationship to the land that was resumed and was therefore invalid.

Protracted attempts to reach agreement failed and in January 1991 the City was advised that the Barin Wynaden Syndicate had referred their claim to a Compensation Court. In March 1991 the dispossessed owners amended their claim to a transfer of 6 lots and a payment of \$26,795 for the value equivalent of 0.43% of another lot plus \$93,639 for subdivisional cost adjustments for the land resumed and a further \$90,000 for the previously mentioned sump.

Because of the referral of the matter to a compensation court, Council referred it to its solicitors McLeod and Co for advice and representation.

#### OFFER TO SETTLE

Mr Denis McLeod of McLeod & Co expressed doubt as to the correctness of the claim based on the transfer of a number of lots and he recommended that Council appoint a qualified valuer to assess the value of the resumed land and for the City to make an amended offer for cash on that basis. A valuation carried out by Mr Phillip Logan of Baillieu Knight Frank (WA) Pty Ltd on the basis that it was vacant englobo land available for subdivision into 6.43 lots concluded that the land had a gross value of \$266,879. After allowing for profit and risk, holding and selling costs and the usual development costs, the land was estimated to have a nett realizable value of \$190,341 but with debit and credit allowances applicable to the Scheme and shared development costs emanating from Scheme 7A Part B the final nett realizable value was reduced to \$172,005.

Discussions held between the legal advisors for the Barin Wynaden Syndicate and the City in August of this year again failed to produce a settlement. The City had offered to settle the claim by payment of \$172,005 plus interest as provided by the Public Works Act, or as an alternative and in keeping with the original intent of the Scheme, to transfer the 6 lots with cost adjustments plus the value equivalent of 0.43% of another lot. Since then the Syndicate's advisors have not been able to put forward any clear instructions from their client and it appears that the matter will only be resolved by the City precipitating some action even though strictly speaking it is for the other side to advance the matter. However, it is in the City's best interest to minimise further interest accruals by whatever means it can. Interest is accruing at the rate of

14.00% per annum or \$65.97 per day and the total interest liability calculated to 1st November 1993 is \$92,028.15.

McLeod & Co recommend the City makes an immediate payment of \$190,000 for the compensation due with the intention of forcing the other side to advance the matter towards a conclusion. Sufficient funds to meet the payment and any subsequent interest award are held in the Town Planning Scheme No 7A Part B Special Overdraft Account.

**RECOMMENDATION:**

THAT Council authorise payment of an amount of \$190,000 to Setiawin Barin and Harry Christopher Wynaden from Town Planning Scheme No 7A Part B Special Overdraft Account in compensation for land resumed from them for the purposes of that Scheme.

O G DRESCHER  
City Planner

town:rp  
pre931204  
16.11.93  
**H21216**

**CITY OF WANNEROO REPORT NO: H21216**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 790-566

SUBJECT: LOCAL TOWN PLANNING SCHEME AMENDMENT NO 566, LOT 10 MARMION AVENUE, JINDALEE

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**INTRODUCTION**

Recent proposed changes in the local structure plan and design for Lot 10 Jindalee (Attachment 1) have resulted in the need for Council to reconsider Amendment No 566 to Town Planning Scheme No 1.

**BACKGROUND**

Council granted final approval to Local Town Planning Scheme Amendment No 566 in October 1991 (F21024). The amendment was

initiated by Council at its December 1990 meeting (E21204) and proposed to rezone Lot 10 Marmion Avenue and the abutting portion of Reserve 35890 Jindalee from Rural to Residential Development (R20), Commercial, Civic, Service Station, Special Zone (Restricted Use) Medical Centre and Church and to provide a Reserve for Parks and Recreation. The amendment documents have been held at the Department of Planning and Urban Development (DPUD) pending the resolution of a number of outstanding issues.

Council resolved to finalise Amendment No 566 subject to a number of matters being resolved. This included:

- 24.1 satisfactory arrangements being made between abutting landowners and the landowners of Lot 10 for contributions in respect of the provision of the adjacent primary school sites, as calculated by the Ministry of Education;
- 24.2 that a satisfactory legal agreement is entered into between the landowner and Council obliging the owner to cede the community purpose site free of cost to Council.

At that time, Council also approved a Local Structure Plan (see Attachment 2) subject to a number of matters being addressed at the subdivision stage.

The amendment documents were subsequently forwarded to the Minister for Planning for consideration of final approval of this amendment.

#### RECENT MODIFICATIONS TO THE LOCAL STRUCTURE PLAN

Since that time, while the two above issues have been resolved, there has been a number of changes proposed in the local structure plan design, and the changes have been such that they now require Council's consideration and approval to modify the amendment documents. The modified local structure plan is shown in Attachment 3.

These changes relate to:

- 1. Higher residential densities overlooking and adjacent to a "Regional Beach" site adjacent to Lot 10. At its April meeting of this year (Item H20405), Council endorsed the Burns-Jindalee Foreshore Management Plan prepared by Hames Sharley. This study recommended that a major regional beach be developed at the coast at Lot 10. A regional beach, in difference to what could be described as a local or district beach, refers to a beach/foreshore reserve of a suitable nature and quality which will attract and cater for intensive beach uses at a regional level. Some examples of the level of intensity this beach may attract include

Cottesloe, City Beach, or Scarborough. The stable nature of the coastline and the splendid ocean views offered at this site also provides the opportunity for more intensive tourist and beach related commercial development directly overlooking the beach. It is envisaged that in time, an attractive boardwalk adjacent to alfresco cafes, restaurants, hotels and beachfront shopping could be developed, all of which would be intermixed with medium density residential development.

The opportunity to achieve this is reflected in the modified local structure plan where R40 and R60 residential development is proposed adjacent to the proposed regional beach site along the coastal roadway.

Modifications to the amendment documents will be required to reflect this.

2. Some minor modification in the location of the Neighbourhood Centre (ie Local Shopping Centre, Medical Centre, Community Purpose Site, Church Site, and Service Station zones) which reflect modifications in the local structure plan design.

Not long after Council granted final approval to Amendment No 566 in October 1991, Council began requiring that prior to specific zonings being put in place for any centre (be it a local, neighbourhood, district or regional centre), a structure plan for the centre needed to be prepared to demonstrate that the various uses within the centre will properly relate to each other and a cohesive, well integrated centre would result. The configuration of the various zonings within the centre site would be guided by the structure plan. This process was intended to avoid zonings being put in place without proper consideration of the ability of those zonings to facilitate the development of a well integrated centre. To date this approach of requiring centre structure plans has generally been working well.

In the case of this present proposal, with some minor modifications now being proposed to the layout of this centre, the applicant has been requested to prepare a centre structure plan. The applicant argues that this is an unreasonable imposition, bearing in mind that Council had already granted final approval to the amendment. While there is some basis to this argument, the applicant also accepts the rationale of council's approach. A compromise has therefore been arrived at which involves Council's intention to introduce a more flexible zone for centres.

At the request of Council officers, Westminster Estates have given a written undertaking advising of their

agreement to seek rezoning of the neighbourhood centre, from the "spot" zoning to the proposed "Neighbourhood or Town Centre Zone", once the relevant provisions have been included in Council's Scheme.

3. The internal road layout has been modified, particularly adjacent to the Regional Beach site. This modification has been undertaken at the request of DPUD and City officers to create a more flexible street pattern for the intended long term redevelopment of the Regional Beach and associated development. A street design based more on a rectangular grid pattern has been included rather than the previous design as it offers more opportunity for more intensive development in the long term.
4. The alignment of the coastal roadway has now been determined and it shown on the modified local structure plan. It is intended that all land west of the coastal roadway will be Parks and Recreation Reserve and the Amendment documents should be amended to show this.

#### CONCLUSION

The revised local structure plan for the landholding and the consequential modifications required to Amendment No 566 are considered satisfactory and suitable for Council's approval subject to the conditions given in the recommendation which follows.

