

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, 21 DECEMBER 1994

ATTENDANCES AND APOLOGIES

Councillors: H M WATERS, JP Mayor  
F D FREAME, Deputy Mayor South-West Ward  
L O'GRADY North Ward  
A V DAMMERS Central Ward  
B A COOPER Central Ward  
L A EWEN-CHAPPELL from 7.50 pm Central Ward  
S P MAGYAR Central Ward  
M J GILMORE South Ward  
B J MOLONEY South Ward  
K H WOOD South Ward  
I D MACLEAN South Ward  
A B HALL South Ward  
G A MAJOR South-West Ward  
M E LYNN, JP South-West Ward

Town Clerk: R F COFFEY  
Deputy Town Clerk: R E DYMOCK  
City Planner: O G DRESCHER  
Acting City Engineer: D BLAIR  
City Treasurer: J TURKINGTON  
City Building Surveyor: R G FISCHER  
Deputy City Building Surveyor: L CANDIDO  
City Environmental  
Health Manager: G FLORANCE  
City Parks Manager: F GRIFFIN  
City Recreation and Cultural  
Services Manager: R BANHAM  
Manager, Municipal Law &  
Fire Services: T TREWIN  
Acting Manager Welfare  
Services: D LETHERIDGE  
City Librarian: N CLIFFORD  
Publicity Officer: W CURRALL  
Committee Clerk: J HARRISON  
Minute Clerk: V GOFF

An apology for absence was tendered by Cr Curtis.

An apology for late attendance was tendered by Cr Ewen-Chappell.

There were 52 members of the Public and 2 members of the Press in attendance.

The Mayor declared the meeting open at 7.33 pm.

#### **CONFIRMATION OF MINUTES**

#### **I91242 MINUTES OF COUNCIL MEETING, 7 DECEMBER 1994**

##### Corrections

- 1 Page 5, reference to the "Pan Hellenic Council" should read "Pan Macedonian Council".
- 2 Page 66, Item number "I91130" be amended to read "I91230".

**MOVED** Cr Gilmore, **SECONDED** Cr Freame that the Minutes of Council Meeting held on 7 December 1994, amended as above, be confirmed as a true and correct record.

**CARRIED**

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

Cr Dammers asked the following questions of Cr MacLean at the Council Meeting of 7 December 1994:

##### **CONFLICT OF INTEREST**

- 1 Are you aware that the Wanneroo City Council has, from time to time, disagreed publicly at open Council meetings with State Government decisions?
- 2 Are you aware that the WA State Government expects its Government members to support its decisions and be loyal members of the Government and the Liberal Party?
- 3 If there was a major difference between the Wanneroo Council and your ward electorate with the Government, would you be prepared to cross the floor in Parliament, and vote against your own Government Party?
- 4 If your Parliamentary income is your main source of income, do you have a clear pecuniary interest in protecting your parliamentary career?
- 5 Which takes priority, your commitment to the City of Wanneroo Council and those you were elected to serve on Council, or your political party and your Parliamentary career?

- 6 I refer to your reported comments in the Sunday Times (November) story headed: "No conflict - MP Councillor,....That I made every endeavour to get to meetings, but being there (at the Council meetings) is not what being a Councillor is about - that's just when things get passed."
- 7 By saying that Council meetings are just where things are passed and that is not what being a Councillor is about; do you mean that as far as those who voted you on Council, or others who depend on you to represent their interests, making decisions on their behalf is not what being a Councillor is about?

8 Attending meetings and making decisions on issues such as planning, the environment, work opportunities, rubbish disposal, welfare, hygiene standards, recreation, setting Council rates etc., etc., is not what being a Councillor is about?

#### **SUNDAY TIMES DECEMBER 4**

- 9 Did you honestly expect anyone to believe that Local Government Minister Paul Omodei, a Parliamentarian, could possibly say that you, a Parliamentarian, had a conflict of interest by being a Councillor and a Parliamentarian?
- 10 However, as the Minister has appeared to have given you a clean bill of health in your dual role, do you find it at all strange that the same Minister is about to bring down a new Local Government Act that will stop Parliamentarians from serving new terms as Councillors?
- 11 Can you please explain if there is no conflict of interest, why the new law is necessary?

Cr MacLean submitted the following comments:

"I refer to questions asked by Councillor Dammers at the last meeting of Council.

Councillor Dammers seems to have confused the Liberal Party and the Labor Party. It is the Labor Party which holds caucus meetings that require all members to toe the Party line, even if they personally disagree and regardless of the impact on a local community.

The Liberal Party operates differently. If any Member feels strongly enough about an issue that he or she cannot support,

then he or she has the right to notify the Party room and then vote according to conscience.

Having made that observation, let me state quite categorically that I will continue to represent the ratepayers who elected me to watch over their interests - just as I will continue to represent the electors of the North Metropolitan Region.

This approach is consistent with the stands taken by other Members of Parliament who have also found themselves in this position.

There appears to be an attempt to suggest that somehow my position is unique - it is not, and it has affected Members from both sides of the political fence. I am sure they fulfilled their dual roles with honesty and integrity.

There are plenty of examples of MP's who continued in local government after being elected to Parliament.

Some recent examples have been:

- \* Former Cabinet Minister, the Hon Graham Edwards, who was elected to Parliament in February 1983 and who took his place in May 1983, but did not resign from the Stirling City Council till the end of his term in May 1984.
- \* Former Scarborough MLA Graham Burkett, who was also elected to Parliament in February 1983 and who continued as Mayor of the City of Stirling till May 1983 and did not resign till August 1983.
- \* Current Member of the Legislative Council, Hon Alannah MacTiernan, who was elected February 1983, and who remained a Perth City Councillor till the dissolution of the Council in December of last year.

I am in precisely the same situation.

They did their job and I will do mine.

As a general observation, let me say that there can be occasions when those elected to local government authority may find themselves with a conflict of interest.

That is not new or unusual, nor is the standard remedy - to declare the interest and refrain from that particular vote.

Those are the standards required of every Councillor, irrespective of the issues. I would expect that from every

Councillor here, and with every other local government authority.

Finally, with regard to the new Local Government Act, this Act will allow serving Councillors elected to Parliament to complete their Council term. Therefore, the new Act would not restrict me in finishing my term."

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

Nil

#### **ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION**

#### **APPRECIATION DINNER - WANNEROO AGRICULTURAL SOCIETY**

On Friday, 9 December Councillor Freame deputised for me at Council's appreciation dinner for the Wanneroo Agricultural Society.

The Wanneroo Agricultural Society and Council have had a long and happy association that dates back to the first show held in 1909.

The dinner gave Council the opportunity of saying thank you to the hard working members of the Committee.

#### **CHEQUE PRESENTATION - SURF LIFE SAVING WA**

On Monday, 12 December I was at the Mullaloo Surf Club to present a cheque to Surf Life Saving WA for \$18,500 for the employment of contract life guards at Mullaloo, Hillarys and Sorrento beaches this summer.

This is the sixth year of Council's involvement with Surf Life Saving WA in the employment of contract life guards on our beaches.

Council is proud to be associated with the Surf Life Saving Association in promoting safety on our beaches.

#### **SCHOOL GRADUATION CEREMONIES**

Last Thursday and Friday a number of Councillors deputised for me at various school graduation ceremonies.

I would like to thank Councillors Moloney, Ewen-Chappell, Gilmore, Wood and Hall for taking the time to attend these functions on behalf of the Mayor's office.

#### **1994 CITY OF WANNEROO ACADEMIC EXCELLENCE AWARD**

On Friday of last week I was at the Belridge Senior High School for the presentation of the 1994 City of Wanneroo Academic Excellence Award.

The 1994 Award went to Year Ten student, Joanne Solway.

#### MEDALLION PRESENTATION - WANNEROO VOLUNTEER BUSH FIRE BRIGADE

Last Saturday I presented medallions to members of the Wanneroo Volunteer Bush Fire Brigade.

These men and women do a splendid job under extremely dangerous circumstances and they are a credit to our community.

On the same day, Councillor Freame deputised for me at the Joondalup Spirit of Christmas Street Parade.

Later on, Councillor Freame deputised for me at the Wanneroo State Emergency Service Christmas Party.

#### DEPUTATION - ROGER NICHOLLS, MINISTER FOR COMMUNITY DEVELOPMENT

This afternoon, Council had a deputation with Roger Nicholls, the Minister for Community Development.

Myself and Councillors Cooper and O'Grady met with the Minister to discuss the funding and usage of the proposed Community Centre in Jenolan Way, Merriwa.

Councillors, Department Heads, Ladies and Gentlemen.

As this is the last Council meeting prior to Christmas, I would like to take this opportunity of wishing you all a merry Christmas and a happy and safe New Year.

#### PETITIONS, MEMORIALS AND DEPUTATIONS

##### 191243 PETITION OBJECTING TO ESTABLISHMENT OF A GYMNASIUM AT REAR OF 24 CANHAM WAY, GREENWOOD - [30/0404]

The Town Clerk submitted a 13-signature petition opposing the establishment of a gymnasium at the rear of 24 Canham Way, Greenwood.

**MOVED** Cr Dammers, **SECONDED** Cr Wood that the petition opposing the establishment of a gymnasium at the rear of 24 Canham Way, Greenwood be received and referred to Town Planning for a report to Council.

**CARRIED**

**I91244 PETITION OBJECTING TO NOISE AT 12 MACLEAY DRIVE, PADBURY**  
**- [1042/ 12]**

The Town Clerk submitted a 5-signature petition from residents objecting to noise and disruption from the tenants of 12 Macleay Drive, Padbury.

**MOVED** Cr Dammers, **SECONDED** Cr Wood that this petition be received and referred to City Environmental Health Department for a report to Council.

**CARRIED**

**I91245 PETITION OBJECTING TO CLOSURE OF PEDESTRIAN ACCESSWAY -**  
**MOFFAT PLACE, WARWICK - [510-1449]**

A 30-signature petition has been received from residents objecting to the closure of the pedestrian accessway between Moffat Place, Warwick and the Warwick train station.

The Town Clerk submitted a 22-signature petition opposing the closure of this pedestrian accessway.

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

**MOVED** Cr Dammers, **SECONDED** Cr Wood that the petitions objecting to the closure of pedestrian accessway between Moffat Place, Warwick and the Warwick train station be received and referred to Town Planning Department for a report to Council.

**CARRIED**

**I91246 PETITION OBJECTING TO PROPOSED COMMERCIAL RECREATION USE**  
**OF RESERVE 32858, CRAIGIE - [745-4]**

A 6-signature petition has been received from residents objecting to the proposed commercial recreation use of Reserve 32858, Craigie.

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

**MOVED** Cr Dammers, **SECONDED** Cr Wood that the petition objecting to the proposed commercial recreation use of Reserve 32858, Craigie be received and referred to Parks Department for a report to Council.

**CARRIED**

**I91247 PETITION REQUESTING IMPROVEMENT TO INTERSECTION -**  
**TRAILWOOD DRIVE AND TRACY TURN, WOODVALE - [510-1558,**  
**510-2018]**

A 14-signature petition has been received from residents of Tracy Turn, Woodvale requesting action to improve the intersection at Trailwood Drive and Tracy Turn.

The petitioners state the intersection is badly designed and is potentially dangerous.

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

**MOVED** Cr Dammers, **SECONDED** Cr Wood that the petition requesting action to improve the intersection at Trailwood Drive and Tracy Turn be received and referred to Engineering Department for a report to Council.

**CARRIED**

**WA CHILDRENS WEEK COMMITTEE - [218-1-5]**

Cr Freame tabled a letter from the WA Children's Week Committee congratulating the City on its Children's Week events.

**BUSINESS DEFERRED FROM THE PREVIOUS MEETING OF COUNCIL,  
REQUIRING DECISION**

Nil

**BUSINESS OUTSTANDING FROM PREVIOUS MEETINGS**

**GIFT TO KASTORIA FROM COUNCIL - ex I90429**

"a report be submitted to Council on the costs involved of transportation of a pair of black swans to Kastoria as a gift from Council."

The Greek Consulate recently advised Council that they have made contact with the Kastorian group "Friends of the Environment" which will be caring for the swans. The Consulate is currently trying to ascertain if Friends of the Environment have a suitable enclosure as per the instructions of the Australian Nature Conservation Agency. A report will be submitted in due course.

**CODE OF CONDUCT FOR ELECTED MEMBERS AND STAFF - ex I91220**

"consideration of this matter be deferred;

Councillors be invited to make written comments on the draft code to the Town Clerk;

a further report incorporating these comments be submitted by the Town Clerk to the next Council meeting."

A report will be submitted in due course.

BUILDING LICENCES: CREDIT FACILITIES - ex I10937

"a further report be submitted to Council prior to the conclusion of the trial on the outcomes."

The trial concludes in March 1995. A report will be submitted during February 1995.

PETITION REQUESTING IMPROVED FACILITIES AT CHICHESTER RESERVE, WOODVALE - ex I91031

"the petition from Members of Kingsley Soccer Club requesting improvements to the existing facilities at Chichester Reserve, Woodvale be received and referred to Recreation and Cultural Services Department for a report to Council."

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

PROPOSED DWELLING: LOT 195 (18) FIREBALL WAY, OCEAN REEF - ex I11125

"that consideration of this matter be deferred pending the holding of a public meeting regarding the development of oversized dwellings."

A Special Meeting of Electors has been scheduled for Tuesday 20 December 1994.

PROPOSED DWELLING: LOTS 626,627 & 628 (2), (4) AND (6) RANDELL CRESCENT, OCEAN REEF - ex I11126

"that consideration of this matter be deferred pending the holding of a public meeting regarding the development of oversized dwellings."

A Special Meeting of Electors has been scheduled for Tuesday 20 December 1994.

PETITION REGARDING EXTENSION OF EDGEWATER DRIVE ONTO JOONDALUP CAMPUS - ex I90727

"the petition received from staff of Joondalup Campus, Edith Cowan University be received and referred to Engineering Department for a report to Council."

A revised Joondalup City Traffic Study has been commissioned by Landcorp. A report will be presented to Council following receipt of the Traffic Study findings.

PETITION REQUESTING INSTALLATION OF ROUNDABOUT - VENTURI DRIVE, OCEAN REEF - ex I90728

"the petition from residents of Ocean Reef, requesting the installation of a roundabout on Venturi Drive, at either its intersection with Diamond Drive or Cockpit Street be received and referred to Engineering Department for a report to Council."

This matter is currently being investigated by the Traffic Section; a report will be presented to Council in due course.