#### RECOMMENDATION:

THAT Council

1. modifies Amendment No 566 to Town Planning Scheme No 1 in accordance with the amended Local Structure Plan (dated August 1993) submitted by Chapman Glendinning and Associates shown as Attachment 3 of the City Planners Report No to:
  - a) shift the location of the proposed Commercial, Special Zone (Restricted Use) Medical Centre, Special Zone (Restricted Use) Church, Service Station and Civic zones in the Scheme Amendment Map slightly to the south to the extent shown on the amended Plan;
  - b) include in the proposed Residential Density Code Map Amendment documents, the proposed R40 and R60 residential areas adjacent to the proposed Regional Beach site as shown in the modified Plan;
  - c) include on the Amendment Map all land west of the proposed coastal roadway as shown on the

modified Plan within the proposed Parks and Recreation Reserve;

2. delegates authority to the City Planner to undertake the consequential amendments to the Scheme Amendment text necessitated by 1 above;
3. finally adopts Amendment No 566 to Town Planning Scheme No 1;
4. authorises affixation of the Common Seal to, and signing of, the amending documents;
5. approves the modified local structure plan for Lot 10 Jindalee prepared by Chapman Glendinning and Associates and which is shown on Attachment 3 of Report H211 , subject to the following matters being resolved at the detailed subdivision stage:
  - a) detailed engineering assessment of the local structure plan, in particular road design in the R40 and R60 residential density areas adjacent to the regional beach;
  - b) recommended changes in the road design which may emanate from the Quinns/Alkimos Traffic Study currently being prepared by Ove Arup & Partners being given strong consideration of and where considered appropriate by officers of the Department of Planning and Urban Development and Council, included in the subdivision design;
  - c) the preparation of a Foreshore Management Plan for the beach and foreshore reserve adjacent to Lot 10 Jindalee.

O G DRESCHER  
City Planner

pjn:rp  
pre931218  
22.11.93  
**H21217**

**CITY OF WANNEROO REPORT NO: H21217**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 790-592

SUBJECT: CLOSE OF ADVERTISING : AMENDMENT NO 592,  
LOTS 5, 7, 53 AND PT LOC 3144 ADAMS ROAD,  
MARIGINIUP

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METRO SCHEME: Rural  
LOCAL SCHEME: Rural  
APPLICANT: Adams Road Syndicate  
CONSULTANT: Feilman Planning Consultants

#### INTRODUCTION

Amendment No 592 was initiated by Council at its March 1992 meeting (Item G20321). The purpose of the amendment is to rezone Lots 5, 7, 53 and Pt Location 3144 from Rural to Special Rural. Council has resolved that prior to granting final approval to Amendment No 592 it will require:

1. an Interim Rural Strategy Plan for the area bounded by Neaves Road, Pinjar Road, Caporn Street, Rousset Road, Townsend Road and the State Forest;
2. a more detailed Structure Plan for the area bounded by Neaves Road, Adams Road, the proposed major north-south road, Rousset Road (southern end), Townsend Road, the State Forest and the western boundary of the Meadowlands Special Rural Zone;
3. a revised detailed Special Rural Zone proposal for the subject land which accords with the outcome of 1 and 2 above.

#### SUBMISSIONS RECEIVED

Advertising of Amendment No 592 closed on 12 November 1993 and one submission was received from the Water Authority of W A. The Water Authority has advised that it opposes the rezoning at this stage, on the following grounds:

*"The subject land is in the Wanneroo Underground Water Pollution Control Area and is a Priority 3 Source Area.*

*The Water Authority is concerned about the density of septic tanks proposed and the precedent that approval of the rezoning would establish in relation to the remaining rural land in the area. The Water Authority's policy in relation to septic tank*

densities is under review, largely as a result of the draft Ngarara Mound EPP Stage 2.

The City of Wanneroo and the Department of Planning and Urban Development should be encouraged to establish a rezoning plan for the total area between Lake Adams and Jandabup Lake which would then be used to assess individual rezoning proposals. The Water Authority and the Environmental Protection Authority should establish nutrient loadings for septic tank densities for both conventional and improved systems.

If the development was sewerage there would be no objections.

Stormwater drainage for the area should wherever possible be directed to soakage systems and consideration be given to the introduction of strategies to achieve an acceptable water quality of the run-off/recharge for this development."

## DISCUSSION

Prior to Council initially considering the Special Rural Zone application, it was referred to the Environmental Protection Authority and the Water Authority of WA for advice. Both Authorities expressed concern that the subject land was in an environmentally sensitive area because of its location near the circular wetlands and within the Wanneroo Underground Water Pollution Control Area.

Both Authorities felt that if the proposal was considered in isolation from the rural land between Lake Jandabup and Neaves Road, it would establish a precedent for one hectare special rural subdivision without due consideration to establishing land management controls to ensure the protection of wetlands and groundwater.

It is intended that through the preparation of the Interim Rural strategy Plan, these issues will be investigated and addressed fully by the applicant's consultants.

The Interim Rural Strategy Plan is intended to be comprehensive, taking cognisance of regional and local planning documents, prevailing natural and human environments, State Government Authorities policies, analysis of planning and environmental issues, management provisions, range of lot sizes, servicing, reserve requirements and planning adjacent to the State Forest.

The required detailed Structure Plan and revised detailed Special Rural Zone proposal should accord with the findings of the Interim Rural strategy Plan.

Although the WAWA is opposed to the rezoning at this stage, it is considered that the Authority's concerns can be adequately

resolved through this process. A copy of the WAWA's submission should be referred to Feilman Planning Consultants.

Council has already resolved not to grant final approval until the required documentation has been prepared. Council will also ensure that the Interim Rural Strategy Plan, detailed Structure Plan and revised Special Rural Zone proposal are acceptable to the State Government Authorities.

RECOMMENDATION:

THAT Council:

1. reaffirms its previous resolution that prior to considering granting final approval to Amendment No 592, it will require:
  - 24.2.1 an Interim Rural Strategy Plan for the area bounded by Neaves Road, Pinjar Road, Caporn Street, Rousset Road, Townsend Road and the State Forest;
  - 24.2.2 a more detailed Structure Plan for the area bounded by Neaves Road, Adams Road, the proposed major north-south road, Rousset Road (southern end), Townsend Road, the State Forest and the western boundary of the Meadowlands Special Rural Zone;
  - 24.2.3 a revised detailed Special Rural Zone proposal for the subject land which accords with the outcome of (i) and (ii) above;
2. forwards to Feilman Planning Consultants the submission received from the Water Authority of WA.

O G DRESCHER  
City Planner

lk:gm  
pre931203  
16.11.93  
H21218

CITY OF WANNEROO REPORT NO: H21218

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 790-656

SUBJECT: CLOSE OF ADVERTISING : AMENDMENT NO 656 -  
RATIONALISATION OF GROUP HOUSING SITES,  
WHITFORDS BEACH ESTATE, HILLARYS

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METRO SCHEME: Urban

LOCAL SCHEME: Special Development A

APPLICANT/OWNER: Whitfords Beach Pty Ltd

CONSULTANT: Feilman Planning Consultants

#### INTRODUCTION

Feilman Planning Consultants on behalf of Whitfords Beach Pty Ltd requested a rationalisation of group housing sites by deleting six existing R40 sites in Pt M1362 Whitfords Avenue, Hillarys and recoding four new R40 sites from R20 in Whitfords Avenue/Waterston Gardens, Hillarys.

#### BACKGROUND

Council, in support of the application, initiated Amendment No 656 at its meeting on 28 July 1993 for the rationalisation of group housing sites (Attachment 1) in Whitfords Beach Estate, Hillarys. The rationalisation has been brought about by the redesign of the proposed subdivision for the area. The original sites were coded on the basis of an earlier subdivision design.

Since then, a further redesign has occurred on part of the proposed subdivision west of Cook Avenue. The redesign incorporates one of the proposed R40 lots located on the corner of Centennial Gardens and Flinders Avenue (Attachment 2). Support for the modification was issued by Council on 4 November 1993 and forwarded to the Department of Planning Urban Development. We are still awaiting a reply.

The Minister for Planning granted approval to advertise Amendment No 656 on 5 October 1993.

#### CURRENT SITUATION

Advertising of the amendment closed on 15 November 1993 and five submissions were received.

One objection was submitted by a member of Parliament who was in support of an objection submitted by a local resident. The remaining three submissions were from the same family - two

were of objection and one was requesting an extension to the advertising period.

A summary of their comments are given as follows:

- properties in the area possessed covenants which require uniform quality development - poorer quality units will be introduced;
- no guarantee that the properties will be owner occupied, rental properties may attract the young and the problems they bring with them;
- increase in traffic will cause congestion;
- roads were designed for low traffic flow;
- no provision of street parking;
- closer living may cause increased tension and social problems;
- decrease value of property;
- advertising not suitable as owners of adjacent properties are not yet residing there and are unaware of the proposal.

#### ASSESSMENT

The residents are concerned with the proposed development of R40 in one specific area. This being Lot 441 and Lot 736 Waterston Gardens. No submissions were received for the remaining two sites.

With the development potential being R40 (ie 40 lots per hectare or one unit per 250m<sup>2</sup>) the maximum number of units permitted on Lot 441 with an area of 1093m<sup>2</sup> is four and Lot 736 with an area of 1631m<sup>2</sup> is six.

A major concern identified in the submissions is that the surrounding properties were purchased on the knowledge that Lots 441 and 736 were to be developed for a maximum of five units in total. Upon purchasing the property, mandatory covenants were also required, restricting the developments to low density so as to encourage a high building standard.

With respect to the proposed density change, an extra five units are capable of being developed with a total of 10 units over the two lots. This increase is certainly not detrimental to the area to the extent of creating poor quality units. All group dwelling developments must comply to Council policies and specifications as does the development of a single house. However, a further requirement of landscaping (standards are set by Council's Parks Department) is necessary. One of the

submissions commented on the poor standard of landscaping, however all landscaping must be provided to Council's standards prior to occupancy. There are no standards for a single house.

Another point identified in the submissions is that of traffic and its effect on the existing roads. An increase of five units is not considered to have a great impact on the road system with regards to congestion. Lots 441 and 736 are located at the end of Waterston Gardens which is a cul-de-sac, however Waterston Gardens connects to Broadbeach Boulevard which is a major through road for the Whitfords Beach subdivision. This road has been designed to cater for a high amount of traffic.

The submitters have also expressed their concern about street parking and the lack thereof. The development of group dwellings must include on site visitor car parking bays as specified in the Residential Planning Codes. The number of bays and their location on site is determined during the development application stage.

Finally, a request for an extension to the advertising period was also received by Council. The submitter suggested that the time frame in which comments may be presented to Council was too short. They identified the location of the sign as not being suitable as it was located at the end of a cul-de-sac.

When approval for advertising is granted by the Minister, a period of 42 days is given in which time the proposal is advertised in the Government Gazette, advertised in the local newspaper, The West Australian, and a sign is erected on site for a minimum of 30 days.

The time constraints and methods for advertising the amendment is stipulated in the Town Planning Regulations, 1967 (as amended). These regulations must be complied with so as to enable finalisation of the amendment in a suitable time frame.

The methods of advertising are standard and are considered suitable in providing the necessary information to adjacent landowners.

## CONCLUSION

In conclusion, Amendment No 656 seeks the rationalisation of group housing sites in the Whitfords Beach Estate. The amendment will delete six existing R40 sites which do not comply with the current subdivision lot boundaries for Whitfords Beach Estate, and will recode four new R40 sites from R20 in accordance with the current subdivision.

With regard to the modified subdivision design of part Whitfords Beach Estate (DPUD Ref No 91452) the amending documents will need to be modified in accordance with the boundary change for the group housing lot at the corner of Flinders Avenue and Centennial Gardens.

RECOMMENDATION:

THAT Council

- 25 modifies Amendment No 595 to Town Planning Scheme No 1 by inserting in the amending documents the modified R40 boundary to the proposed group housing site on the corner of Flinders Avenue and Centennial Gardens as featured in Attachment No 2 to Report No H21218;
2. seeks approval from the Department of Planning and Urban Development for the subdivision of Pt Lot M1362 Whitfords Beach Estate, Hillarys (DPUD ref no 91452) prior to modifying Amendment No 595;
3. progresses the amendment in accordance with the Town Planning Regulations.

O G DRESCHER  
City Planner

sk:rp  
pre931220  
22.11.93  
**H21219**

**CITY OF WANNEROO REPORT NO: H21219**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 727-0

SUBJECT: REQUEST TO RENAME THE LOCALITY OF ILUKA TO  
BEAUMARIS BEACH

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Beaumaris Land Sales, who currently market large portions of land between Hodges Drive in Ocean Reef and Burns Beach Road, Currambine, have requested Council to consider renaming the locality of Iluka to Beaumaris Beach.

Beaumaris Land Sales has previously made approaches to rename portions of Ocean Reef to Beaumaris but due to the number of residents, the matter was not pursued.

The applicant feels that since Iluka has no residents, any change will have minimal impact. The Burns Beach Caravan Park and kiosk are, however, situated in the locality of Iluka so any change will have some effect and cause some distress to those residents and businesses.

If Council should agree to the change the matter will be referred to the Geographic names Committee of the Department of Land Administration. The Committee is responsible for approval and policing of all naming matters in Western Australia.

In the event of a name change as requested, Beaumaris Land Sales will need to implement strategies in their land sales in adjacent areas to minimise the use of the name Beaumaris which has prevailed up to now, otherwise the public will become even more confused than at present with the widespread use of the name Beaumaris.

#### RECOMMENDATION:

THAT Council agrees to the renaming of the locality of Iluka to Beaumaris Beach and seeks the consent of the Geographic Names Committee, conditional on:

1. Beaumaris Lands Sales meeting any costs of the change that would be incurred by:

25.1.1 Council;

25.1.2 present businesses within the locality;

2. Beaumaris Land Sales ceasing all use of the name "Beaumaris" in future land releases in the localities of Ocean Reef, Connolly and Currambine. This does not however apply to the use of the Company name of Beaumaris Land Sales.

3. Removing "Beaumaris" from the Currambine Heights e

O G DRESCHER  
City Planner

gjm:gm  
pre1135  
9.11.93  
H21220

CITY OF WANNEROO REPORT NO: H21220

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 1297/313/5

SUBJECT: TUART TREE - LOTS 313 AND 314 OUTLOOK DRIVE, EDGEWATER

---

#### BACKGROUND

The Anglican Church of Australia were proposing to sell Lots 313 and 314 Outlook Drive, Edgewater by auction on 19 December 1992. Due to poor attendance the auction was cancelled.

Council, at its December 1992 meeting, resolved to issue a preservation order on the Tuart Tree located on Lot 313. The resolution was the result of local community concern over the future of the tree when the property was sold. Several residents in the vicinity believed the tree was significant due to its age, size and condition.

The Church objected to the proposed preservation order on the grounds that it would restrict the development potential for Lot 313 and subsequently make it difficult for the Church to sell the lots.

#### PURCHASE

In view of the proposed preservation order the Church offered to sell the lots to the City for the purchase price of \$235,000. The City sought a valuation from the Valuer General's Office who nominated a value of \$150,000.00. The valuation was on the basis that no preservation order existed.

Due to the large discrepancy between the valuation and the Church's offer, the City offered to purchase the lots for \$190,000.00. The Church did not accept the offer and made a counter offer of \$225,000.

The City then sought another independent valuation from Raine & Horne Commercial. Prior to the valuer's report being received, the Council considered its 1993/94 budget. Funds were not allocated for the acquisition of the lots and therefore all negotiations regarding the purchase of the lots were ceased.

#### LAND EXCHANGE

Because of the lack of funds, negotiations were entered into with the Church to exchange Lots 313 and 314 for a similar parcel of land owned by the City. Unfortunately these negotiations were unsuccessful.

#### OPTIONS

The Council can proceed to pass a preservation resolution and the Church would then have six months within which to claim compensation. Alternatively, Council can abandon the preservation order. In any case, there is no guarantee that the tree will survive as its roots have become exposed due to pedestrian traffic. The tree is significant but not unique as there are numerous large Tuart Trees in Edgewater.

#### RECOMMENDATION:

THAT Council does not proceed with the purchase of Lots 313 and 314 Outlook Drive or the preservation order on the Tuart Tree on Lot 313 Outlook Drive, Edgewater and advises the Anglican Church of Australia accordingly.

O G DRESCHER  
City Planner

F J GRIFFIN  
City Parks Manager

cd:rp  
prel201  
12.11.93

H31200

CITY OF WANNEROO

FINANCE AND ADMINISTRATIVE RESOURCES SECTION

REPORTS FOR COUNCIL MEETING

8 DECEMBER 1993

H31201

CITY OF WANNEROO REPORT NO: H31201

TO: CHAIRMAN

FROM: TOWN CLERK

FOR MEETING OF: COUNCIL - FINANCE & ADMINISTRATIVE  
RESOURCES SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 404-0

SUBJECT: HUMAN RESOURCES MATTERS

---

This report gives details of staff appointments and resignations and seeks authorisation of an officer in accordance with the Dog Act.