PETITION OPPOSING PROPOSED QUARRY - BERNARD ROAD SOUTH, CARABOODA - ex I90937

"that the petition opposing the quarry at Carabooda be received and referred to Engineering Department for a report to Council."

A report will be presented on this matter when the applicant submits a revised application.

EXCAVATION - FURNISS ROAD, LANDSDALE - ex I90963

"a report be submitted to Council on the ground level of excavation of the site on Furniss Road, Landsdale."

This matter is currently being investigated for a report to Council in due course.

PETITION OBJECTING TO PROPOSED PARKING PROHIBITIONS IN VENTURI DRIVE, OCEAN REEF - ex I91003

"the petition objecting to the installation of parking prohibitions in Venturi Drive, Ocean Reef be received and referred to Engineering Department for a report to Council."

An on site meeting is being arranged with representative petitioners to re-appraise the situation for a report to Council in due course.

TRAFFIC SPEEDS - PEREGRINE DRIVE, KINGSLEY - ex I91023

"that a report be submitted to Council on the feasibility of installing traffic calming measures in the vicinity of Dalmain Primary School and the Kingsley Family Centre."

CITY ENGINEER'S REPORT I11216

PROVISION OF UNDERGROUND POWER - ex I91063

"a report be submitted to Council on the cost implications for Council in establishing underground power and whether a reserve account should be established for the 1995/96 financial year to lessen the impact on ratepayers."

A report will be submitted following release of the State Government's Discussion Paper on underground power.

SUBMISSION FROM RESIDENTS SEEKING TRAFFIC CALMING AT INTERSECTION OF FORREST ROAD AND ALEXANDER ROAD, PADBURY - ex I91104

"the correspondence from residents seeking traffic calming at the intersection of Forrest and Alexander Roads, Padbury be received and referred to Engineering Department for a report to Council."

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

PETITION EXPRESSING CONCERN AT PROBLEMS WITH PARKING, LITTERING AND DUNE DAMAGE - MERRIFIELD PLACE, MULLALOO - ex I91107

"the petition expressing various concerns in relation to Merrifield Place, Mullaloo be received and referred to Engineering Department for a report to Council."

- ex I91204

"the letter from Dr Charles Stuart be received and referred to Town Planning Department for a report to Council."

A survey will be undertaken over the summer period; a report will be presented following this survey.

PETITION EXPRESSING CONCERN AT THE USE OF CASTLEGATE WAY, WOODVALE AS A THOROUGHFARE - ex I91132

"that the petition expressing concern at the use of Castlegate Way, Woodvale as a thoroughfare between Trappers and Timberlane Drives be received and referred to Engineering Department for a report to Council."

This matter is currently being investigated by the Traffic Section; a report will be presented to Council in February 1995.

PETITION REQUESTING REPAVING OF VERGES - GLENGARRY/DOVERIDGE DRIVES, DUNCRAIG - ex I91207

"the petition from residents in Glengarry Drive requesting consideration of repaving verges as part of the proposed construction of the roundabout at Glengarry and Doveridge Drives, Duncraig be received and referred to Engineering Department for a report to Council."

This request will be reviewed on completion of the roadworks component of this project to determine the availability of funds to undertake the verge works.

PROPOSAL TO DEVELOP JOONDALUP CENTRAL PARK AMPHITHEATRE AS A JOBSKILLS PROJECT - [253-7] - ex I10433

- 1 defers consideration of the proposal as submitted by the RED Group;
- 2 establishes a project team of department officers to review the proposal and submit a report to Council within three (3) months."

CITY PARKS MANAGER'S REPORT I11234

LANDSCAPING OF MEDIAN STRIP WITHIN WANNEROO TOWNSITE - ex I90962

"a report be submitted to Council on the cost and feasibility of landscaping the median strip within Wanneroo Townsite."

Report will be submitted following receipt of proposed plans from Main Roads WA.

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.

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.

TOWN PLANNING SCHEME NO 21 - EAST WANNEROO DEVELOPMENT SCHEME -  
ex H81203A

"defers consideration of Points 1 - 4, as amended, of City Planner's Report H81203 pending a Special Meeting of Council regarding Town Planning Scheme No 21 in early 1994"

Council considered this issue at its meeting of 25 May 1994 (Item I50517) and resolved to engage a consultant to undertake the work involved in addressing the requirements of the Minister for Planning and the State Planning Commission. That work is now being undertaken and the outcome will determine whether a Special Meeting of Council, to which the Premier is to be invited, is still required.

SUBDIVISION OF LOT 6 COOGEE ROAD, MARIGINIUP - ex H81203A

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

Special Town Planning Scheme No 21 resolved to defer this application pending the finalisation of the road alignment study for the area.

PROPOSED REZONING - LOT 300 (543) WANNEROO ROAD, WOODVALE - ex  
H81203A

"advises Mr S Aston that his application for the proposed rezoning of Lot 300 (543) Wanneroo Road, Woodvale is deferred and that this matter should be considered in conjunction with an overall strategy for the area. In this regard, the applicant should liaise with all the land owners within the area bounded by Ocean Reef Road in the north, the Yellagonga Regional park in the south and west and Wanneroo Road in the

east, regarding the preparation of a local structure plan. Such a proposal should consider issues such as rationalisation of access onto Wanneroo Road and potential impacts of development on the adjoining Yellagonga Regional Park. This should be viewed in the context of the Council's draft strategy for the area"

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

PROPOSED MEDICAL CONSULTING ROOMS, LOT 261 (23) ARNISDALE ROAD, DUNCRAIG - ex I20204

"Council defers the application for medical consulting rooms submitted by Geoffrey Lam for Lot 261 (23) Arnisdale Road, Duncraig, until it has considered and adopted the policy for the location of medical facilities in Arnisdale Road, Duncraig and has reviewed its consulting Rooms Policy."

A report will be submitted to Council following adoption of the final consulting rooms policy for Arnisdale Road.

PROPOSED EXTENSION TO MEDICAL CONSULTING ROOMS: LOT 1 (44) ARNISDALE ROAD, DUNCRAIG - ex I20206

"Council defers the development application submitted on 24 December 1993 by N E Hunter on behalf of Dr Gan for additions to a consulting room on Lot 1 (44) Arnisdale Road, Duncraig until the finalisation and adoption of the Medical Facilities Policy for Arnisdale Road, Duncraig and the review of its consulting rooms policy has been considered."

A report will be submitted to Council following adoption of the final Consulting Rooms Policy for Arnisdale Road.

CLOSE OF ADVERTISING: AMENDMENT NO 661 TO TOWN PLANNING SCHEME NO 1 TO RECODE PORTION OF PT LOT M1722 DELAMERE AVENUE, CURRAMBINE FROM "R20" TO "R40" - ex I90350

"consideration of this matter be deferred pending a meeting being held with concerned residents."

The developers are preparing subdivision and development designs prior to a meeting being held with concerned residents. A report will be submitted to Council in due course.

DRAFT NORTH WANNEROO LOCAL STRUCTURE PLAN - ex I20418

"consideration of this matter be deferred and a further report be presented to Council."

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

PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAY - HAINSWORTH AVENUE TO TENDRING WAY, GIRRAWHEEN - ex I90705

"the petition from residents of Tendring Way, Girrawheen requesting the closure of the pedestrian accessway between Hainsworth Avenue and Tendring Way 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.

PETITION OBJECTING TO AMENDMENT NO 555 TO TOWN PLANNING SCHEME NO 1 TO REZONE AND RECODE LOT 24 (207) WANNEROO ROAD FROM RURAL TO RESIDENTIAL DEVELOPMENT R40 - ex I90803

"the petition and letter objecting to the proposal for a road and carparks within Yellagonga Regional Park be received and referred to Town Planning Department for a report to Council."

A report will be prepared and submitted in due course.

PROPOSED FENCING ON PUBLIC ACCESSWAYS, LOT 976 (11) BURLOS COURT, JOONDALUP - ex I20807

"a further report be presented to Council investigating the possibility of closing the public accessway located to the north of Lot 976 Burlos Court, Joondalup."

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

PETITION RELATING TO REZONING PT ST ANDREWS DRIVE, YANCHEP FOR GROUP HOUSING - ex I90828

"that the petition and correspondence opposing the rezoning of Portion Lot 10 St Andrews Drive, Yanchep be received and referred to Town Planning Department for a report to Council."

A report will be submitted to Council following completion of advertising for the amendment.

LAKE PINJAR STRATEGY: SUBDIVISION PROPOSAL FOR LOTS 1, 2 AND 3 PERRY ROAD, PINJAR (MR COX) - ex I20836

"defers consideration of the application submitted by Mr N Cox for subdivision for Lots 1, 2 and 3 Perry Road, Pinjar."

This matter is being deferred till the Environmental Protection Authority has re-assessed its lot size criteria for Lake Pinjar.

TRANSPORT OF HAZARDOUS LOADS ALONG NEAVES ROAD TO FLYNN DRIVE INDUSTRIAL ESTATE - ex I90912

"a report be submitted to Council on the control of hazardous loads being transported on Neaves Road to access Flynn Drive Industrial Estate."

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

PETITION REQUESTING CLOSURE OF BELTANA ROAD, CRAIGIE - ex I90909

"the petition from residents of Beltana Road, Craigie requesting the closure of their street from Camberwarra Drive be received and referred to Town Planning Department for a report to Council."

This matter has been dealt with under Item I11118 and may therefore be removed from the agenda.

PETITION SUPPORTING PROPOSED CLOSURE OF ACCESSWAY - BENBULLEN BOULEVARD AND GURIAN GARDENS, KINGSLEY - ex I90936

"that the petition supporting the proposed closure of accessway connecting Benbullen Boulevard and Gurian Gardens, Kingsley be received and referred to Town Planning Department for a report to Council."

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

OCEAN REEF COASTAL LAND: APPOINTMENT OF CONSULTANTS - ex I20944

"that Council requires a further monitoring report on the Ocean Reef coastal land project to be submitted to Council in March 1995, such report to give consideration to the matter of funds being included in the 1995/96 budget for a consultancy associated with the marketing of this project."

A report will be submitted to Council in March 1995.

APPLICATION TO PURCHASE A PORTION OF PUBLIC RECREATION RESERVE,  
BELDON - ex I21009

"consideration of this item be deferred;

Council writes to the Water Authority of WA requesting reconsideration of its objection to the sale of a portion of Public Recreation Reserve to the owner of Lot 604 Eddystone Avenue subject to appropriate conditions as to usage being imposed."

The Water Authority of WA has been requested to reconsider this matter; a reply is awaited.

PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN  
TIFERA CIRCLE AND DAMPIER AVENUE, KALLAROO - ex I91026

"the letter from the Truswell Family requesting the closure of the pedestrian accessway between Tifera Circle and Dampier Avenue, Kallaroo 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.

PETITION OPPOSING CLOSURE OF PEDESTRIAN ACCESSWAY - BENBULLEN  
BOULEVARD AND GURIAN GARDENS, KINGSLEY - ex I91028

"that the petition presented at the Special Electors Meeting held on Monday 24 October 1994, opposing the closure of the pedestrian accessway between Benbullen Boulevard and Gurian Gardens, Kingsley 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.

PETITION REQUESTING CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN  
GAYFORD WAY AND DANBURY CRESCENT, GIRRAWHEEN - ex I91029

"that the petition from residents requesting the closure of the pedestrian accessway between Gayford Way and Danbury Crescent, Girrawheen 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.

PETITION SUPPORTING THE CLOSURE OF THE PEDESTRIAN ACCESSWAY  
ADJOINING 25 EUCALYPT COURT, DUNCRAIG - ex I91036

"the petition from residents of Eucalypt Court, Duncraig in support of the closure of the pedestrian accessway adjoining 25 Eucalypt Court 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.

CLOSE OF ADVERTISING - AMENDMENT NO 657 TO TOWN PLANNING SCHEME  
NO 1 TO REZONE VARIOUS LOTS, SWAN LOCATION 2540 WANGARA - ex  
I21021

"consideration of this matter be deferred;

Council invites landowners within this cell to attend a meeting to discuss the proposed structure plan."

A meeting with landowners was held on 21 November 1994; a report will be submitted in due course.

MODIFICATIONS TO R-CODES IN RELATION TO LARGE DEVELOPMENTS - ex  
I91064

"a report be submitted to Council on how the R-Codes can be modified with respect to large developments to reflect Council's intentions in particular areas."

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

PETITION REQUESTING DOG EXERCISE AREA AT MARMION - ex I91103

"the petition requesting the allocation of a dog exercise area in Marmion be received and referred to Town Planning Department for a report to Council."

CITY PLANNER'S REPORT I21237

PETITION OBJECTING TO PROPOSED CHILD CARE CENTRE - LOTS 90 & 91  
DIABLO WAY, CONNOLLY - ex I91105

"the petition objecting to the proposed child care centre on Lots 90 and 91 Diablo Way, Connolly be received and referred to Town Planning Department for a report to Council."

CITY PLANNER'S REPORT I21213

PROPOSAL FOR EXTENSION OF THE WHITFORDS SEA SPORTS CLUB AT  
FORESHORE RESERVE IN OCEAN REEF - ex I21107

"consideration of this matter be deferred pending submission of a further report."

Discussion has been held with a representative from the Club. They are now looking at an alternative option, which will be reported when further information is received from the Club.

THE MARITIME LEGISLATION OF THE FUTURE - ex I21109

"Council considers the matter further upon completion of the investigations referred to in Report I21109."

CITY PLANNER'S REPORT I21246

PETITION OPPOSING A CHILD CARE CENTRE ON CORNER OF ST IVES AND  
LAGOON DRIVES, YANCHEP - ex I91130

"that the petition opposing the establishment of a Child Care Centre on corner St Ives and Lagoon Drives, Yanchep be received and referred to Town Planning for a report to Council."

CITY PLANNER'S REPORT I21242

PETITION RELATING TO MARKET GARDEN SALES PERMITS - ex I91133

"the petition requesting the expansion of the range of convenience goods allowed to be sold by Market Garden Sales Permit holders be received and referred to Town Planning Department for a report to Council."

CITY PLANNER'S REPORT

PETITION OBJECTING TO PROPOSED RETAIL DEVELOPMENT - MINDARIE  
KEYS - ex I91137

"that the petition objecting to the proposed retail development at the intersection of Hester Road and Marmion Avenue, Mindarie 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.

PROPOSED SHOPPING CENTRE ON LOT 738 (16) DUGDALE STREET, WARWICK  
- ex I21114

"that consideration of this matter be deferred and referred back to Council."