STAFF APPOINTMENTS

<u>Position</u>	<u>Appointment</u>	<u>Commencement</u>
Cadet Administrator - Admin	Craig FISHER	25.10.93
Planning Officer - T/Planning	Sandra KLARICH	01.11.93
Planning Officer - T/Planning	Helen GRIFFITHS	01.11.93
(Temporary)		
Library Clerk Gde 1 -	Gerard KELLY	18.10.93
Sorrento/Duncraig		
Cadet Administrator - Bldg	Amalia GARCIA-FLYNN	
01.11.93		
Courier - Libraries (P/T)	Brian SWENSON	25.10.93

Clerk/Typist - T/Planning  
15.11.93  
Drafting Officer - T/Planning

Gwen BOSWELL  
Kerry BOYD  
15.11.93

#### RESIGNATIONS

Technical Officer - Engineering	John HOBBS	05.11.93
Cadet Administrator - Treasury	Martin GRAY	
	03.11.93	
Library Clerk Gde 1 -	Terrie MUNRO-CLINTON	
	16.11.93	
Girrawheen Library		
Shelver - Sorrento/Duncraig	Peter Cregan	
	04.11.93	
Library		
Clerk/Typist - T/Planning	Dixie RAYKOS	
	26.11.93	

#### AUTHORISATION OF AN OFFICER - DOG REGISTRATION

In accordance with the provisions of Section 16 of the Dog Act 1976, Council is requested to appoint Mr Paul Brogan as an Authorised Registration Officer.

#### RECOMMENDATION:

That Council -

- 1 in accordance with the provisions of Section 157A of the Local Government Act, approves the appointment of all officers as detailed in this report; and
- 2 in accordance with the provisions of Section 16 of the Dog Act 1976, approves the appointment of Paul Brogan as an Authorised Registration Officer.

R F COFFEY  
TOWN CLERK

KdP:KD  
are93106

H31202

CITY OF WANNEROO : REPORT NO H31202

TO: TOWN CLERK

FROM: CITY TREASURER

FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE  
RESOURCES

MEETING DATE: 8 DECEMBER 1993

FILE REF: 006-2

SUBJECT: AUTHORISATION OF REALLOCATION OF FUNDS

---

Various requests have been received for authorisation to reallocate funds within the 1993/94 Budget. A number of necessary adjustments to the budget estimates have also been identified. These are detailed on Attachment A to this report.

In some instances the necessity to seek a reallocation of funds is to accommodate oversights during budget preparation or to include items which have eventuated since budget adoption. Other requests represent a re-assessment of priorities. In each instance, brief explanations have been provided by the respective Department Heads and these are duplicated within the schedule.

The net result of these reallocations and adjustments is a budget deficit of \$34,523.

#### RECOMMENDATION

That Council authorises, **BY ABSOLUTE MAJORITY**, in accordance with Section 547 (12) of the Local Government Act, amendments to the adopted 1993/94 Budget as detailed in the Schedule of Budget Reallocations Requests - 8 December 1993.

J B TURKINGTON  
City Treasurer

TO:JW  
24 November 1993

tre0008  
H31203

**CITY OF WANNEROO REPORT NO: H31203**

TO: TOWN CLERK

FROM: CITY TREASURER

FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE  
RESOURCES

MEETING DATE: 8 DECEMBER 1993

FILE REF: 330-7-1

SUBJECT: CASH ADVANCE - WANNEROO RECREATION CENTRE

---

A request has been received from the City Recreation and Cultural Services Manager to increase the cash advance at the Wanneroo Recreation Centre from \$100.00 to \$180.00.

The current cash advance of \$100.00 is used as petty cash and the additional \$80.00 is required as a daily till float.

Adequate audit controls would be implemented for the correct recording and security of the cash advance.

RECOMMENDATION

That Council -

1. advances the Wanneroo Recreation Centre a further \$80.00 cash float; and
2. ensures the cash float is updated in accordance with the provisions of the Wanneroo Recreation Centre Management Plan.

J B TURKINGTON  
City Treasurer

TP:JW

23 November 1993

tre0151

H41200

CITY OF WANNEROO

COMMUNITY SERVICES SECTION

REPORTS FOR COUNCIL MEETING

8 DECEMBER 1993

H41202

NOT FOR PUBLICATION

CITY OF WANNEROO REPORT NO: H41202

TO: TOWN CLERK  
FROM: CITY ENVIRONMENTAL HEALTH MANAGER  
FOR MEETING OF: COUNCIL  
MEETING DATE: 8 DECEMBER 1993  
FILE REF: 30/582A  
SUBJECT: SUBSTANDARD FOOD - SAMPLE NO 9362

---

Council is advised of a substandard sample of minced meat recently purchased from Mike's Meats, Craigie Plaza Shopping Centre, Craigie during the course of routine sampling. The sample contained 160mg/kg of sulphur dioxide which is a non-permitted additive in minced meats.

Section 246L of the Health Act states:

"A person who sells food that is -

- (a) unfit;
- (b) adulterated or
- (c) damaged, deteriorated or perished

commits an offence."

RECOMMENDATION

That Council in accordance with the provisions of the Health Act 1911 institutes legal proceedings against the proprietors of "Mike's Meats", Craigie Plaza Shopping Centre, Perilya Road, Craigie in regard to food sample number 9362.

G A FLORANCE  
City Environmental Health Manager

hrel2006  
mn:rej  
**H41202**

**NOT FOR PUBLICATION**

**CITY OF WANNEROO REPORT NO: H41202**

TO: TOWN CLERK

FROM: CITY ENVIRONMENTAL HEALTH MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 8 DECEMBER 1993

FILE REF: 30/423

SUBJECT: SUBSTANDARD FOOD - SAMPLE NO 9308

---

Council is advised of a substandard sample of hamburger meat recently purchased from Cheapfoods Food Barns, Wanneroo during the course of routine sampling. The sample contained 110 mg/kg sulphur dioxide which is a non-permitted additive in hamburgers.

Section 246L of the Health Act states:

"A person who sells food that is -  
(a) unfit;  
(b) adulterated or  
(c) damaged, deteriorated or perished;  
commits an offence."

**RECOMMENDATION**

That Council, in accordance with the provisions of Section 246L of the Health Act 1911 institutes legal proceedings against the proprietors of Cheapfoods Food Barns, Wanneroo Shopping Centre, 32 Dundobar Road, Wanneroo.

G A FLORANCE

City Environmental Health Manager

hrel2003

mn:rej

H41203

**CITY OF WANNEROO REPORT NO: H41203**

TO: TOWN CLERK

FROM: CITY ENVIRONMENTAL HEALTH MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 8 DECEMBER 1993

FILE REF: 225/130/287

SUBJECT: APPLICATION - PIGEONS

---

Council is advised of an application from Mr M and Mrs N Casella of Lot 130 (287) Landsdale Road, Landsdale to keep pigeons.

This application is the result of a complaint from an adjacent property owner having pigeons roost on his roof. It was alleged the birds belonged to Mr and Mrs Casella. It has been established that pigeons are being kept at that property and are being exercised without the necessary approval of Council. Mr Casella is not a member of an affiliated pigeon racing club.

There are five neighbouring houses in close proximity to the applicant, two neighbours have expressed objections to this application.

**RECOMMENDATION**

That Council refuses the application from Mr and Mrs M Casella of Lot 130 (287) Landsdale Road, Landsdale to keep pigeons and authorises action under the Health Act 1911 to require removal of the pigeons within twenty-one (21) days.

G A FLORANCE

City Environmental Health Manager

hrel2004  
ma:rej  
H41204

CITY OF WANNEROO REPORT NO: H41204

TO: TOWN CLERK

FROM: CITY ENVIRONMENTAL HEALTH MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 8 DECEMBER 1993

FILE REF: 30/2763, C264/4/22

SUBJECT: APPLICATION TO KEEP OSTRICH

---

Council is advised of an application from Mr A Moss of Lot 4 (22) Rousset Road, Wanneroo to farm ostrich.

To date Council has had two previous applications involving people wishing to keep a pair of pet ostrich (H40807 and H41103). Enquiry with the Agriculture Protection Board revealed they have no requirements on ostrich other than to ensure adequate fencing before issuing a permit.

Although ostrich farming is considered a rural pursuit under Council's Town Planning Scheme, it is submitted that some control regarding numbers needs to be addressed before the industry becomes established in Wanneroo.

Communication with Mr K Mullins, a practicing Veterinarian, ostrich farmer and President of the West Australian Ostrich Association revealed the following information on this matter:

- 1 The Australian Ostrich Association is lobbying to have ostrich classified as livestock.
- 2 Breeding pairs require a bare minimum of 0.1 hectare, however ideally a 2 hectare property should not exceed three (3) pairs. The birds are territorial and require buffer zones between pairs to prevent disputes.

Lot 4 Rousset Road is a four (4) hectare property.