A report will be submitted to Council at its meeting on 21 December 1994.

SALE OF FOODSTUFFS IN EXCESS OF THOSE PERMITTED. "GROWFRESH MARKETS" LOT 500 (30) HOCKING ROAD, KINGSLEY - ex I21127

"that instigation of legal proceedings against Messrs F and C Borello be deferred for one month, pending further discussions on permitted uses."

A report will be submitted to Council in due course.

MARKET GARDEN SALES PERMITS - ex I91202

"the petition seeking the expansion of range of convenience goods allowed to be sold by holders of market garden sales permit to be received and referred to Town Planning Department for a report to Council."

CITY PLANNER'S REPORT

PETITION OBJECTING TO PROPOSED VETERINARY HOSPITAL ON LOT 2 WANNEROO ROAD, WANNEROO - ex I91203

"this petition 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.

PETITION OBJECTING TO REZONING OF LOT 75 BERKLEY ROAD, MARANGAROO - ex I91205

"the petition from the residents of Berkley Road, Marangaroo objecting to the rezoning of Lot 75 Berkley Road from R20 to R40 on the grounds of devaluation of property and both increases in traffic and crime volumes 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.

ERECTION OF PLAQUE FOR STOCKMEN AND SHEPHERDS - ex I90932

"the Historical Sites Advisory Committee be requested to consider the erection of a plaque for the stockmen and shepherds on the stock route from Toodyay to Wanneroo."

This matter is being investigated by the Historical Sites Advisory Committee.

YOUTH POLICY/FUTURE DIRECTIONS - ex I51128

"the Sub/Occasional Committee to submit a proposed Youth Policy to Council no later than 31 March 1995"

A report will be submitted in due course.

BUSKING - CITY OF WANNEROO - ex I41205

"defers consideration of issuing a busking licence to Miss A Benfall until Busking By-laws have been received and adopted"

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

DOG ACT APPEAL - MR B CRAIG, 11 BEXLEY WAY, GIRRAWHEEN - ex I41106

"consideration of this matter be deferred pending further enquiries regarding the Minister's decision."

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

DONATION - LOW COST FOOD CENTRE - ex I50715

"a report be submitted to Council giving consideration to a donation of \$20,000 to The Wanneroo Community Projects Association Inc to assist in the operating costs of a low-cost food centre."

This matter is currently being investigated. The completion of this report is now pending the submission of a business plan from the Association.

JOONDALUP LIBRARY RESOURCES - ex I41103

"consideration of this matter be deferred"

Clarification of the full Joondalup Library stock delivery schedule is being sought from the Minister for the Arts. A report will be submitted in due course.

**MOVED** Cr Freame, **SECONDED** Cr Gilmore 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 WANNEROO AGED PERSONS HOMES TRUST (INC) MANAGEMENT COMMITTEE  
Meeting held on 24 November 1994

B WHITFORD SENIOR CITIZENS CENTRE MANAGEMENT COMMITTEE  
Meeting held on 6 December 1994

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the Minutes listed at Item A to B be received.

**CARRIED**

ADVISORY COMMITTEES

A HISTORICAL SITES ADVISORY COMMITTEE  
Meeting held on 16 November 1994

B YOUTH ADVISORY COMMITTEE  
Meeting held 21 November 1994

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the Minutes listed at Item A to B be received.

**CARRIED**

OTHER COMMITTEES

A YANCHEP TWO ROCKS RECREATION ASSOCIATION  
Meeting held on 7 November 1994

B OFFICE SITES SAFETY COMMITTEE  
Meeting held 7 December 1994

**MOVED** Cr Freame, **SECONDED** Cr O'Grady that the Minutes listed at Item A to B be received.

**CARRIED**

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

QUESTIONS MAY BE PUT OR COMMENTS MADE BY THE PUBLIC RELATING TO BUSINESS LISTED ON THE AGENDA.

RE: I41209 FOOD COMPLAINT NO 34 - [30/811-9, 851-7] -  
Mr Richard Ly

Mr Richard Ly, proprietor of Ho Mei Chinese Restaurant referred to the complaint against him relating to a blow-fly being found in the bottom of a takeaway container of noodles (Report I41209 refers). He stated that he had experienced great embarrassment from this incident.

He has made every effort to prevent flies from getting into the food preparation area by installing flywires and a "fly zapper". However, he will follow any recommendations suggested by Council to reduce the likelihood of flies getting into the kitchen.

The Mayor commended Mr Ly for addressing Council.

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

Cr Ewen-Chappell declared an interest in Items I11237, I21215 and I21251.

Cr Hall declared an interest in Item I21250.

Cr Waters declared an interest in Items I21242, I21247, I91263 and I91278.

Crs Dammers declared an interest in Items I31208, I21231, I91261 and I91263.

Crs Gilmore and Wood declared an interest in Item I31208.

Cr Maclean declared an interest in Item I31209.

Cr Moloney declared an interest in Item I21250.

Cr Majors declared an interest in Items I51202 and I91262.

Cr Cooper declared an interest in Item I51207, I91263 and I91264.

Mr R Coffey, Town Clerk declared an interest in Item I51207.

Cr Magyar declared an interest in Item I91263.

**BUSINESS REQUIRING ACTION**

**I91248 TECHNICAL SERVICES**

**MOVED** Cr Hall, **SECONDED** Cr Wood that the Technical Services Reports be received.

**CARRIED**

**REPORTS**

**I11212 REPLACEMENT OF SUBARU STATION WAGON PLANT 99102 - [208-6]**

**CITY ENGINEER'S REPORT I11212**

On 23 November 1994, Council considered submissions in respect of Tender 076-94/95 and approved the supply of one (1) Courier 4WD dual cab utility for the changeover price of \$6,192.00 from Nuford. Subaru Station Wagon Plant No 99103 was traded.

This tender initially provided for the replacement of two Subaru Station Wagons. However, the second Subaru Station Wagon, Plant No 99102, was withdrawn from tender because it was not available for trade inspection. A trade inspection was subsequently arranged after the vehicle was returned from the panelbeaters.

The City Engineer advises that the changeover price for the second Subaru is \$6,592.00, \$400.00 more than the changeover price approved for Tender No 076-94/95.

He gives reasons why he considers the reduced trade price is appropriate in this instance.

**MOVED** Cr Cooper, **SECONDED** Cr Major that Council accepts the quotation of \$6,592.00 from Nuford for the supply and delivery of a Courier 4 x 4 Crew-Cab Utility for the replacement of Subaru Station Wagon Plant No 99102.

**CARRIED**

**I11213 NEW DOMESTIC REFUSE TRUCK - [208-6, 080-94/95]**

**CITY ENGINEER'S REPORT I11213**

On 23 November 1994, Council resolved to purchase a new domestic refuse truck as specified in Tender No 080-94/95. The new unit is specified to incorporate modifications made to the existing fleet to overcome heating problems last summer.

The City Engineer reports that overheating problems with the fleet have not been fully resolved and, as a consequence of this, he has cancelled the purchase of the additional vehicle.

**MOVED** Cr Cooper, **SECONDED** Cr Major that Council endorses the City Engineer's action in cancelling the order placed in relation to Tender No 080-94/95.

**CARRIED**

Cr Moloney left the Chamber at this point, the time being 7.48 pm.

**I11214 JENOLAN WAY COMMUNITY CENTRE, MERRIWA - [208-89-94/95]**

**CITY BUILDING SURVEYOR'S REPORT I11214**

Tenders have been called for the construction of the Jenolan Way Community Centre at Merriwa.

The City Building Surveyor reports on the tender submissions received.

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

- 1 accepts the tender of \$809,792.00 from Palmerston Building Company for the construction and completion of the Jenolan Way Community Centre in Merriwa;
- 2 agrees to the signing of the contract documents.

**CARRIED**

Cr Ewen-Chappell entered the Chamber at this point, the time being 7.50 pm.

**I11215 TRAFFIC IMPROVEMENTS - VARIOUS LOCATIONS REALLOCATION OF FUNDS - [201-2]**

**CITY ENGINEER'S REPORT I11215**

Council approved \$60,000 in the 1994/95 Traffic Management Budget for the construction of minor junction treatments and pedestrian facilities as determined by traffic studies. Account No 33066 refers.

In the past three months the Education Department has agreed to contribute 50% towards the cost of constructing parking embayments at Camberwarra, Edgewater and Glengarry Primary Schools.

As there were no specific funds allocated in the Budget for these projects, Council approved the reallocation of \$21,000 from Account No 33066 - Traffic Improvements - Various Locations to accommodate its contribution to these school parking embayments.

The City Engineer outlines minor traffic works which will be undertaken with the remaining funds in Account 33066.

He suggests that the construction of a roundabout at the Admiral Grove/Channel Drive intersection be reviewed and the \$40,000 budgeted for these works be allocated to Account 33066 - Traffic Improvements - Various Locations.

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

#### **RECOMMENDATION**

That Council:

- 1 defers the construction of a roundabout at Admiral Grove/Channel Drive, pending investigation of alternative, cost effective, traffic management treatments for Admiral Grove;
- 2 authorises, in accordance with Section 547 (12) of the Local Government Act, the reallocation of \$40,000 from Account No 33077 Admiral Grove/Channel Drive Roundabout to Account No 33066 Traffic Improvements - Various Locations.

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

- 1 Council defers the construction of a roundabout at Admiral Grove/Channel Drive, pending investigation of alternative, cost effective, traffic management treatments for Admiral Grove and a further report be submitted to Council on funding requirements and budget reallocation;
- 2 Council authorises, in accordance with Section 547 (12) of the Local Government Act, the reallocation of \$40,000 from Account No 33077 Admiral Grove/channel Drive Roundabout to Account No 33066 Traffic Improvements - Various Locations.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

## CITY ENGINEER'S REPORT I11216

Council at its October 1994 meeting, requested a report on traffic speeds in Peregrine Drive, Kingsley and the feasibility of installing traffic calming measures in the vicinity of the Dalmain Primary School and the Kingsley Family Centre.

The City Engineer reports on recent surveys of traffic flows along Peregrine Drive and parking/pedestrian movements in the area. He advises that generally vehicular speeds are below the legal limit. However, the resultant traffic congestion around the school at peak periods reduces vehicular speeds.

He will request Main Roads WA to install additional symbolic school warning signs and centre line delineation of the bend to assist motorists.

The Main Roads WA Taskforce is currently examining reduced speed limits around schools. Consideration of traffic calming should be deferred pending receipt of the Taskforce's recommendations.

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

- 1 requests Main Roads WA to erect symbolic school signing on Peregrine Drive, on both sides of the road;
- 2 requests Main Roads WA delineate the road bend in Peregrine Drive, north of the school, with a painted white line;
- 3 advises the school Parents' & Citizens Association accordingly.

**CARRIED**

## **I11217 PARKING PROHIBITIONS - WARWICK GROVE SHOPPING CENTRE - [30/0215]**

### **CITY ENGINEER'S REPORT I11217**

Council has received a request from the Management of the Warwick Grove Shopping Centre seeking authority to install general parking prohibitions within the Centre car park. It is initially proposed to restrict parking on car park access routes and special use areas, such as taxi stands and loading bays. In addition, a quarter hour limited parking prohibition is proposed in certain dedicated areas adjacent to the main Centre entry exit to allow for high volume turnover short term parking.

The City Engineer advises that amendments will be required to Council's By-laws and approval sought from the Minister for

Local Government to allow the inclusion of Warwick Grove Shopping Centre as a parking station location.

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

1requests Ministerial approval under Section 231(3) of the Local Government Act for the Warwick Grove Shopping Centre car park to be established as a parking station;

2subject to Warwick Grove Shopping Centre being approved as a parking station:

- (a) amends its By-laws relating to parking facilities at the fifth schedule to include this Centre as a parking station;
- (b) authorises the affixation of the Common Seal to and endorses the signing of the documents;
- (c) authorises administrative action in accordance with Section 190 of the Local Government Act 1960 to have the amendment promulgated;

3subject to Warwick Grove Shopping Centre car park being approved as a parking station:

- (a) authorises the management of the Warwick Grove Shopping Centre to install 'NO PARKING ANY TIME' signs along the access roads around the Warwick Grove Shopping Centre in accordance with Australian Standard AS1742.11 as amended and as shown on Drawing No E1170-1 at Attachment 1 to Report I11217;
- (b) authorises the management of the Warwick Grove Shopping Centre to install 'TAXI ZONE' signs on the access road in the western car park north of the Warwick Grove Shopping Centre in accordance with Australian Standard AS1742.11, as amended and as shown on Drawing No E1170-1 at Attachment 1 to Report I11217;
- (c) authorises the management of the Warwick Grove Shopping Centre to install 'LOADING ZONE' signs on the access roads around the Warwick Grove Shopping Centre in accordance with Australian Standard AS1742.11, as amended and as shown on Drawing No E1170-1 at Attachment 1 to Report I11217;

- (d) authorises the management of the Warwick Grove Shopping Centre to install 'QUARTER HOUR' signs in the Warwick Grove Shopping Centre in accordance with Australian Standard AS1742.11, as amended and as shown on Drawing No E1170-1 at Attachment 1 to Report I11217;

4advises the Warwick Grove Shopping Centre Management accordingly.

**CARRIED**

Appendix I refers.

**I11218 JOONDALUP DRIVE - SPEED ZONE CHANGE - [510-1665]**

**CITY ENGINEER'S REPORT I11218**

The City Engineer reports that Main Roads WA has concluded a reassessment of vehicle speeds on Joondalup Drive and has recommended a 70 kph speed zone from 140 metres south of the Edith Cowan University to 320 metres north of Moore Drive.

**MOVED** Cr Cooper, **SECONDED** Cr Major that Council concurs to the implementation of a 70 kph speed zone on Joondalup Drive from 140 metres south of the Edith Cowan University entrance to 320 metres north of Moore Drive and advises Main Roads WA accordingly.

**CARRIED**

**I11219 RESURFACING OF BLACKBOY PARK TENNIS COURTS, MULLALOO - [061-39-1, 478-1-1]**

**CITY ENGINEER'S REPORT I11219**

Council, as part of the 1994/95 Budget, allocated funds for the resurfacing of two tennis courts at Blackboy Park, Mullaloo.

Funds on Account No 29235 to the value of \$10,000 were set aside for remedial treatment of sealing the cracks with a fibreglass membrane and the application of an approved synthetic acrylic surfacing.

An alternative treatment has since become apparent which will provide a longer life for the courts.

Tenders have been called for the two options for resurfacing the tennis courts.