RECOMMENDATION

That Council approves the application by Mr A Moss of Lot 4 (22) Rousset Road, Wanneroo to commence ostrich farming subject to:

- 1 breeding pairs not to exceed six (6) and offspring to be removed upon attaining twelve (12) months of age;

2           obtaining a permit from the Agriculture Protection Board to keep ostrich.

G A FLORANCE  
hrel2001  
City Environmental Health Manager  
ma:rej  
**H41205**

**CITY OF WANNEROO REPORT NO: H41205**

TO:                           TOWN CLERK

FROM:                       CITY ENVIRONMENTAL HEALTH MANAGER

FOR MEETING OF:       COUNCIL

MEETING DATE:       8 DECEMBER 1993

FILE REF:           3189/527/14

SUBJECT:           APPLICATION - CARAVAN OCCUPANCY

---

Council is advised of an application from Mr and Mrs B A Munro of Lot 527 (14) Bayport Circuit, Mindarie seeking approval for occupancy of a caravan currently being used on the property.

Mr and Mrs Munro are host to a sister, brother-in-law, four children and Mr Munro, Senior, on a temporary basis. The caravan is used for sleeping purposes only and all washing, cooking, etc occurs within the house.

The caravan and annexe are located at the front of the house, however there is room at the rear of the property. This would also be more agreeable with the Restrictive Covenant regarding vehicle provisions for lots in this development.

**RECOMMENDATION**

That Council approves the application from Mr and Mrs B A Munro of Lot 527 (14) Bayport Circuit, Mindarie to use a caravan for residence by members of the family for a period of six (6) months subject to:

- 1           the annexe to the caravan being removed; and
- 2           the caravan being located at the rear of the property.

G A FLORANCE  
City Environmental Health Manager

hrel2005  
ma:rej  
**H41206**

**CITY OF WANNEROO REPORT NO: H41206**

TO: TOWN CLERK

FROM: CITY RECREATION AND CULTURAL SERVICES  
MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 8 DECEMBER 1993

FILE REF: 330-1-1

SUBJECT: KIOSK OPERATION - SORRENTO DUNCRAIG  
RECREATION CENTRE

---

At its meeting on 22 September 1993 Council resolved to grant an extension of the licence to operate the Kiosk/Coffee Lounge at the Sorrento Duncraig Recreation Centre under the same conditions to the current operator until redevelopment of the Foyer/Office at the Centre was complete. (Report No. H40917 refers)

The operator of the kiosk (Mrs Colleen Wood) subsequently requested that negotiations on the conditions of the licence commence so she can determine her future at the Centre before the onset of the Christmas holiday period.

Discussions have been held with Mrs Wood who has expressed considerable caution in committing herself to any change in the licence conditions until she has traded for twelve months from the new kiosk area. Once the cash flow and likely expenses are known, Mrs Wood would then be agreeable to negotiate changes to the licence.

Council currently meets approximately half of the expense for water, electricity and public liability insurance. This is achieved by Council paying all of these expenses and in return receiving a licence fee of \$520 per annum from Mrs Wood.

In the longer term a new licence should be negotiated with the aim of Council incurring no operating costs. For the next 12 months an extension of the existing licence with only two minor variations is recommended.

The first variation to the current licence concerns a requirement to provide a minimum level of service at all times the Recreation Centre is open to the public equivalent to the provision of vending machines (ie cold drinks, hot drinks and confectionery snacks). This will ensure that patrons will have access to drinks and snacks during all hours of operation and not just during peak times.

The second is a procedural matter to reflect the current situation in relation to public liability insurance. Council has been paying public liability insurance since 1988, resulting from a recommendation from the then Sorrento/Duncraig Recreation Management Committee. The licence includes a requirement that the kiosk operator takes out public liability insurance. If the status quo is to be maintained this clause 4(e) needs to be deleted from the licence.

Mrs Wood provides a service which is welcomed and supported by participants in activities at the Sorrento Duncraig Recreation Centre. The contribution made by her to the culture of the Centre is invaluable. Agreement to a twelve month extension provides a breathing space in which to assess the true potential of the new kiosk and retain a key player in the ongoing success of the Recreation Centre.

#### RECOMMENDATION

That Council:

- 1 extends the licence to operate the Kiosk/Coffee Lounge at the Sorrento Duncraig Recreation Centre to the current operator, Mrs Colleen Wood, for a further 12 months, to be reviewed at that time;
- 2 alters the licence to include a requirement to provide a minimum level of service at all times the Recreation Centre is open equivalent to that of the provision of vending machines; and
- 3 deletes Clause 4(e) from the licence relating to public liability insurance.

R BANHAM  
City Recreation and  
Cultural Services Manager

MAS:SS  
rrel2001  
H41207

TO: TOWN CLERK

FROM: CITY PLANNER  
CITY RECREATION AND CULTURAL SERVICES  
MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 8 DECEMBER 1993

FILE REF: 050-2

SUBJECT: DRAFT REPORT: CITY OF WANNEROO INVENTORY OF  
HERITAGE PLACES

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## INTRODUCTION

W G Martinick and Associates Pty Ltd, Council's consultant, has provided the City with a draft report of the City of Wanneroo Inventory of Heritage Places. Comments on the Report were provided by the Inventory's Steering Committee and Wanneroo Council's officers. The draft report has been submitted to the Historical Sites Advisory Committee for consideration and formulation of recommendations to Council.

The Committee discussed the draft report and agreed that it should be widely publicised in the local media in order to encourage public comment. It was also suggested that the Report be made available at the City's libraries for overnight loan and that the libraries mount a display to attract public attention. In addition it was suggested that the property owners listed in the report be contacted for their comment.

A copy of the draft report has been forwarded to each Councillor under separate cover.

## BACKGROUND

Section 45 of the Heritage of Western Australia Act 1990 requires "The Council of municipalities to compile and maintain an inventory of buildings (places) within its district which in its opinion are, or may become, of cultural heritage significance", by early 1994. The inventory is required to be compiled with proper public consultation.

The City of Wanneroo has resolved to engage a consultant to undertake the Municipal Inventory as required by the Act, since it lacks sufficient in-house expertise and human resources. Council advertised for registrations of interest from consultants wishing to be considered for engagement on this project. Subsequently, briefs were forwarded to short-listed consultants who were invited to submit detailed proposals to

undertake the Municipal Inventory for heritage places. W G Martinick and Associates Pty Ltd was considered the most suitable and as a result has been engaged to undertake the Municipal Inventory.

The consultant has advised on the appropriate membership of the Steering Committee to co-ordinate the inventory which should have about eight persons to be manageable. Also, public participation from the wider community is an important factor to achieve success. The Steering Committee consisting of eight persons was endorsed by the Historical Sites Advisory Committee and Council at the time of commencement of the project.

#### THE DRAFT REPORT

The Draft Report - City of Wanneroo Inventory of Heritage Places covers the general requirements stated in the brief. It was undertaken in stages consisting of:

- organising a Steering Committee;
- review of environmental and developmental history of the City of Wanneroo;
- preparation of Historical framework;
- compilation of inventory of heritage places on a thematic basis;
- evaluation of the nominated places;
- preparation of draft report including recommendations for priorities applying to all items on the inventory.

A Steering Committee was set up to:

- be responsible for the project;
- co-ordinate activities;
- alert and assist the consultants to issues of importance;
- review the report;
- encourage the community to become involved;
- help people to nominate places;
- assist in the evaluation of nomination places.

A review of the environmental and developmental history of the City of Wanneroo was undertaken. It aimed to identify the important periods in the development of the community to assist in the preparation of the thematic framework. The final thematic history includes:

- the time periods important to the City;
- important themes or story lines which include:
  - . environment and why people settled;
  - . transport;
  - . employment and industry;
  - . community development;
  - . outside links such as trade and contact with other regions; and

- important people and events;
- a series of landscape maps which represent in chronological sequence, the various development and landscape themes.

To involve the wider community, a Public Workshop was held on 19 September 1993 and a Public Open Day was facilitated during Perry's Paddock Picnic Day on 24 October 1993. The public had an opportunity to nominate possible cultural heritage places as well as to speak to the project personnel and to make suggestions and comments regarding nominated places.

A standard nomination form has been prepared which, with explanatory text, has been made available for nomination of all possible cultural heritage significant places. Some places had already been identified by the City of Wanneroo on its Historical Sites List. In order to preserve and manipulate the data of the Inventory List, a simple data base was established.

This allows the data to be sorted, based on the contents of various fields in the data base enabling the nominated places to be ranked.

The project team visited, examined and described each place with recommendations and advice on each place nominated for the inventory. All places nominated for inclusion in the Draft Inventory have been evaluated according to their locality within the thematic framework and to their significance. The criteria for a place to have cultural heritage significance is defined as its aesthetic, historic, scientific and social significance, but also its rarity and representativeness for the present community and future generations.

All nominated places were ranked according to their significance and categorised to their preservation requirements. Finally, the descending order of all heritage places based on their significance was prepared. This allows the nomination of places to enter the State Register of Heritage Places. Cultural heritage places which cannot satisfy the requirements of the State Register may be protected by the City of Wanneroo District Planning Scheme.

#### RECOMMENDATION

That Council:

- 1 releases the 'Draft Report: City of Wanneroo Inventory of H
- 2 encourages public participation by publicising the Draft Report in the Wanneroo Times; making adequate copies available throughout Council's Libraries and Recreation Centres; writes to the property owners whose sites are recommended in the report for listing on the Heritage Inventory; and

3           considers the matter further upon completion of the  
            public comment period.

O G DRESCHER  
City Planner

R BANHAM  
City Recreation and  
Cultural Services Manager

RH:GM:SS/rrell011

H61200

CITY OF WANNEROO

BUSINESS FOR INFORMATION SECTION

REPORTS FOR COUNCIL MEETING

8 DECEMBER 1993

H61201

CITY OF WANNEROO REPORT NO: H61201

TO: CHAIRMAN

FROM: DEPUTY TOWN CLERK

FOR MEETING OF: COUNCIL - FINANCE & ADMINISTRATIVE  
RESOURCES SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 404-8-1

SUBJECT: TRAINING GUARANTEE ACT - EXPENDITURE FOR  
YEAR ENDED 30 JUNE 1993

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The objective of the Training Guarantee Act 1990 is to increase the level and quality of employment related skills of the Australian workforce through training.

In order to achieve this objective, the Act imposes an obligation on employers to spend a minimum amount of funds on training. Within a broad definition of eligible training, employers can choose the type of training which will have maximum effect on productivity and effectiveness.

The threshold or minimum amount required to be spent is 1% of annual payrolls above \$222,000.

Failure to spend the minimum prescribed amount incurs a tax to be paid to the Australian Taxation Office equivalent to the "shortfall" involved.

The scheme is based on self assessment, ie employers carrying out their own assessment on whether any training provided qualifies as true expenditure under the Act.

A detailed account of eligible training expenditure for the 1992/93 financial year appears as Attachment 1 and this indicates that Council exceeded its obligation under the Training Guarantee Act.

Submitted for information.

A ROBSON  
DEPUTY TOWN CLERK

KdP:KD  
are93110  
H61202

**CITY OF WANNEROO REPORT NO H61202**

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 201-2

SUBJECT: ENGINEERING DEPARTMENT CURRENT WORKS

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The Engineering Department Current Works Report is valid for works during the period ending 19 November 1993. The updated 1993/94 Construction Programme is shown at Attachment 1.

**A COUNCIL WORKS**

**1 MAJOR WORKS**

**25.2 Joondalup Drive Duplication (Wedgewood Drive - Edith Cowan University Entrance Road)**

The southbound carriageway presently under construction, between Lakeside Drive and Wedgewood Drive, is nearing completion.

This section, which is the City's portion of the present carriageway construction works, is now asphalt surfaced south of Treetop Avenue. All kerbing is installed and the remaining asphaltting and white lining will be undertaken during the week ending 27 November 1993.

SECWA poles were erected in mid November and the outstanding poles will be erected by the end of November. Electrical cabling between the poles is programmed for before Christmas.

It is proposed to shift all southbound traffic onto the new southbound carriageway during early December to allow gully installations to be carried out on the existing northbound carriageway prior to Christmas. Additional kerbing can then be programmed for mid December.

The LandCorp section of carriageway has been built to emulsion stabilised basecourse standard and is kerbed with asphalt surfacing being programmed by the end of November.

### 25.3 Perry Road

The construction phase of this project is now completed and the application of the seal coat is programmed during the week ending 27 November 1993. No further works are outstanding and expenditure figures show savings on this project.

## 26 DRAINAGE

### 26.1 Javez Drive, Quinns Rocks

The mainline drainage works have been completed and the outstanding pump installation has been programmed. The final sump enlargement works are programmed for completion by the week ending 27 November, followed by fencing and final clean up works.

### 26.2 Hyacinth Close Drainage Scheme

The rising main and pump installation is now completed. The easement has been landscaped and the headwall at Larkspur Reserve is now in place. Some planting of the earthworked basin in Larkspur Reserve was completed during November and the sump enlargement is complete. Some plants were vandalised and stolen in Larkspur Reserve and Parks Department will defer \$2,700 worth of additional planting until the 1994 season.

### 26.3 Ariti Avenue Drainage, Wanneroo

The mainline construction in Ariti Avenue commenced on 8 November 1993 and will be completed by the end of November.

An inlet structure at the Ariti Lake will be provided at the start of the mainline to relieve the lake

flooding problems. The new mainline is being laid on top of the existing line between Nyunda Drive and Scenic Drive.

## 27 PEDESTRIAN AND CYCLE FACILITIES

### 27.1 Private

Hillarys	Pedestrian Accessway	Meadowbank Gardens (Lot 736/Lot 773)
Joondalup	Dual Use Path	Jolstra Crescent (Blue Mountain Drive to Candlewood Blvd)
Marangaroo	Dual Use Path	Berkley Road (Lot 239 to Lot 271)
"	Dual Use Path	Honours Rise (Redcliffe Ave to Lot 257)
Merriwa	Dual Use Path	Baltimore Pde (Greyhound Dr to Jenoean Way)

### 27.2 Council Contractor

Duncraig	Footpath	Methuen Way (Warwick Station Overpass to north)
Marmion	Footpath	Bettles Street to Ozone Road
Padbury	Dual Use Path	O'Leary Road (adjacent school)
Woodvale	Dual Use Path	Crinum Court (adjacent school)

## 28 TRAFFIC MANAGEMENT

### 28.1 Dorchester Avenue Roundabouts, Warwick

All roundabout installation phases are now complete. Minor outstanding works include linemarking and landscaping. Linemarking was deferred due to installation of additional traffic islands. The line marking, landscaping and brick paving of the additional islands will be undertaken and completed by the end of November 1993.

### 28.2 Beltan Road/Spinaway Street/Kadina Street, Craigie

All installation works for improvement of this intersection are now complete. The outstanding work is line marking which will be undertaken by Main Roads WA by the end of November 1993.

28.3 Marmion Avenue/Freeman Way Intersection, Marmion

The street light pole has been installed by SECWA and this project is now completed.

28.4 Quinns Road/Ocean Drive Car Park Intersection - Quinns Rocks

The improvement works at the intersection of the car park and Quinns Road commenced on 15 November 1993. The works involve minor road widening, installation of traffic islands, bicycle parking facility and line marking of the car park.

28.5 Hepburn Avenue/Kingsley Drive Intersection Modifications

The improvement of the left turn slip lane will commence at the end of November and will be completed in early December 1993.

29 CAR PARKS

29.1 Carramar Golf Course Access Road and Car Park

Works will recommence during the week beginning 22 November 1993. This phase of work will be confined to the turnaround and car park area in the vicinity of the maintenance shed.

29.2 Warwick Open Space Access Road and Car Park, Warwick

The outstanding disabled bays were constructed, kerbed and asphalted during November. Construction of the bin area in the vicinity of the building, including path and kerbing, is programmed for completion during the end of November.

Final trimming and clean up will be carried out to allow the landscaping and lighting to be undertaken during December.

29.3 Kingsway Netball Car Park, Landsdale

Bollard installation and provision of conduits were completed during November.

Reticulation and landscaping is in progress. The roundabout is line marked and signs are erected. Outstanding car bay marking is programmed before the end of November.

29.4 Santiago Car Park, Ocean Reef

Kerbing, asphalt surfacing, speed hump and bollard installation, and the provision of concrete commercial crossovers, were completed during November. Additional bollard installation is programmed to eliminate vehicles entering onto the grassed area of the reserve. This will be co-ordinated after the reticulation and landscaping have been completed.

29.5 Mullaloo Point Access Road and Car Park

Clearing and earthworks commenced in mid November. Bulk earthworks are now complete and subgrade preparation is proceeding. It is proposed to construct the access road to asphalt standard and provide the initial southern third of the proposed car and boat trailer parking area to limestone standard.