The City Engineer reports on the tender submissions received.

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

- 1 authorises, in accordance with Section 547 (12) of the Local Government Act the reallocation of \$5,640.00 from Account No 29236 - Resurfacing of Tennis Court in Heathridge Park and \$1,728.00 from Account No 29234 - Resurfacing of Tennis Courts in the Wanneroo Showground to Account No 29235 - Resurfacing of Tennis Courts at Blackboy Park;
- 2 accepts Tender No 90-94/95 Option 2 by Sportcoat for the resurfacing of the two tennis courts at Blackboy Park, Mullaloo for the price of \$17,368.00.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**I11220 EXTRACTIVE INDUSTRY LICENCES LOT 22 FLYNN DRIVE,  
NEERABUP - [30/1455]**

**CITY ENGINEER'S REPORT I11220**

Council has received an application for development approval and extractive industry licence relating to Lot 22 Flynn Drive, Neerabup from the Readymix Group on behalf of the Flynn Drive Joint Venture.

Lot 22 Flynn Drive is owned by Western Australian Land Authority (LandCorp). The land has just been zoned industrial under the MRS and is currently zoned rural in Council's Town Planning Scheme. LandCorp let a contract to the Flynn Drive Joint Venture in 1987 and there has been a major quarry on the site since, with nearly 5 million cubic metres of limestone extracted. The site has an estimated life of 10 to 15 years at which time the land will be subdivided for industrial purposes.

The City Engineer provides background details of the site and gives reasons why the application is supported subject to specified conditions.

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

- 1 approves the applications by CSR Limited (trading as The Readymix Group), WA Limestone and Concept Nominees to commence development of the limestone rubble and block cutting quarry on Lot 22 Flynn Drive, Neerabup in accordance with the provision of its Town Planning Scheme. The approval is for the period to 30 November 1995 and subject to:

- (a) The use of the land for quarrying purposes ceasing by 30 November 1995 unless a further approval is granted by Council;
- (b) the operator of the quarry maintaining a water allocation or secure water supply for dust control;
- (c) all fuel storage on site being in approved underground tanks or in above ground tanks on a bunded, hardstand area that will contain any leaks and being constructed in accordance with the Water Authority of Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
- (d) submission of an annual, rehabilitation report incorporating an updated site contour plan and statement of quantity of material removed from the site;
- (e) the applicant entering into an agreement with the City of Wanneroo, under Section 85 of the Road Traffic Act, to pay the City of Wanneroo a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its care in the neighbourhood of the proposed excavation at the agreed rate, such payment to be made quarterly;
- (f) all stockpiles and work areas being stabilised and suitable dust suppression methods being used to prevent the movement of dust beyond the boundaries of the site;
- (g) hours of quarry operation being restricted to:

Monday to Friday (except public holidays)	0700-1800
Saturdays	0700-1700
Sundays permitted)	(work not permitted)
Public Holidays	(work not permitted)
- (h) all site equipment being suitably sound proofed so as to comply with the relevant sections of the Environmental Protection Act 1986;

- (i) maintaining a sealed crossover and sealing up to the first 30m of the quarry access road from the crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road;
  - (j) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified by Council's specific approval conditions;
  - (k) Operator to give an undertaking not to cut capstone whenever it appears in the cutting face;
  - (l) excavation to be based on the plans approved in 1987 with a final excavation level of RL54.
- (m) standard conditions;
- 2 approves Extractive Industry Licences for CSR Limited (trading as The Readymix Group), WA Limestone and Concept Nominees on Lot 22 Flynn Drive, Neerabup, with the following conditions:
- (a) annual fee - \$300;
  - (b) period of licence - 1 year to 30 October 1995;
  - (c) rehabilitation bond:
    - \$10,000 - The Readymix Group
    - \$10,000 - WA Limestone
    - \$5,000 - Concept Nominees;
  - (d)

under By-law 21 of the Extractive Industry By-laws agreement to the operators paying Council a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its control in the neighbourhood of the proposed excavation at the agreed rate. This agreement is in accordance with By-law 7 of the Extractive Industry By-laws and Section 85 of the Road Traffic Act.

**CARRIED**

**I11221 LIMESTONE BLOCK CUTTING QUARRY, PT LOT 6 WESCO ROAD, NOWERGUP - [30/2831]**

**CITY ENGINEER'S REPORT I11221**

Lunard Pty Ltd, trading as Al Limestone, has recently taken over the quarry on Pt Lot 6 Wesco Road, Nowergup and has applied for renewal of the approvals for carrying out stonemasonry in the

quarry. The Extractive Industry Licence is current to April 1995.

The City Engineer provides background details to the subject site and supports the application subject to specified conditions and restricted hours of operation.

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

- 1 approves the application by Lunard Pty Ltd, trading as Al Limestone, to commence development of the limestone block cutting quarry on Pt Lot 6 Wesco Road, Neerabup in accordance with the provision of its Town Planning Scheme. The approval is for the period to 30 October 1996 in regard to the use of the land for limestone block cutting, subject to:
  - (a) The use of the land for quarrying purposes, ceasing by 30 October 1996, unless a further approval is granted by Council;
  - (b) the operator of the quarry maintaining a water allocation or secure water supply for dust control;
  - (c) all fuel storage on site being in approved underground tanks or in above ground tanks on a bunded, hardstand area that will contain any leaks and being constructed in accordance with the Water Authority of Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
  - (d) submission of an annual, rehabilitation report incorporating an updated site contour plan and statement of quantity of material removed from the site;
  - (e) the applicant entering into an agreement with the City of Wanneroo, under Section 85 of the Road Traffic Act, to pay the City of Wanneroo a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its care in the neighbourhood of the proposed excavation at the rate of \$0.16 per cubic metre. Such payment to be made quarterly;
  - (f) all stockpiles and work areas being stabilised and suitable dust suppression methods being used

to prevent the movement of dust beyond the boundaries of the site;

- (g) hours of quarry operation being restricted to:
- |  |                      |
|--|----------------------|
| Monday to Friday<br>(except public holidays) | 0700-1700            |
| Saturday                                     | (work not permitted) |
| Sundays                                      | (work not permitted) |
| Public Holidays                              | (work not permitted) |
- (h) all site equipment being suitably sound proofed so as to comply with the relevant sections of the Environmental Protection Act 1986;
- (i) maintaining a sealed crossover and sealing up to the first 30m of the quarry access road from the crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road;
- (j) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified by Council's specific approval conditions;
- (k) standard conditions;

NOTE: It is to be clearly understood that regardless of the conditions imposed, these approvals do not indemnify the quarry operators from any future action under the provisions of the Environmental Protection Act 1986.

2 approves Extractive Industry Licences for Lunard Pty Ltd, trading as Al Limestone, for a limestone block cutting quarry on Pt Lot 6 Wesco Road, Nowergup, with the following conditions:

- (a) annual fee - \$300;
- (b) period of licence - 2 years to 30 October 1996;
- (c) rehabilitation bond - \$20,000;
- (d) under By-law 21 of the Extractive Industry By-laws agreement to the operators paying Council a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its control in the

neighbourhood of the proposed excavation at the rate of \$0.16 per cubic metre. This agreement is in accordance with By-law 7 of the Extractive Industry By-laws and Section 85 of the Road Traffic Act.

**CARRIED**

**I11222 GREEN WASTE PROCESSING BY THE MINDARIE REGIONAL COUNCIL  
- [508-5-5]**

**CITY ENGINEER'S REPORT I11222**

Over the past 18 months, the Mindarie Regional Council has been progressing a proposal for a regional green waste processing facility. This would include the production of some compost to allow the development of the compost market for future sale of composted municipal waste.

Tenders closed in November. The results were not encouraging and the matter has been referred back to the member Councils for consideration.

The City Engineer reports on the project and gives reasons why the option of Council establishing its own greens processing facility at the old tip site at Badgerup Road, Wangara should be considered in the 1995/96 Budget.

**RECOMMENDATION**

That Council advises the Mindarie Regional council that, in view of the tender prices received and the latest information on the composting market, it does not support the establishment of a Regional Green Waste processing facility at this time.

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

- 1 advises the Mindarie Regional Council that, in view of the tender prices received and the latest information on the composting market, it does not support the establishment of a Regional Green Waste processing facility at this time;
- 2 writes to the Mindarie Regional Council and/or of its own volition, writes to the Standards Australia requesting that they prepare a standard for compost product quality.

**CARRIED**

**I11223 SITE RELOCATION OPTIONS - "HELP OUR PRECIOUS ENVIRONMENT  
(HOPE) GROUP RECYCLING UNIT - [510-1770, 218-1-1, 061-4]**

**CITY ENGINEER'S REPORT I11223**

The Matter of relocating the "Help Our Precious Environment" (HOPE) Group recycling shed has been a particularly contentious issue. A previous report to Council identified potential sites and assessed each option. This matter was deferred by Council and additional information was supplied by memorandum to South West Ward Councillors for future discussions with affected parties.

The City Engineer reports on the problems which have arisen as to the siting of the shed and gives reasons why he considers the recycling operation be re-established within the Glengarry Primary School property.

**RECOMMENDATION**

That Council:

- 1 closes access off Alfreton Way to the HOPE Group Recycling Shed and removes the existing limestone track across Alfreton Reserve;
- 2 requests the HOPE Group to relocate their recycling shed within Glengarry School property;
- 3 advises all interested parties accordingly.

Cr Freame requested on behalf of Cr Curtis that this matter be deferred until his return in February 1995.

**MOVED** Cr Freame, **SECONDED** Cr Maclean that consideration of this matter be deferred.

**CARRIED**

**I11224 WET AND DRY COMPACTORS IN LARGE SHOPPING CENTRES - [508-2, 30/3513]**

**CITY ENGINEER'S REPORT I11224**

Knight Frank Hooker (WA) Pty Ltd has applied to Council for permission to use a Transpak 5000, 23 cubic metre wet and dry stationary waste compactor in the Lakeside Joondalup Shopping Centre.

Council's current policy is that food waste collection is controlled by its own commercial refuse collection operation.

This policy was set in 1990 when there was a major review of the commercial rubbish collection service (Item E50501 refers).

The City Engineer reports on the subject and gives reasons why he supports changing Council's policy to allow private rubbish collection services in some instances.

**MOVED** Cr Cooper, **SECONDED** Cr Major that Council modifies its policy on the collection of commercial rubbish by adding:

"allows private waste collection companies registered with Council to collect commercial rubbish including food waste from compactor units with bins over 4.5 cubic metre capacity."

**CARRIED**

**I11225 OCEAN REEF ROAD - WILDLIFE CROSSING REALLOCATION OF FUNDS - [510-1288]**

**CITY ENGINEER'S REPORT I11225**

The construction of the southern carriageway of Ocean Reef Road, between Trappers Drive and Wanneroo Road, has been included in 1995/96 of the Five Year Roadworks Capital Expenditure Programme. This project includes the southern extension of the wildlife crossing.

The traffic volumes on this section of Ocean Reef Road are rapidly increasing and considerable delays are being experienced at the Trappers Drive intersection, particularly at the evening peak period. The early construction of the southern carriageway of Ocean Reef Road in 1995/96 is recommended as it will assist with the traffic concerns at the Trappers Drive junction.

The City Engineer provides details of the wildlife crossing which would need to be constructed in April/May when Lake Joondalup water levels are at their lowest. He seeks Council approval for the reallocation of funds to allow construction of the wildlife crossing at Ocean Reef Road before the end of 1995.

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

- 1        defers the upgrading of Karoborup Road, between Wanneroo Road and Gibbs Road, until the land acquisition programme is finalised;
- 2        authorises, in accordance with Section 547(12) of the Local Government Act the reallocation of \$180,000 from Account No 32661 Karoborup Road Upgrading, Carabooda, to enable the early construction of the Ocean Reef Road Wildlife Crossing.

**I11226 MONTHLY REPORT - BUILDING DEPARTMENT - [201-0]**

**CITY BUILDING SURVEYOR'S REPORT I11226**

The City Building Surveyor reports on the number and value of building licences issued for the month of November 1994, building control activity, serving of notices and prosecutions and Council building works programme.

**MOVED** Cr Cooper, **SECONDED** Cr Major that Council endorses the action taken in relation to the issuing of Licenses as set out in Attachment A to Report I11226.

**CARRIED**

Appendix II refers.

**I11227 PROPOSED ADDITION TO DWELLING: LOT 911 (15) HELSALL COURT, SORRENTO - [2490/911/15]**

**DEPUTY CITY BUILDING SURVEYOR'S REPORT I11227**

The owners of Lot 911 (15) Helsall Court, Sorrento are seeking Council approval to construct a loft within the roof space of the dwelling.

Letters were sent to adjoining owners. One objection has been received from the owners of Lot 910 who are concerned that the roof has an unnecessarily excessive roof height.

**MOVED** Cr Cooper, **SECONDED** Cr Major that Council approves the proposed loft to be constructed within the roof space of the proposed dwelling to be constructed at Lot 911 (15) Helsall Court, Sorrento.

**CARRIED**

**I11228 PROPOSED PATIO: PENISTONE RESERVE CLUBROOMS - [061-284-5]**

**CITY BUILDING SURVEYOR'S REPORT I11228**

The Greenwood Cricket Club has written to Council requesting permission to erect a 3.4m wide x 8m long, colorbond patio adjacent to the Penistone Reserve Clubrooms. The Club has stated it will fund the work itself except for the paved floor, but has requested that Council provide the paving, possibly through levies on other users.

The City Building Surveyor reports on the application and advises that recycled concrete paving slabs are available at the Works Depot for groups such as this.

**MOVED** Cr Cooper, **SECONDED** Cr Major that Council accepts in principle the erection of a patio attached to the Penistone Reserve Clubrooms and gives permission to the Greenwood Cricket Club to erect the patio subject to:

- 1 the Club being wholly responsible for all costs associated with the construction including insurance costs;
- 2 the Club applying for paying all fees for and gaining planning approval for the patio;
- 3 the Club or the Club's nominated installer applying for, paying all fees for and gaining a building licence for the patio;
- 4 all construction of the patio being to the satisfaction of the City Building Surveyor.

**CARRIED**

**I11229 FENCE INFRINGEMENT: LOT 116 (4) AGONIS PLACE, WANNEROO - [3466/116/4]**

**DEPUTY CITY BUILDING SURVEYOR'S REPORT I11229**

The Builder of the dwelling at Lot 116 (4) Agonis Place, Wanneroo has constructed a fence which exceeds the height set down in Council's By-laws relating to Fencing and Private Tennis Court Floodlighting and has not been finished to the satisfaction of the City Building Surveyor.

The Deputy City Building Surveyor provides background details to the subject matter and seeks Council approval to serve a Notice on the builder requesting the wall to be finished to the satisfaction of the City Building Surveyor.

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

- 1 serves a Notice under Section 12.3 of Council's By-laws relating to Fencing and Private Tennis Court Floodlighting on the builder of the wall at Lot 116 (4) Agonis Place, Wanneroo requiring the wall be finished to a standard acceptable to the City Building Surveyor;
- 2 instigates prosecution proceedings against the builder of the wall for failing to reduce the height of the wall to comply with Council's By-laws.

CARRIED

**I11230 PROPOSED PERGOLA - QUINNS MINDARIE SURF LIFE SAVING CLUB  
- [317-2-1]**

**CITY BUILDING SURVEYOR'S REPORT I11230**

The Quinns Mindarie Surf Life Saving Club is seeking approval to build a pergola west of and adjacent to its club house at Quinns Beach. The pergola is part of a series of upgrades to improve facilities for existing members and to encourage new memberships.

The City Building Surveyor advises that although the current location of the club is deemed temporary, it is necessary to continue to upgrade/enhance existing facilities to maintain an enthusiastic membership.

**MOVED** Cr Cooper, **SECONDED** Cr Major that Council gives approval to the Quinns Mindarie Surf Life Saving Club to construct a pergola adjacent to its clubrooms subject to:

- 1 the Club first applying for and obtaining a building licence;
- 2 the Club meeting all costs associated with construction and maintenance of the pergola;
- 3 the lease agreement being amended as appropriate to provide for the intended lease area;
- 4 the Club acknowledging in writing the pergola will become the property of the City of Wanneroo.

CARRIED

**I11231 REQUEST FOR REFUND: LOT 5 (9) CORNISH AVENUE, WOODVALE  
- [2496/5/9]**

**DEPUTY CITY BUILDING SURVEYOR'S REPORT I11231**

A letter has been received from the builder who submitted an application for a building licence for a proposed dwelling at Lot 5 (9) Cornish Avenue, Woodvale seeking a refund of the building licence fees.

The Deputy City Building Surveyor reports on the request and considers that the building licence fee be refunded less 25% for administration costs.

**MOVED** Cr Cooper, **SECONDED** Cr Major that Council refunds building licence fees of \$306.00 to the builder for the cancelled building licence for a proposed dwelling at Lot 5 (9) Cornish Avenue, Woodvale.

**CARRIED**

**I11232 ALEXANDER HEIGHTS DROP-IN CENTRE FOR CATA - [854-1, 208-94/95]**

**CITY BUILDING SURVEYOR'S REPORT I11232**

In February 1994, Council agreed to the establishment of a Community Drop-In Centre for disabled persons adjacent to the proposed Alexander Heights Hall in Mirrabooka Avenue. Council authorised the documentation and calling of tenders, (Item I10215 refers).

The City Building Surveyor reports on the tender submissions received and advises that due to a shortfall of \$39,181, the lowest tenderers have been requested to hold their price until the funding issue has been resolved.

CITY BUILDING SURVEYOR'S REPORT I11232 recommended that Council:

- 1 advises Mike Lynch Construction, Homestead Construction and Longo Construction that there are funding difficulties that will delay a decision about 3-4 months and requests them to hold their price;
- 2 advises the balance of the tenderers they were unsuccessful.

**ADDITIONAL INFORMATION**

The City Building Surveyor further advises that a grant from the Home and Community Care Programme has been provided to fund the shortfall referred to in Report I11232 and therefore recommends the acceptance of this tender.

Tenders closed for the above project on 14 November 1994 with the following ten tenders being received:

Primo Constructions	208,224.00
Mike Lynch Construction	239,950.00
Homestead Constructions	252,900.00
Dalcon Construction Pty Ltd	276,437.00
Longo Construction Pty Ltd	282,350.00
City Constructions Pty Ltd	289,715.00
WD Petersen & Son	295,266.00
Paradam Construction	298,099.00
Southdown Construction Co Pty Ltd	304,368.00

Pacific Building Company 338,195.00

The lowest tenderer, Primo Constructions, has withdrawn his tender. Mike Lynch Construction has confirmed his price for completing the works as documented for the sum of \$239,950.00.

This contractor has successfully completed construction work for Council and as the project is of a domestic nature is considered to be capable of successfully completing this project. There is no change to his financial standing as presented by Dun & Bradstreet.

The works comprises of the following expenditure:

Building and car park	239,950.00
Furniture and fittings	15,000.00
Fees and administration	10,000.00
Hydraulic and air conditioning	<u>10,050.00</u>
total expenditure:	\$275,000.00

The funding for the works comprises:

Grants (HACC)	\$275,000.00
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**MOVED** Cr Freame, **SECONDED** Cr Maclean that Council:

- 1 accepts the tender of \$239,950.00 from Mike Lynch Constructions for the construction and completion of the CATA Drop-In Centre in Alexander Heights;
- 2 agrees to the signing of the contract documents.

**CARRIED**

**I11233 PETITION REQUESTING PLAY EQUIPMENT ON POYNTER PARK, DUNCRAIG - [061-293, 755-36497]**

**CITY PARKS MANAGER'S REPORT I11233**

A petition containing 25 signatures was received in this office on 28 November 1994 requesting that Council provide additional play equipment on Poynter Park, Duncraig.

The City Parks Manager reports on the subject and considers that additional play equipment is justified.

**RECOMMENDATION**

That Council:

- 1 advises the petitioners that funds are not available on the current Budget for the purchase of additional play equipment;
- 2 lists this item on the 1995/96 draft Budget submissions for Council's consideration.

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

- 1 advises the petitioners that:
- (a) funds are not available on the current Budget for the purchase of additional play equipment;
  - (b) this item will be listed on the 1995/96 draft Budget for consideration;
- 2 lists this item on the 1995/96 draft Budget submissions for Council's consideration.

**CARRIED**

**I11234 PROPOSAL TO DEVELOP JOONDALUP CENTRAL PARK AMPHITHEATRE AS A JOBSKILLS PROJECT - [253-7]**

**CITY PARKS MANAGER'S REPORT I11234**

Representation of the Parks, Building and Engineering Departments have met to discuss the feasibility of developing Joondalup Central Park Amphitheatre as a Jobskills project.

The project team has now submitted its reasons for rejecting this proposal.

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

- 1 rejects the proposal as submitted by the RED Group;
- 2 advises LandCorp that as the initial concept for Central Park included Stage 2 Amphitheatre to be constructed by LandCorp, Council anticipates that suitable action will be undertaken by LandCorp in the near future to carry out these works.

**CARRIED**

**I11235 MANAGEMENT PLAN FOR KINSALE PARK, MINDARIE - [061-432]**

**CITY PARKS MANAGER'S REPORT I11235**

The City of Wanneroo has developed a draft management plan for the 5.8 hectares of coastal heathland known as Kinsale Park.

The City Parks Manager reports on the objectives of the plan which is to conserve the bushland, prevent further degradation, plan for passive recreation use and facilitate environmental management of the area.

**RECOMMENDATION**

That Council:

- 1 endorses the management plan for Kinsale Park attached hereto in the Minute Book (Appendix refers);
- 2 accepts the proposal to class Kinsale Park as a Conservation Reserve.

**MOVED** Cr Magyar, **SECONDED** Cr O'Grady that Council:

- 1 endorses the management plan for Kinsale Park attached hereto in the Minute Book (Appendix III refers);
- 2 accepts the proposal to class Kinsale Park as a Conservation Reserve;
- 3 advertises the draft management plan and invites public comment through the Green Plan Advisory Committee.

**CARRIED**

Appendix III refers.

**I11236 MANAGEMENT PLAN FOR MONTROSE PARK, GIRRAWHEEN - [061-243]**

**CITY PARKS MANAGER'S REPORT I11236**

The City of Wanneroo has developed a draft management plan for Montrose Park which is bounded by Montrose Avenue, Mirrabooka Avenue, Chataway Road and residential blocks to the west and covers an area of 6.8 hectares of Banksia woodland.

The City Parks Manager outlines details of the management plan which will facilitate both passive and active recreation whilst maintaining Banksia bushland remnants.

**RECOMMENDATION**

That Council:

- 1 endorses the management plan for Montrose Park attached hereto in the Minute Book (Appendix IV refers);

2 accepts the proposal to class Montrose Park as a  
Conservation Reserve.

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

1 endorses the management plan for Montrose Park attached  
hereto in the Minute Book (Appendix IV refers);

2 accepts the proposal to class Montrose Park as a  
conservation Reserve;

3 advertises the draft management plan and invites public  
comment through the Green Plan Advisory Committee.

**CARRIED**

Appendix IV refers.

**I11237 JOONDALUP BUSINESS PARK - ADDITIONAL ACCESS ROADS TO  
HODGES DRIVE AND SHENTON AVENUE - [510-664, 510-1822]**

**CITY ENGINEER'S REPORT I11237**

The Joondalup Business Association has recently instigated meetings with LandCorp, Main Roads WA and the City's Engineering Department on the provision of additional access points to the Business Park. This has been in response to the difficulties perceived by the Association members regarding adequate access to the Business Park.

The Association now formally supports the construction of a road between Winton Road (south) and Hodges Road. In addition it considers a road between Shenton Avenue and Winton Road (north) to be of critical importance.

The City Engineer reports on the City Centre's transportation policy which is to encourage commuters to travel by public transport.

The southern access to Hodges Road is supported and will be funded by LandCorp.

The northern access is constrained with private ownership of the land and will be subject to LandCorp acquiring the land for a road reserve.

Cr Ewen-Chappell declared an interest in this item.

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

- 1 approves the construction of a left in/left out access road from Hodges Drive to Winton Road (south) subject to LandCorp undertaking at its expense the funding of these works to the satisfaction of the City Engineer;
- 2 approves, in principle, the provision of a left in/left out access road from Shenton Avenue to Winton Road (north) with funds to construct the road being considered for inclusion in the 1995/96 Budget subject to LandCorp acquiring the land from Lot 78 for the road reserve;
- 3 advises the Joondalup Business Association and LandCorp accordingly.

**CARRIED**

Cr Ewen-Chappell abstained from voting.

**I91249 TOWN PLANNING**

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

**CARRIED**

**REPORTS**

**I21212 DEVELOPMENT ASSESSMENT UNIT - 1 NOVEMBER TO 30 NOVEMBER 1994 - [290-1]**

**CITY PLANNER'S REPORT I21212**

The City Planner submits a resumé of the development applications processed by the Development Assessment Unit from 1 to 30 November 1994.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council endorses the action taken by the Development Assessment Unit in relation to the applications described in Report I21212.

**CARRIED**

Appendix V refers.

**I21213 PROPOSED CHILD CARE CENTRE ON LOTS 90 AND 91 DIABLO WAY, CONNOLLY - [30/4914]**

**CITY PLANNER'S REPORT I21213**

J & P King, on behalf of G M Campbell, are seeking Council approval for a Child Care Centre on Lots 90 and 91 Diablo Way, Connolly.

The City Planner provides details of the subject site and an assessment of the proposal.

He is concerned that the extra traffic generated by this facility will cause congestion at Marmion Avenue intersection.

The proposal has been assessed in the light of Council's draft policy on Child Care Centres and does not meet the requirements in respect of car parking bays.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council advises the applicant, P & J King, on behalf of the owner G M Campbell, that it does not approve the application for a Child Care Centre on Lots 90 and 91 Diablo Way, Connolly because of the inappropriate location of the centre close to the junction of

Marmion Avenue and Diablo Way, inadequate on-site parking provisions and the inappropriate traffic access on Diablo Way.

**CARRIED**

**I21214 USE APPROVAL FOR MEDITATION CLASSES, LOT 3 (24) WELLS STREET, MARIGINIUP - [30/2067]**

**CITY PLANNER'S REPORT I21214**

R S J & S Powley are seeking Council approval to teach meditation to a maximum of six people on Lot 3 (24) Wells Street, Mariginiup which is zoned Rural within Planning Control Area No 16.

The City Planner provides background details to the subject site and an assessment of the proposal.

He considers the use will have minimal impact on surrounding residences.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council advises the Department of Planning and Urban Development that it supports the use of the dwelling on Lot 3 (24) Wells Street, Mariginiup for meditation classes, subject to a maximum of six people attending at any one time and approval being granted only to Mr and Mrs Powley who shall reside at the premises while they are being used for meditation classes.

**CARRIED**

**I21215 USE APPROVAL FOR CHURCH, LOT 31 (71) UNIT 3, WINTON ROAD, JOONDALUP - [30/3780]**

**CITY PLANNER'S REPORT I21215**

K Veld is seeking Council approval to use Lot 31 (71) Unit 3, Winton Road, Joondalup for a church.

The City Planner provides background details to the subject matter and an assessment of the proposal. He supports the application as the operating hours of the proposed church are not anticipated to coincide with the existing use on Lot 31.

Cr Ewen-Chappell declared an interest in this item.

**MOVED** Cr Dammers, **SECONDED** Cr Gilmore that Council approves the application for a use approval of a church, as submitted by Mr Koert Veld on behalf of Mr Steve Caple on Lot 31 (71) Winton Road, Joondalup subject to:

- 1 the use being approved for a period of twelve months  
only, so that Council may determine the impact of the  
proposed uses on the parking provided on Lot 31;
- 2 sale of religious books and other religious material  
shall be incidental to the predominant church use,  
located in an appropriate area to the satisfaction of  
the City Planner and shall only serve congregation  
members attending church services and meetings;
- 3 standard and appropriate conditions.

**CARRIED**

Cr Ewen-Chappell abstained from voting.

**I21216 ADDITIONS AND ALTERATIONS TO CHURCH, LOT 1025 (256)**  
**CAMBERWARRA DRIVE, CRAIGIE - [30/308]**

**CITY PLANNER'S REPORT I21216**

John Loreck, on behalf of the Roman Catholic Archbishop is seeking Council approval for additions and alterations to Our Lady of the Mission Church on Lot 1025 (256) Camberwarra Drive, Craigie.

The City Planner provides background details to the subject matter and an assessment of the proposal. As the proposed extensions are essentially reducing the capacity of the church and the various uses of the site do not coincide, the application is supported.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council approves the application for addition and alterations for the church, as submitted by John Loreck Architect, on behalf of the Roman Catholic Archbishop on Lot 1025 (256) Camberwarra Drive, Craigie subject to:

- 1 the provision and re-marking on site of 150 car parking  
bays;
- 2 standard and appropriate conditions.