30 MISCELLANEOUS

30.1 Maintenance

The regrading of limestone roads, along with general maintenance grading, was undertaken. The Quinns boat ramp was reinstated in emulsion stabilised limestone due to recent erosion. The shoulder along Wesco Road, Nowergup, was required to be reinstated recently due to heavy quarry traffic. One hundred and eighty four metres of concrete path was reinstated in Roche Road, Duncraig due to Water Authority WA works. The footpath crews have been engaged on general maintenance and the provision of concrete paths at the various traffic management treatments.

31 1993/94 Road Resurfacing Programme

The 1993/94 Road Resurfacing Programme commenced on 27 October 1993 and the following roads have been resurfaced:

Road

Locality

Valkyrie Place	Two Rocks
Galatea Grove	Two Rocks
Chester Avenue	Two Rocks
St Ives Drive	Yanchep
Totnes Grove	"
Newquay Close	"
Lynton Court	"
Hartland Place	"
Newlyn Place	"
Redruth Court	"
Mousehole Crescent	"

## 32 Street Lighting

The installation of additional lighting in Ocean Reef Road was undertaken and completed by SECWA during November 1993.

Designs and capital cost quotations were received from SECWA and works orders have been placed for the following projects:

Hester Avenue - between Marmion Avenue and Hidden Valley

Road, Clarkson.

Shenton Avenue - between Ocean Reef Road and Connolly Drive, Iluka

## B WASTE MANAGEMENT

November was a challenging month for the Waste Management Section due to problems with the availability of domestic refuse trucks. Several trucks were stood down awaiting parts. The team handled the challenge well with a lot of co-operation and willingness to help out when needed. All runs were completed each day. The parts are now becoming available and the full fleet should be available for the Christmas period.

The arrangements for Christmas this year are that collectors will stay on the normal weekdays, since Christmas Day and New Year's Day are on Saturday/Sunday.

Field trials of the recycling truck identified the need for some adjustments. These have been made and are presently being evaluated.

The Commercial Collection Crew has noticed an increase in volume and is now preparing for the Christmas period.

The beaches are being prepared for summer. After the beaches are graded, litter bins are installed for the summer. The southern beaches are regularly cleaned using a Brighton Beach Cleaner which sieves the top 50mm of sand on the beach.

The Promoting Recycling in the Community LEAP Programme continues to go well with another young person having left to take up full time employment. On Monday, 15 November the Federal Director of DEET was in Western Australia and this programme was one of the two that he visited during his stay.

**C SUBDIVISIONAL DEVELOPMENT**

The status of subdivisional development within the City of Wanneroo is shown on Attachment 2. This attachment highlights the contract value of works and associated number of lots provided for subdivisions completed this financial year, subdivisions commenced since 1 July 1992 and those subdivisions currently under or awaiting construction.

Submitted for information.

R T McNALLY  
City Engineer

GR:PWC:HT:AT  
Aere1122  
**H61203**

**CITY OF WANNEROO REPORT NO H61203**

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 208-063-92/93

SUBJECT: CARRAMAR GOLF COURSE DEVELOPMENT  
PROGRESS REPORT

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33      **Construction of Carramar Golf Course - Tender No 063-92/93**

The specification for this tender provided for the construction of the Golf Course to the grassed stage and allowed for all grassed areas to be maintained until 31 October 1994.

The contract was awarded to Ertech Pty Ltd with signing of the contract agreement and possession of site occurring on 25 May 1993. The time for completion of the contract is 31 weeks (end of December). The final stage of grassing the greens is currently taking place with the practical completion date likely for early December.

34      **Electrical Services - Tender No 06-93/94**

The provision of electrical services to the Golf Course is complete.

35      **Potable Water Supply - Tender No 25-93/94**

The installation of a potable water supply system for the supply of water to the various building projects and drinking fountains was completed by the end of October.

36      **Maintenance Shed - Tender No 05-93/94**

The Practical Completion certificate for this building was finalised on 23 November.

37      **Perimeter Fencing - Tender No 15-93/94**

The installation of perimeter fencing is complete. Additional fencing may be required around the pump station and potable water control facilities. This will be assessed when the grass is established.

38      **Parking Area and Entrance Road**

The main parking area and entrance road are complete to the asphalt kerb stage.

Extension of the entrance road and provision of storage/turning areas to the maintenance shed commenced on 23 November.

39      **Access Road from Wanneroo Road**

The Wanneroo Road intersection is programmed for construction in February/March to complete the access road to the golf course.

40      **Caretaker's Residence - Tender No 24-93/94**

The construction of the caretaker's residence by Homestead Constructions Pty Ltd commenced on 18 November.

41      **Clubhouse, Entry Statement and On Course Toilets - Tender No 23-93/94**

The construction of the clubhouse has progressed quickly since commencement on 13 October and is reaching plate height.

The limestone wall component of the entry statement is nearing completion. Outstanding works include the construction of brick pavers and installation of sliding gate.

The brickwork on the on course toilets is complete. The remaining works will be undertaken in conjunction with the clubhouse.

42      **Management and Provision of Golfing Services**

The tender for the management and provision of golfing services closes on 10 December 1993.

Submitted for information.

R T McNALLY  
City Engineer

DRB:EMT  
Aere1204  
H61204

CITY OF WANNEROO REPORT NO: H61204

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 322-18-1

SUBJECT: WATER AUTHORITY POLICY CHANGE : GROUNDWATER  
WELL LICENCE ISSUE AND TENURE

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## INTRODUCTION

The Water Authority of Western Australia has written to Council advising that the way Groundwater Licences are issued has now been changed.

The previous practice of issuing a licence for five years with the licence being made out to the landowner only, raised concerns that a great deal of effort was being made in the issue of licences, when this effort could be better used.

At its meeting of 21 October 1993, the Board of the Authority accepted a change of policy to allow the issue of Groundwater Well Licences for periods of up to ten years and that the Licence be issued against the land.

The change means that a Groundwater Licence will be issued for the benefit of the property on which the bores or well are located and that there will be no need to apply for a re-issue of a Groundwater Licence on change of property ownership during the ten year term of a licence. Only groundwater users who wish to change the conditions of their licence, or new users, will need to contact the Authority.

The policy change is likely to have a positive effect on the value of rural properties. If a property was sold, the new owner would automatically be the new licence holder, therefore a water licence becomes an asset to the property and it is likely that it would add value to the property. The Valuer General's Office has confirmed that this is a likely scenario.

The changes were made as a result of a review of Groundwater Management and Licencing methods and reflect the views of groundwater users. These changes do not mean that there is to be a reduced interest in the need to protect groundwater resources, but signal the start of an inspection and survey biased protection policy.

The application of the Policy is immediate.

SUBMITTED FOR COUNCIL'S INFORMATION.

O G DRESCHER  
City Planner

lk:gm  
pre931202  
16.11.93  
H61205

**CITY OF WANNEROO REPORT NO: H61205**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 8 DECEMBER 1993

FILE REF: 30/4209

SUBJECT: APPEAL DETERMINATION : LOT 47 (2092)  
WANNEROO ROAD, NEERABUP

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METRO SCHEME: Rural  
LOCAL SCHEME: Rural  
APPLICANT/OWNER: A & M T Sangalli

**INTRODUCTION**

Advice has been received from the Hon Minister for Planning advising that he has upheld the appeal lodged by Mr Sangalli for the development of a retail nursery on Lot 47 (2092) Wanneroo Road, Neerabup.

**BACKGROUND**

At Council's meeting of 10 March 1993 (H20304), the proposal for a retail nursery on Lot 47 (2092) Wanneroo Road, Neerabup was considered. It was resolved the application be refused on the following grounds:

- (a) the development is premature in light of the detailed planning for the area that is currently being undertaken for the proposed Landscape Protection Zone following the release of the North West Corridor Structure Plan;
- (b) the proposed development detracts from the environmental and aesthetic value of the proposed Lake Neerabup Wetland recreation reserve;
- (c) the development introduces an additional commercial activity on land along Wanneroo Road intensifying commercial development along this road in this area;

- (d) the access and egress of the development onto Wanneroo Road is contrary to its function as a restricted access important regional road;
- (e) if approved, it will set an undesirable precedent for further commercial type activities on rural land along Wanneroo Road.

#### ASSESSMENT

A member of the town Planning Appeal Committee investigated the matter and concluded that:

"... [in] the absence of objection from Main Roads Western Australia and the expectation that the implementation of any proposals emanating from the North West Corridor Structure Plan will involve a longer term time frame, but bearing in mind the advanced status of the proposed Amendment No 622 to Council's operative Town Planning Scheme that is designed to apply tighter controls on commercialisation along Wanneroo Road and the trend towards industrialisation of plant nurseries generally, I have found the position to be such that a limited form of nursery development could be allowed to proceed."