**CARRIED**

**I21217 SUBDIVISION CONTROL UNIT FOR MONTH OF NOVEMBER 1994 -**  
**[740-1]**

**CITY PLANNER'S REPORT I21217**

The City Planner submits a resumé of the Subdivision Applications processed by the Subdivision Control Unit for the month of November 1994.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council endorses the action taken by the Subdivision Control Unit in relation to the applications described in Report I21217.

**CARRIED**

Appendix VI refers.

**I21218 PROPOSED SUBDIVISION, LOTS 3 AND 4 COOGEE ROAD, MARIGINIUP - [740-95058, 740-95059]**

**CITY PLANNER'S REPORT I21218**

Urban Focus, on behalf of M & A S McCaffrey and R H & M C Reeves is seeking Council approval to subdivide Lots 3 and 4 Coogee Road, Mariginiup.

The City Planner provides background details of the subject site and an assessment of the proposal. He gives reasons why the application is not supported.

**RECOMMENDATION**

That Council does not support the applications submitted by M & A S McCaffrey and R H & M C Reeves for the subdivision of Lots 3 and 4 Coogee Road, Mariginiup for the following reasons:

- 1 the proposals are inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 4 hectares in area;
- 2 the East Wanneroo District Transport Study and therefore possible future road widening requirements for Coogee Road have not yet been determined;
- 3 support for these proposals would establish an undesirable precedent for further subdivision in the locality;
- 4 the proposals represent fragmentation of the rural area in this locality and would diminish its rural integrity.

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

- 1 does not support the applications submitted by M & A S McCaffrey and R H & M C Reeves for the subdivision of

Lots 3 and 4 Coogee Road, Mariginiup for the following reasons:

- (a) the proposals are inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 4 hectares in area;
- (b) the East Wanneroo District Transport Study and therefore possible future road widening requirements for Coogee Road have not yet been determined;
- (c) support for these proposals would establish an undesirable precedent for further subdivision in the locality;
- (d) the proposals represent fragmentation of the rural area in this locality and would diminish its rural integrity;

2 writes to the landowner suggesting that Council may be prepared to consider Special Rural rezoning of Lots 3 and 4 Coogee Road provided that such an application is submitted to Council on the following basis:

- (a) multiple adjacent landowners in the area submitting a joint scheme amendment application to rezone their lots to Special Rural;
- (b) a consultant being engaged to prepare the scheme amendment application in the context of an overall detailed structure plan and interim local rural strategy for the wider locality.

**CARRIED**

**I21219 PROPOSED SUBDIVISION, SWAN LOCATION 7637 PINJAR ROAD, PINJAR - [740-95639]**

**CITY PLANNER'S REPORT I21219**

D H Kelly is seeking Council approval to subdivide Swan Location 7637 Pinjar Road, Pinjar into three lots.

The City Planner provides background details to the subject matter and an assessment of the proposal.

He gives reasons why the application is not supported.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council does not support the application submitted by D H Kelly for the

subdivision of Swan Location 7637 Pinjar Road, Pinjar for the following reasons:

- 1 the proposal is inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 20 hectares in area;
- 2 the Environmental Protection Authority has advised that the proposed lot sizes are not considered environmentally acceptable at Lake Pinjar;
- 3 support for this proposal will establish an undesirable precedent for further subdivision in the locality;
- 4 the proposal represents fragmentation of the rural area in this locality and would diminish its rural integrity.

**CARRIED**

**I21220 PROPOSED SUBDIVISION: LOT 108 (7) COWPER ROAD, SORRENTO - [740-94781]**

**CITY PLANNER'S REPORT I21220**

F V & S A Bernal are seeking Council approval to subdivide Lot 108 (7) Cowper Road, Sorrento into two new lots, one of which would be of a battleaxe configuration.

The City Planner provides background details of the subject site and an assessment of the proposal.

He gives reasons why the application is not supported.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council does not support the application submitted by Mr F V and Mrs S A Bernal for the subdivision of Lot 108 (7) Cowper Road, Sorrento for the following reasons:

- 1 the proposed lot sizes do not comply with a minimum of 850m<sup>2</sup> as specified for unsewered areas under the State Government's Sewerage Policy for the Perth Metropolitan Region;
- 2 side and rear setbacks between the dwelling that is currently under construction to the front portion of Lot 108 and the proposed lot boundaries, do not comply with those specified under the Residential Planning Codes.

**CARRIED**

**I21221 MARKET GARDEN SALES PROSECUTIONS - [30/611, 30/165,  
30/626, 30/2363]**

**CITY PLANNER'S REPORT I21221**

Council resolved to prosecute four Market Garden Sales proprietors at its meeting on 14 September 1994 (Item I20913 refers) because of their failure to comply with Town Planning Scheme provisions.

The City Planner reports that since then, the parties concerned have agreed to conform with Town Planning Scheme requirements and it is recommended that legal proceedings be discontinued.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council instructs its solicitors to withdraw the complaints against Messrs Macri, Kapuralic, Frichot and Antulov and authorises the City Planner to commence immediate legal proceedings against them if they again commence selling goods not covered by the "Market Garden Sales" interpretation of the City of Wanneroo Town Planning Scheme No 1.

**CARRIED**

**I21222 CLOSE OF ADVERTISING: AMENDMENT NO 681 TO TOWN  
PLANNING SCHEME NO 1 TO REZONE PT LOT 3 (521) BEACH  
ROAD, DUNCRAIG FROM RESIDENTIAL DEVELOPMENT R20 AND  
SPECIAL ZONE (ADDITIONAL USE) OFFICES TO RESIDENTIAL  
DEVELOPMENT R25 - [790-681]**

**CITY PLANNER'S REPORT I21222**

Council resolved to initiate Amendment No 681 at its meeting of 13 April 1994.

At the close of advertising, four submissions were received.

The City Planner gives an assessment of the proposal in relation to the four submissions and considers there is no valid reason for not proceeding with the amendment.

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

- 1 finally adopts Amendment No 681 to Town Planning Scheme No 1;
- 2 authorises the affixation of the Common Seal to, and endorses the signing of the amending documents;
- 3 supports the subdivision proposal as submitted by Chappell & Lambert Planning Consultants subject to:

- (a) the retention of as much natural vegetation on the proposed residential lots as is practical;
- (b) the provision of a 3 metre wide battleaxe leg to the adjacent Lot 159 linking that lot to the proposed northernmost subdivisional road;
- (c) the provision of an Easement in Gross in favour of, and to the satisfaction of, the City of Wanneroo, over the balance portion of Pt Lot 3 to the north-west of the application area in order to secure public vehicular access and parking;
- (d) conditions deemed appropriate by the City

Planner.

**CARRIED**

**I21223 APPEAL DETERMINATION: LOT 5 COOGEE ROAD, MARIGINIUP - [740-93063]**

**CITY PLANNER'S REPORT I21223**

Correspondence has been received from the Minister for Planning regarding an appeal lodged by Finlaysons Land Development Consultants on behalf of C R Lund and M E Coia against the State Planning Commission's refusal to permit the subdivision of Lot 5 Coogee Road, Mariginiup. The Ministerial decision was to uphold the appeal and as such, Council's comments are now being sought by the State Planning Commission as to the conditions it deems appropriate to the subdivision.

The City Planner provides background details to the subject site and gives an assessment of the proposal. He suggests a number of conditions which should be applied to the subdivision relating to clearance of buildings from the new boundaries and the requirement for a 10 metre by 10 metre truncation for "Road Widening".

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council, in view of the decision of the Minister for Planning to uphold an appeal by Finlaysons Land Development Consultants on behalf of C R Lund and M E Coia in respect of the subdivision of Lot 5 Coogee Road, Mariginiup:

1 requests the State Planning Commission to apply the following conditions:

- (a) all buildings having the necessary clearance from the new boundaries;

- (b) the corner of Coogee Road and Pinelake Trail being provided with a 10 metre by 10 metre truncation and the land required for this truncation being shown as "Road Widening" on the Diagram of Survey:

2 advises the State Planning Commission that the subject land is located within the East Wanneroo District Transport Study Area and that while under Council's preferred scenario the land would remain unaffected, Coogee Road may require widening if an alternative scenario is finally endorsed by the Commission.

**CARRIED**

**I21224 REQUESTED CLOSURE OF PRIVATE ROAD BETWEEN STARRS ROAD AND CAMERON STREET, QUINNS ROCKS - [510-427]**

**CITY PLANNER'S REPORT I21224**

Council, at its meeting on 27 July 1994 resolved to give preliminary approval to the closure of the private road between Starrs Road and Cameron Street, Quinns Rocks subject to the proposal being advertised. At the close of the advertising period no objections were received.

The City Planner provides background details to the subject matter and states that the private road serves no useful purpose. The land within the road will be amalgamated with Lots 452 and 240 free of cost and consideration.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council agrees to the closure of the private road held in Certificate of Title Volume 1270 Folio 792 between Starrs Road and Cameron Street, Quinns Rocks under Section 297A of the Local Government Act and the subsequent amalgamation of the land with adjoining Lots 452 and 240.

**CARRIED**

**I21225 REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN CLIFF STREET AND ST PATRICKS ROAD, SORRENTO - [12/113/31, 510-0018]**

**CITY PLANNER'S REPORT I21225**

The owners of Lot 113 Marine Terrace and Lot 151 High Street, Sorrento have requested Council to consider closing a portion of the laneway which runs between their properties on the grounds that it is unconstructed.

The City Planner gives an assessment of the proposal and gives reasons why closure of a small portion of the laneway is not recommended.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council does not agree to the closure of the dedicated road between Lot 113 Marine Terrace and Lot 151 High Street, Sorrento.

**CARRIED**

**I21226 SHIRE OF CHITTERING: PLANNING AND POTENTIALITY STUDY - [200-0]**

**CITY PLANNER'S REPORT I21226**

The Shire of Chittering has made a submission to the State Government seeking funding to enable the engaging of a consultant to undertake a 'planning and potentiality study', such a study being essentially a strategic plan to facilitate and integrate development adjacent to the Shire of Chittering's boundaries of the metropolitan zone. The Shire has sought this City's endorsement and financial support to the submission of \$10,000.

The City Planner provides an assessment of the proposal and advises that the land uses adjacent to the common boundary with the Shire is such that a substantial funding contribution by this City to the proposed study is not justified.

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

- 1 does not contribute funds towards the Shire of Chittering's proposed Planning and Potentiality Study due to the nature of the existing and proposed land uses in the vicinity of the two local authorities' common boundary;
- 2 advises the Shire of Chittering that though it does not consider a funding contribution justified, it would be pleased to assist with the proposed study in terms of providing information about this City which the study may require.

**CARRIED**

**I21227 TAMALA PARK GOLF COURSE - [740-61]**

**CITY PLANNER'S REPORT I21227**

The Department of Planning and Urban Development and the Water Authority of WA are currently involved in planning initiatives in the Tamala Park area which require design work to be undertaken in respect of the proposed Tamala Park Golf Course.

The City Planner provides background details to the subject matter and advises of the urgency in engaging a golf course designer to undertake preliminary design work on the golf course to ensure that the boundaries to be established for Metropolitan Region Scheme amendment and the treatment plant site will be conducive to the proper planning of the golf course.

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

- 1 further to its endorsement in August 1993 of the Clarkson (East) Structure Plan, confirms its agreement to proceed toward the establishment of a public golf course on the portion of Tamala Park situated between the alignments of the Mitchell Freeway and Connolly Drive;
- 2 advertises for registrations of interest from golf course designers to undertake the preparation of a Preliminary Master Plan for the Tamala Park Golf Course;
- 3 delegates authority to the Mayor and Town Clerk to assess the registrations of interest received pursuant to 2. above and determine which applicants to invite to submit detailed proposals and then to assess the detailed proposals and select and appoint the golf course designer for this task;
- 4 approves the use of funds from Account No 31150 (Golf Course Studies) for the engagement of the golf course designer.

**CARRIED**

**I21228 PROPOSED USE APPROVAL FOR REAL ESTATE OFFICE ON LOT 116 (555) BEACH ROAD, DUNCRAIG - [30/1530]**

**CITY PLANNER'S REPORT I21228**

Trosley Nominees Pty Ltd is seeking Council approval to convert optician's consulting rooms on Lot 116 (555) Beach Road, Duncraig to a real estate office.

The City Planner provides background details to the subject matter and an assessment of the proposal. He considers that the approval of offices in a residential area would set an undesirable precedent.

#### Correction

Report I21228, Paragraph 3, should be amended to read "2 practitioners".

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council refuses the application submitted by Land Advice on behalf of Trosley Nominees Pty Ltd for use approval for a real estate office at Lot 116 (555) Beach Road, Duncraig on the grounds that:

- 1 commercial uses such as offices are not considered acceptable in residential areas and there are adequate alternative locations for the proposed use in appropriately zoned areas;
- 2 it is not prepared to set an undesirable precedent.

**CARRIED**

**I21229 ADDITIONAL UNIT, LOT 957 (6) NERIDA PLACE, SORRENTO - [30/4365]**

#### **CITY PLANNER'S REPORT I21229**

L Marchesani & Associates on behalf of J & D J Geddes are seeking Council approval for an additional unit on Lot 957 (6) Nerida Place, Sorrento.

The City Planner provides background details of the subject site and an assessment of the proposal. He states that all Council's previous reasons relating to a refusal of a similar proposal have been addressed and therefore this current application can be supported.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council approves the application for the proposed additional unit submitted by J and D J Geddes on Lot 957 (6) Nerida Place, Sorrento subject to standard and appropriate conditions.

**CARRIED**

**I21230 PROPOSED SUBDIVISION, DAMIAN ROAD (CNR ROSS STREET) JANDABUP - [740-95381]**

## CITY PLANNER'S REPORT I21230

R G Lester & Associates, on behalf of Newburg Pty Ltd are seeking Council approval to subdivide Lot 5 Damian Road, Jandabup into three lots.

The City Planner provides background details to the subject site and an assessment of the proposal. He considers that the application not be supported on the grounds that the proposed lot sizes do not comply with Council's Rural Subdivision Policy.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council does not support the application submitted by Newburg Pty Ltd for the subdivision of Lot 5 Damian Road, Jandabup for the following reasons:

- 1 the proposal is inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 4 hectares in area;
- 2 support for this proposal will establish an undesirable precedent for further subdivision in the locality;
- 3 the proposal represents fragmentation of the rural area in this locality and would diminish its rural integrity.

**CARRIED**

## **I21231 LAKE PINJAR STRATEGY: SUBDIVISION PROPOSALS FOR LOTS 1, 2 AND 3 PERRY ROAD, PINJAR (MR COX) AND LOC 2703 NISA ROAD (MIRREEN NOMINEES) - [740-94789, 740-89039]**

### CITY PLANNER'S REPORT I21231

Mr N Cox has applied to the Department of Planning and Urban Development (DPUD) for approval to subdivide Lots 1, 2 and 3 Perry Road, Pinjar into 22 lots of approximately 2ha each, a larger 24ha lot and balance lot of 35ha. DPUD has sought Council's comments.

DPUD also seeks Council's comments on an earlier subdivision application for Swan Location 2703 Nisa Road submitted by Mirreen Nominees.

The City Planner gives an assessment of these two subdivision applications and provides reasons why the applications are not supported.

Although Council has still to adopt a final strategy for Lake Pinjar, the proposals are inconsistent with the requirements endorsed in the Lake Pinjar Land Use Planning and Management Strategy.

Cr Dammers declared an interest in this item.

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

5 does not support the application submitted by Mr N Cox for the subdivision of Lots 1, 2 and 3 Perry Road, Pinjar for the following reasons:

- (a) the proposal is inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 20 hectares in area;
- (b) support for this proposal will establish an undesirable precedent for further subdivision in the locality;
- (c) it is inconsistent with the requirements Council has endorsed for the preparation of a land use planning and management strategy for the Lake Pinjar area;
- (d) it is inconsistent with the Environmental Protection Authority's Position Statement relating to Lake Pinjar which Council supports as representing a valid framework for determining proposals affecting Lake Pinjar;

6

does not support the application submitted by Mirreen Nominees for the subdivision of Swan Location 2703 Nisa Road, Pinjar as it considers that the Lake Pinjar Planning and

Management  
Strategy  
and  
appropriate  
provisions  
under City  
of Wanneroo  
Town  
Planning  
Scheme No 1  
should  
first be in  
place to  
provide  
effective  
control of  
land use  
and  
development  
on the  
subject  
land as  
required by  
the  
Minister  
for  
Environment  
's  
Statement  
authorising  
implem  
entation of the  
proposal.  
In this  
regard, the  
applicant's  
proposal  
that the  
Minister's  
condition  
No 2 be  
satisfied  
through the  
provision  
of a  
statutory  
declaration  
is not  
supported  
as this  
will not

achieve the putting into place of the relevant land use controls as required by that condition;

7 agrees to the imposition over the Lake Pinjar area of land use and development controls arising from the Minister for Environment's Statement in respect of Swan Location 2703 and as may arise from finalising of the Lake Pinjar Land Use Planning and Management Strategy, through the inclusion of appropriate provisions into City of Wanneroo Town Planning Scheme No 1 and requires that the preparation of the Strategy and Scheme Amendment be progressed accordingly;

8 advises the Department of Planning and Urban Development that Council has agreed to the imposition of land use and development controls for Lake Pinjar through the inclusion of appropriate provisions into Town Planning Scheme No 1 and that Mirreen Nominees should therefore be advised accordingly, and that once those provisions are in place, the applicant should reapply for subdivision and could reasonably expect that approval will be forthcoming.

**CARRIED**

Cr Dammers abstained from voting.

**I21232 CLOSE OF ADVERTISING: AMENDMENT NO 584 TO TOWN PLANNING SCHEME NO 1 TO REZONE MINDARIE NORTH NEIGHBOURHOOD CENTRE - [790-584]**

**CITY PLANNER'S REPORT I21232**

The purpose of Amendment No 584 is to rezone a portion of Lot 962 Marmion Avenue, Mindarie from Residential Development to Commercial, Mixed Business, Service Station, Civic, Special Zone (Restricted Use) Fast Food. Advertising closed on 18 November 1994.

The City Planner reports that fifteen submissions were received, including a petition with 178 signatures. Twelve submissions were received from shop owners in the Quinns Village Shopping Centre (including the petition). Main objections related to the nearness of the proposed Mindarie

North Centre to the existing centre, services, the unexpectedness of the rezoning, given the considerable resources spent to develop the Quinns Centre. A proposed shopping centre has been shown in this general vicinity on adopted and publicly available structure plans since 1985 and its location and size have subsequently been subject to considerable scrutiny and assessed in retail studies for Mindarie. It is now appropriate for Council to consider finally adopting a modified amendment and adopting a final Mindarie North Neighbourhood Centre Planning Policy.

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

- 1 advises the applicant, Gumflower Pty Ltd that final adoption of modified Amendment No 584 is subject to advice being received from the Water Authority of Western Australia that Gumflower Pty Ltd has entered into arrangements to meet its headworks contribution for water and sewerage in line with the North West Corridor Agreement, to the satisfaction of the Water Authority;
- 2 subject to 1. above, finally adopts modified Amendment No 584 to Town Planning Scheme No 1 to:
  - (a) rezone portions of Lot 962 Marmion Avenue, Mindarie, from Residential Development to Commercial, Civic, Special Zone (Restricted Use) Medical Centre, Special Zone (Restricted Use) Fast Food Outlet, Mixed Business, Service Station, and Special Zone (Additional Use) Corner Store in accordance with the revised centre statement plan (being Plan No 91/08/108 dated September 1993;
  - (b) include reference to the Special Zone (Restricted Use) medical Centre and Special Zone (Restricted Use) Fast Food Outlet in Part 2 of Schedule 2 of the Scheme Text;
  - (c) include reference to the Special Zone (Additional Use) Corner Store in Section 1 of Schedule 2 of the Scheme Text;
  - (d) amend the Fifth Schedule of the Scheme Text to include a figure of 500m<sup>2</sup> being the gross leasable area that will be used for retail purposes on the condition that the retail development shall be staged so that nil retail floor space shall be constructed and commence trading prior to 1 January 1998;

(e) include the following additional clause to Schedule 7 of the Scheme Text:

*"(j) Department Stores and discount department stores shall not be permitted and only one supermarket of a size that is not greater than 500m<sup>2</sup> net lettable area shall be permitted";*

3 forwards the submissions to the Hon Minister for Planning seeking final approval;

4 subject to 3. above, authorises the affixation of the Common Seal to, and endorses the signing of, the amending documents and forwards the documents to the Hon Minister for Planning for gazettal;

9adopts the following Mindarie North Neighbourhood centre Planning Policy:

"MINDARIE NORTH NEIGHBOURHOOD CENTRE PLANNING POLICY

- OBJECTIVES:
- 1 To ensure that a cohesive, multi-functional and well integrated centre is developed, that interacts well with its local community.
  - 2 To establish guidelines for the design of Mindarie North Neighbourhood Centre to ensure that its various components relate positively to the Town Square and each other.

AREA: This Planning Policy applies to the portion of Lot 962 on the intersection of Marmion Avenue and Anchorage Drive, Mindarie as shown on plan No 91/08/108 attached to this Planning Policy.

- GUIDELINES:
- 1 This Planning Policy shall be applied in conjunction with the objectives contained and design principles in Council's Planning Policy for the Design of Centres.
  - 2 Mindarie North Neighbourhood Centre should be developed generally in accordance with the approved Centre Structure Plan (being Plan No 91/08/108 dated September 1993).

- 3 The following uses are permitted within the Planning Policy area: shops, service station, community centre, fast food outlet, medical centre, child care centre, church, mixed business (nursery and hardware).
- 4 Surrounding buildings should address the Town Square to assist in it becoming an attractive, active, and vibrant space.
- 5 The design of the centre should promote linkages between its various components to facilitate ease of access between those components.
- 6 The buildings comprising the centre should be built in a complimentary style.
- 7 Reciprocal access and parking is encouraged throughout the centre and if necessary will be supported by an easement in gross or other suitable arrangement.
- 8 Parking will be required in accordance with the following:

(a)

the community purpose building:

one bay per 30m<sup>2</sup> gross floor area;

(b) the shopping centre:

one bay per 12.5m<sup>2</sup> gross leasable floor area;

(c) the fast food outlets:

one bay per 12.5m<sup>2</sup> gross leasable floor area;

(d) the service station:

three bays per service bay;  
One bay per employee;

One bay per 12.5m<sup>2</sup> of sales area (for the purposes of this calculation approved refuelling positions shall be regarded as car bays up to a maximum of eight bays;

(e) the mixed business:

one bay per 25m<sup>2</sup> gross floor area;

(f) the medical centre:

six bays per practitioner;

(g) the child care centre:

one bay per staff member plus one bay per five children for the first thirty children accom-odated and one per eight thereafter;

(h) the church:

one bay per four persons accommodated.

- 9 Council will encourage the developer to participate in the development and maintenance of the Town Square. Council sees the Town Square as a public space to be used actively by shop owners, other centre users and the community. Council will encourage interaction between the Town Square, retail and community activities and the general public.
- 10 The design of the centre should ensure that it is easily accessible by public and private transport and linked to the surrounding area by pedestrian and cyclist routes.
- 11 Landscaping should be complimentary to the centre by creating an attractive environment that enhances the visual amenity of the centre.
- 12 The ongoing maintenance of the car parks and landscaping shall be the

responsibility of the owners of the centre."

**CARRIED**

**I21233 LOCAL RURAL STRATEGY - [290-7]**

**CITY PLANNER'S REPORT I21233**

The City Planner reports that in accordance with the State Planning Commission's Rural Land Use Planning Policy, the City of Wanneroo is required to produce a Local Rural Strategy to guide future planning and development within its rural sector. The remaining rural lands within the City are concentrated east of Wanneroo Road. The proposed strategy outlined in this report focuses on that portion of the East Wanneroo rural sector south of Neaves Road and east of the areas that have been committed at the regional scale to non-rural uses. The proposed strategy advocates establishment of a series of Special Rural Development Areas (based on the existing Special Rural Zones), and also of land use planning and development priorities for all other rural lands within the City's municipality that are beyond the suggested Development Areas.

Council's endorsement of the principles of the proposed strategy (as outlined) is recommended. It is also recommended that Council endorses preparation of a "preliminary draft" of the Local Rural Strategy (based on these principles), and refers the draft to relevant State Government agencies and releases it to the community for comment.

**RECOMMENDATION**

That Council:

- 1 endorses the principles for the City's Local Rural Strategy as presented in City of Wanneroo Report No I21233;
- 2 endorses preparation of a document outlining the City's "preliminary draft Local Rural Strategy", to be based on City of Wanneroo Report No I21233;
- 3 endorses referral of the preliminary draft Local Rural Strategy to relevant State Government agencies for comment (specifying a deadline for comments);
- 4 endorses release of the preliminary draft Local Rural Strategy to the community for a four week comment period (the same approach used in distributing the initial Local Rural Strategy Discussion Paper to the community to be again employed).

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

- 1 endorses the principles for the City's Local Rural Strategy as presented in City of Wanneroo Report No I21233;
- 2 endorses preparation of a document outlining the City's "preliminary draft Local Rural Strategy", to be based on City of Wanneroo Report No I21233;
- 3 endorses referral of the preliminary draft Local Rural Strategy to relevant State Government agencies for comment (specifying a deadline for comments);
- 4 endorses release of the preliminary draft Local Rural Strategy to the community for a four week comment period (the same approach used in distributing the initial Local Rural Strategy Discussion Paper to the community to be again employed);
- 5 holds a Workshop for early in 1995 regarding Local Rural Strategy.

**CARRIED**

Appendix VII refers.

**I21234 PROPOSED CHILD CARE CENTRE ON LOT 92 BERKLEY ROAD  
(PROPOSED LOTS 317 AND 318 EVANDALE ROAD) MARANGAROO -  
[30/4979]**

**CITY PLANNER'S REPORT I21234**

Council considered an application for a Child Care Centre on Lot 92 Berkley Road, Marangaroo in October 1994 (Item I21001 refers); when it was resolved to advise the applicant of the content of Council's draft Child Care Policy and advertise the proposal.

The City Planner gives an assessment of the proposal and advises that the applicants did not submit revised plans demonstrating greater compliance with the draft policy.

He suggests that applicants be advised to submit revised plans showing car bays and accessways which more closely meet Council's draft Child Care Policy.

**RECOMMENDATION**

That Council:

- 1 refuses the application submitted by I B Gilyead and J McKenna for a Child Care Centre on Lot 92 (proposed Lots 317 and 318) Evandale Road, Marangaroo on the grounds that the configuration and number of car bays is inadequate and the proposed system of access is not desirable;
- 2 advises the applicants that it is prepared to consider revised plans of professional standard, demonstrating the provision of car bays and accessways, and which illustrate clearly that the proposal can more closely meet Council's draft Child Care Policy;
- 3 advises the applicant that any approval for a Child Care Centre will be subject, amongst other things, to the amalgamation of proposed Lots 317 and 318 Evandale Road, Marangaroo;
- 4 advises the applicant that he ought to consider purchasing the adjoining Lot 316 which will enable him to comply with Council's requirement of setdown areas, circulation car parking and landscaping.

**MOVED** Cr Wood, **SECONDED** Cr MacLean that Council approves the application submitted by I B Gilyead and J McKenna for a Child Care Centre on Lot 92 (proposed Lots 317 and 318) Evandale Road, Marangaroo subject to:

- 1 submission of plans of professional standard, demonstrating the provision of car bays and accessways, and which illustrate clearly that the proposal can more closely meet Council's draft Child Care Policy;
- 2 amongst other things, the amalgamation of proposed Lots 317 and 318 Evandale Road, Marangaroo. **LOST**

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

- 1 refuses the application submitted by I B Gilyead and J McKenna for a Child Care Centre on Lot 92 (proposed Lots 317 and 318) Evandale Road, Marangaroo on the grounds that the configuration and number of car bays is inadequate and the proposed system of access is not desirable;
- 2 advises the applicants that it is prepared to consider revised plans of professional standard, demonstrating the provision of car bays and accessways, and which

illustrate clearly that the proposal can more closely meet Council's draft Child Care Policy;

3 advises the applicant that any approval for a Child Care Centre will be subject, amongst other things, to the amalgamation of proposed Lots 317 and 318 Evandale Road, Marangaroo;

4 advises the applicant that he ought to consider purchasing the adjoining Lot 316 which will enable him to comply with Council's requirement of setdown areas, circulation car parking and landscaping.

**CARRIED**

**I21235 DRAFT MERRIWA NORTH CENTRE PLAN AND POLICY - [790-682]**

**CITY PLANNER'S REPORT I21235**

The City Planner reports on the draft Centre Management Plan for Merriwa which has been submitted by Smith Corporation as a requirement for Amendment No 682 to Town Planning Scheme No 1.