#### MINISTER'S DECISION

Accordingly, the Minister decided to uphold the appeal and grant planning approval for a period of two years from the date of his advice, subject to the following conditions:

1. The retail nursery is only to operate in accordance with the interpretation of "nursery" which forms part of proposed Amendment No 622 to Council's Town Planning Scheme No 1 namely:-  
  
"... land and buildings used for the propagation, nurturing and growing of plants, and where that is the predominant use may include the retail sale of seeds, bulbs, seedlings, shrubs, trees or other nursery stock propagated and grown on the site, and additionally plant containers; fertilizers, soil conditioners, weedicides and pesticides, sold in bags or other containers; and gardening implements, sprinklers and home reticulation equipment."
2. No additional vehicle crossover shall be permitted onto Wanneroo Road from Lot 47.
3. No stormwater shall be discharged onto the Wanneroo Road road reserve from Lot 47.
4. Such other conditions as the City of Wanneroo might reasonably impose on a development of this type. (In

the event of any disagreement between the proponent and the City as to what might constitute reasonable conditions of approval, the details of any dispute are to be referred to the Minister as arbiter.)

SUBMITTED FOR COUNCIL'S INFORMATION.

O G DRESCHER  
City Planner

hg:rp  
pre931211  
19.11.93  
H61206

**CITY OF WANNEROO REPORT NO: H61206**

TO: TOWN CLERK

FROM: CITY ENVIRONMENTAL HEALTH MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 8 DECEMBER 1993

FILE REF: 851-7, 30/2036-2, 30/7672, 30/1350

SUBJECT: HEALTH ACT 1911 - FOOD COMPLAINT PROSECUTIONS

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Council is advised of the results of five recent prosecutions resulting from consumer complaints regarding food.

1 George Weston Foods Ltd - Sample No 37631

On 30 September 1993 at the Perth Court of Petty Sessions, George Weston Foods Ltd entered a plea of guilty to a charge that it was responsible for the sale of hot cross buns which contained rodent faeces.

A fine of \$600.00 with costs of \$270.00 was imposed and Council's legal costs amounted to \$296.40.

2 Country Fresh Australia Pty Ltd - Sample No 37629

On 21 October 1993 at the Joondalup Court of Petty Sessions, Country Fresh Australia Pty Ltd entered a plea of guilty to a charge of being responsible for the sale of orange juice containing glass.

A fine of \$400.00 with costs of \$386.85 was imposed and Council's legal costs amounted to \$574.15.

3 Malcolm Stephen Ross - Sample No 37632

On 4 November 1993 at the Joondalup Court of Petty Sessions, Malcolm Stephen Ross entered a plea of guilty to a charge of being responsible for the sale of a rock cake which contained a piece of wire.

A fine of \$400.00 with costs of \$364.95 was imposed and Council's legal costs amounted to \$441.00.

4 Country Bake (WA) Pty Ltd - Sample No 37640

On 4 November 1993 at the Joondalup Court of Petty Sessions, Country Bake (WA) Pty Ltd entered a plea of guilty to a charge that it was responsible for the sale of a pikelet which contained a bolt.

A fine of \$250.00 with costs of \$339.55 was imposed and Council's costs amounted to \$353.55.

5 Murphy's Crisps Pty Ltd - Sample No 37642

On 4 November 1993 at the Joondalup Court of Petty Sessions, Murphy's Crisps Pty Ltd entered a plea of guilty to a charge that it was responsible for the sale of potato crisps which contained a surgical strip wrapper.

A fine of \$300.00 with costs of \$341.75 was imposed and Council's costs amounted to \$325.25.

Submitted for information.

G A FLORANCE  
City Environmental Health Manager

hrel2002  
mn:rej  
H61207

**CITY OF WANNEROO REPORT NO: H61207**

TO: TOWN CLERK

FROM: CITY RECREATION AND CULTURAL SERVICES  
MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 8 DECEMBER 1993

FILE REF: 330-4 c260-0

SUBJECT: COMBINED RECREATION ASSOCIATIONS -  
COMMUNITY AND RECREATION STRATEGIC PLANNING  
REVIEW COMMITTEE

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At its meeting on 13 October 1993 Council authorised the City Recreation and Cultural Services Manager to formally discuss with the joint Recreation Associations the intent of the proposed "Community and Recreation Strategic Planning Review Committee" and report back to Council accordingly (Item H41008 refers).

To this end, a meeting was held with representatives from this proposed committee at Craigie Leisure Centre on 18 November 1993. It is now understood that the Recreation Associations perceive this proposed committee as providing input and advice into recreation and leisure issues affecting the community on a City-wide basis. This approach would be consistent with other committees servicing Council, such as the Youth Advisory Committee, Historical Sites Advisory Committee, and so on. They have suggested that this committee comprise the Presidents of the ten Recreation Associations, together with Councillor and staff representation.

The meeting was advised that community consultation processes was one of the issues under investigation during the trip to the United States. Consequently, it was agreed to postpone any further action on this matter until mid-March 1994, when a broader range of options can be discussed.

Submitted for Council information.

R BANHAM  
City Recreation and  
Cultural Services Manager

DI:DI  
rrel2004  
H61208

**CITY OF WANNEROO REPORT NO: H61208**

TO: TOWN CLERK

FROM: CITY RECREATION AND CULTURAL SERVICES  
MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 8 DECEMBER 1993

FILE REF: 429-1-2

SUBJECT: MULTICULTURAL FESTIVAL SORRENTO QUAY MARCH  
1994

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Following the success of 'Festival of Nations' held on 28 March 1993, it has been decided to make an annual festival part of the multicultural Arts Centre of WA's calendar.

The 1993 festival ran for six hours and an estimated 6000 people attended. It boasted three stages running consecutively, craft exhibitions and a multicultural food section. The success of the 'Festival of Nations' had a very positive result for world culture artists.

Incorporated within the planning for the 1994 festival was a feasibility study instigated by the multicultural Arts Centre. This was to determine an area that would benefit from such a project and, additionally, benefit world culture artists.

The City of Wanneroo was chosen as the municipality to host the Festival. A collaboration between the cultural development team within the Wanneroo Council and the Multicultural Arts Centre of WA was established.

It has been recommended that contributory funding be sought from the Department for the Arts (artists' fees, stage and lighting) and Healthway (Promotions), refer Report H40606. Recent liaison between the Multicultural Arts Centre of WA and the City of Wanneroo has occurred, pertaining to the Arts Centres' receipt of \$5,000 from the Department for the Arts. Due to the receipt from this particular source, Council's support will be as follows:

Income

	\$
Department for the Arts	1,890
Healthway	1,700
City of Wanneroo	<u>4,642</u>
TOTAL	<u>\$8,232</u>

Expenditure

Hire of facility	840
Artists' fees	890
Stage and lighting	1,000
Travel allowance	500
Salary for part-time co-ordinator	3,302
Promotional costs	<u>1,700</u>
TOTAL	<u>\$8,232</u>

The City of Wanneroo's assistance has additionally been in the form of "in kind" support outlined below:

- . provision of relevant contacts;
- . provision of information pertaining to the City of Wanneroo;
- . attendance at meetings to negotiate sponsorship funding applications, timing and schedules;
- . attendance of future steering committee;
- . assistance of publicity for the multicultural concert.

Sorrento quay has been allocated as a venue for the concert. The Office of Multicultural Interests has agreed to the Festival being the culmination event of Multicultural Week, which will run from 20-27 March 1994 at this particular venue.

The primary aim of the multicultural concert to be held at Sorrento Quay, Sunday, 27 March 1994, is to provide the wider Australian population with an opportunity to experience Australia's multicultural environment through the expressions of their Australian based communities. Similarly, the Festival aims to:

- . promote and foster world cultures;
- . provide an environment that would encourage the development of multicultural performances in an Australian context;
- . to introduce world culture artists to popular mainstream venues for the benefit and interaction of both multicultural and mainstream participants and audiences;
- . to celebrate multicultural week;
- . to celebrate 'Year of the Family' through providing an event targeted at families, plus to encourage family participation in performances.

It is intended that the Multicultural Festival will commence at 12.00 pm and end at 7.00 pm on Sunday, 27 March 1994.

The day's events will involve performances and visual displays incorporating traditional costume, dance, visual art, music and food: elements that are vital in the development and celebration of the vast cross section of the community.

Submitted for Council information.

R BANHAM  
City Recreation and  
Cultural Services Manager

AC:SS/rrel2003