He outlines the broad objectives of the Plan with particular reference to the provision of a service station on the corner of Marmion Avenue and Baltimore Parade and suggests a number of issues which need to be resolved prior to adoption of the Plan.

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

1 adopts the following draft Merriwa Local Centre Planning Policy:

**MERRIWA NORTH LOCAL CENTRE PLANNING POLICY**

- OBJECTIVES:**
- 1 To ensure that a cohesive, multi-functional and well integrated centre is developed, that interacts well with its local community.
  - 2 To establish guidelines for the design of the Merriwa North Local Centre to ensure that its various components relate positively to each other.

**AREA:** This Planning Policy applies to the portion of Lot 904 on the intersection of Marmion Avenue and Baltimore Parade, Merriwa as shown on the Merriwa North Local Centre Concept Plan in the Appendix.

- GUIDELINES: 1 This Planning Policy shall be applied in conjunction with the objectives and design principles contained in Council's Planning Policy for the Design of Centres.
- 2 Merriwa North Local Centre should be developed generally in accordance with the approved Merriwa North Local Centre Concept Plan.
- 3 The following uses are permitted within that portion of the Planning Policy area which is located east of Dalvik Avenue; shops (to a maximum gross leasable floor area of 500m<sup>2</sup>), art studio, consulting rooms, health centre/studio, library, lunch bar, office, professional office, restaurant, retail nursery.
- 4 The following uses are permitted within that portion of the Planning Policy area west of Dalvik Avenue, art studio, car park, civic building, clinic (infant health/medical), consulting rooms, funeral parlour, health centre, hospital private (including "C" Class), hospital public, library, museum, office, professional office, restaurant, retail nursery, showroom, TAB, trade display, veterinary consulting rooms, warehouse.
- 5 The design of the centre should promote linkages between its various components to facilitate ease of access between those components.
- 6 The buildings comprising the centre should be built in a complimentary style.
- 7 Reciprocal access and parking is necessary throughout the centre and will be supported by an easement in gross in favour of the City of Wanneroo or other suitable arrangement.

- 8      Parking will be required in accordance with the following minimum standards:
- (a) for land zoned "Commercial":
    - .    one bay per 12.5m<sup>2</sup> gross leasable floor area
  - (b) for land zoned "Mixed Business":
    - .    one bay per 25.0m<sup>2</sup> gross floor area.
- 9      The design of the centre should ensure that it is easily accessible by public and private transport and is linked to the surrounding area by pedestrian and cyclist routes.
- 10     Landscaping should be complimentary to the centre by creating an attractive environment that enhances the visual amenity of the centre.
- 11     The ongoing maintenance of the car parks and landscaping shall be the responsibility of the owners of the centre;

2      adopts the draft Merriwa North Local Centre Concept Plan being Plan No 94/90/1 dated October 1994 prepared by Russell Taylor and William Burrell Consultants subject to modifications being carried out to the satisfaction of the City Engineer and City Planner to address the design issues raised in Report I

3      subject to receipt of a modified concept plan referred to in Point 2 of this resolution, authorises the advertising of the draft Merriwa Local Centre Plan and Policy with a public submission period of no less than 21 days;

4      advises the applicant that it may be prepared to reassess the appropriateness of a service station on the corner of Marmion Avenue and Baltimore Parade once it has adopted a policy on the overall provision of service stations on major roads.

**CARRIED**

**I21236 PROPOSED RETAINING WALLS IN EXCESS OF TWO METRES IN HEIGHT, PT LOT 961 MARMION AVENUE, MINDARIE (STAGE B, PHASE 1) - [740-91955]**

**CITY PLANNER'S REPORT I21236**

Sinclair Knight Merz, on behalf of Gumflower Pty Ltd is seeking Council's authorisation to the construction of retaining walls in excess of two metres in height within Lot 961, Stage B, Phase 1 of its Mindarie Estate. The nature of the terrain and the developer's philosophy of providing relatively level building lots necessitate this construction.

The City Planner gives an assessment of the subject matter and states that he has no objection to the height of the proposed walls in this instance provided they are designed in a structurally sound manner.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council authorises the construction of retaining walls greater than two metres in height for Pt Lot 961 Marmion Avenue, Mindarie (Stage B, Phase 1) as proposed by Sinclair Knight Merz on behalf of Gumflower Pty Ltd, subject to the detailed design being certified as structurally sound by a practising structural engineer.

**CARRIED**

**I21237 PETITION - DOG EXERCISE BEACH AT MARMION - [765-20]**

**CITY PLANNER'S REPORT I21237**

The City of Wanneroo has received a 78-signature petition regarding the establishment of a dog exercise area on the beach between Troy Avenue and Ozone Road at Marmion for a distance of approximately 400 metres.

The City Planner provides details of the subject site and an assessment of the proposal. He suggests that Council seeks public comment on the possibility of establishing a dog beach at this site for a period of six months a year from 1 May to 31 October.

**RECOMMENDATION**

That Council:

- 1 advertises, for a four week public comment period, the possibility of the establishment of a dog exercise area on the beach between Troy Avenue and Ozone Road at Marmion for a distance of approximately 400 metres for a period of six months a year from 1 May to 31 October;

2 requires a further report on this matter following the above public comment period.

**MOVED** Cr Cooper, **SECONDED** Cr MacLean that Council does not establish a dog exercise area on the beach between Troy Avenue and Ozone Road, Marmion. **LOST**

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

1 advertises, for a four week public comment period, the possibility of the establishment of a dog exercise area on the beach between Troy Avenue and Ozone Road at Marmion for a distance of approximately 400 metres for a period of six months a year from 1 May to 31 October;

2 requires a further report on this matter following the above public comment period.

**CARRIED**

**I21238** **AMENDMENT NO 708 - RECODING FROM R20 TO R40, LOT 20 SCAPHELLA AVENUE, MULLALOO - [790-708]**

**CITY PLANNER'S REPORT I21238**

De Leo Architects, on behalf of Unitech Australia Pty Ltd seek Council's approval to recode Lot 20 (23) Scaphella Avenue, Mullaloo from R20 to R40.

The City Planner provides background details to the subject site and an assessment of the proposal. He gives reasons why initiation of an amendment to the City's Town Planning Scheme No 1 to rezone the landowning is supported.

Correction

Report I21238: the recommendation should be amended to read "Lot 20 (23) Scaphella Avenue."

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council supports the application by De Leo and Associates on behalf of Unitech Australia to initiate Amendment No 708 to Town Planning Scheme No 1 to recode Lot 20 (23) Scaphella Avenue, Mullaloo from R20 to R40.

**CARRIED**

**I21239** **PROPOSED SUBDIVISION, LOT 21 ROUSSET ROAD, MARIGINIUP - [740-94520]**

## CITY PLANNER'S REPORT 121239

Urban Focus, on behalf of P and V Trandos, are seeking Council approval to subdivision Lot 21 Rousset Road, Mariginiup into five lots ranging in size from 1.0 ha to approximately 2.07 ha. The 1.0 ha lot would contain the existing dwelling.

The City Planner provides background details of the subject site and an assessment of the proposal. He considers that as the proposed lot sizes do not comply with Council's Rural Subdivision Policy and the East Wanneroo District Transport Study is yet to be finalised, the proposal should not be supported.

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

- 1 does not support the application submitted by P & V Trandos for the subdivision of Lot 21 Rousset Road, Mariginiup for the following reasons:
  - (a) the proposal is inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 4 hectares in area;
  - (b) support for this proposal will establish an undesirable precedent for further subdivision in the locality;
  - (c) the proposal represents fragmentation of the rural area in this locality and would diminish its rural integrity;
  - (d) the East Wanneroo District Transport Study is yet to be finalised and as such requirements with regard to the widening and realignment of Rousset and Mariginiup Roads cannot be determined as yet;
- 2 advises the landowner that it:
  - (a) will only support the subdivision of subject land into lots smaller than 4.0 hectares if the land is rezoned to Special Rural under its operative Town Planning Scheme thus allowing properly considered landuse arrangement controls to be prepared and implemented;
  - (b) may be prepared to consider a Special Rural zoning for Lot 21 Rousset Road, Mariginiup, provided that such an application is submitted on the basis of multiple adjacent landowners in the area submitting a joint scheme amendment

application to rezone their lots to Special Rural and a consultant being engaged to prepare the Scheme Amendment application in the context of an overall detailed structure plan and an interim local rural strategy for the wider locality;

- 3 advises the State Planning Commission of Recommendation 2 above.

**CARRIED**

**I21240 PROPOSED SUBDIVISION, LOCATION 3310 HAWKINS ROAD, JANDABUP - [740-94262]**

**CITY PLANNER'S REPORT I21240**

John Bullock & Associates, on behalf of N C Hawkins and H M & R F Cowie are seeking Council approval to subdivide Swan Location 3310 Hawkins Road, Jandabup into three lots.

The City Planner gives an assessment of the proposal and gives reasons why the subdivision is not supported. The City Engineer has also advised that conditions relating to the widening and drainage of Hawkins Road would be imposed if the application for subdivision was supported.

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

- 1 does not support the application submitted by N C Hawkins and H M and R F Cowie for the subdivision of Location 3310 Hawkins Road, Jandabup, for the following reasons:
- (a) the land required for a Metropolitan Region Scheme Parks and Recreation Reservation and for road widening would result in lots smaller than the 4.0 hectare minimum specified under its Rural Subdivision Policy;
  - (b) the proposal represents fragmentation of the rural area in this locality and would diminish its rural integrity;
  - (c) support for the proposal would establish an undesirable precedent for further subdivision in the locality;
- 2 advises the State Planning Commission that it would support a modified application proposing two lots each with an ultimate minimum of 4.0 hectares, subject to:

- (a) that portion of Location 3310 shown as Parks and Recreation Reservation under the Metropolitan Region Scheme being created on a separate lot pending Government acquisition;
- (b) the land required for the widening of Hawkins Road being shown on the Diagram or Plan of Survey as such and being ceded free of cost to the Crown without any payment of compensation;
- (c) provision being made for the drainage of Hawkins Road to the satisfaction of the City Engineer;
- (d) access arrangements to each new lot being made to the satisfaction of the City Engineer;
- (e) all buildings having the necessary clearance from the new lot boundary.

**CARRIED**

**I21241 PROPOSED SUBDIVISION, PT LOCATION 1866 NEAVES ROAD,  
CORNER MEADOWLANDS DRIVE, MARIGINIUP - [740-95382,  
790-691]**

**CITY PLANNER'S REPORT I21241**

R G Lester & Associates, on behalf of W D Duffy are seeking Council approval to subdivide Pt Location 1866 Neaves Road on the corner of Neaves Road and Meadowlands Drive, Mariginiup to accommodate a Rural Store.

The City Planner provides details of the proposal. He gives reasons why this application is supported.

**RECOMMENDATION**

That Council supports the application submitted by R G Lester & Associates on behalf of W D Duffy for the subdivision of Pt Location 1866 (530) Neaves Road, corner of Meadowlands Drive, Mariginiup, subject to:

- 1 finalisation of Amendment No 691 to the City of Wanneroo's Town Planning Scheme No 1;
- 2 the provision of a 0.1 metre wide pedestrian accessway along the boundary of the proposed 4000m<sup>2</sup> lot where it abuts Neaves Road and around the intersection of Meadowlands Drive to the satisfaction of the City of Wanneroo;

3 the pedestrian accessway(s) within the subdivision being shown on the Diagram or Plan of Survey as such and vested in the Crown under Section 20A of the Town Planning and Development Act, such land to be ceded to the Crown free of cost and without any payment of compensation by the Crown;

4 the building pads being filled and raised to a level determined by the City Engineer.

**MOVED** Cr Major, **SECONDED** Cr Magyar that Council refuses the application submitted by R G Lester and Associates on behalf of W D Duffy for the subdivision of Pt Location 1866 (530) Neaves Road, corner of Meadowlands Drive, Mariginiup. **LOST**

A Division was called with the following result:

In Favour of the MOTION: Crs Major, Magyar.

Against the MOTION: Crs O'Grady, Dammers, Cooper, Waters, Freame, Wood, Ewen-Chappell, MacLean, Major, Hall, Moloney, Lynn.

The Mayor declared the MOTION **LOST BY DIVISION**

**MOVED** Cr Dammers, **SECONDED** Cr Gilmore that Council supports the application submitted by R G Lester & Associates on behalf of W D Duffy for the subdivision of Pt Location 1866 (530) Neaves Road, corner of Meadowlands Drive, Mariginiup, subject to:

1 finalisation of Amendment No 691 to the City of Wanneroo's Town Planning Scheme No 1;

2 the provision of a 0.1 metre wide pedestrian accessway along the boundary of the proposed 4000m<sup>2</sup> lot where it abuts Neaves Road and around the intersection of Meadowlands Drive to the satisfaction of the City of Wanneroo;

3 the pedestrian accessway(s) within the subdivision being shown on the Diagram or Plan of Survey as such and vested in the Crown under Section 20A of the Town Planning and Development Act, such land to be ceded to the Crown free of cost and without any payment of compensation by the Crown;

4 the building pads being filled and raised to a level determined by the City Engineer.

**CARRIED**

**I21242 PROPOSED CHILD CARE CENTRE, LOT 217 (60) ST IVES DRIVE,  
YANCHEP - [30/4928]**

**CITY PLANNER'S REPORT I21242**

G Grealish, on behalf of A M Roche is seeking Council approval for a Child Care Centre on Lot 217 (60) St Ives Drive, Yanchep.

The City Planner provides background details of the subject site and states that despite certain difficulties and objections from residents, the applicant has provided car parking and is proposing to construct a building which conforms to normal residential standards.

**RECOMMENDATION**

That Council approves the application for a child care centre on Lot 217 (60) St Ives Drive, Yanchep, submitted by G Grealish on behalf of A M Roche, subject to:

- 1 the street verges abutting the lot being landscaped and reticulated to the satisfaction of the City Parks Manager;
- 2 the provision of nine car parking bays, including one disabled car bay, the layout and design of which shall be in accordance with AS2890.1-1993 and constructed to the satisfaction of the City Engineer;
- 3 standard and appropriate conditions.

Cr Gilmore tabled a Caveat over this property showing restrictive covenants.

Cr Waters declared an interest in this item.

**MOVED** Cr Gilmore, **SECONDED** Cr MacLean that Council refuses the application for a child care centre on Lot 217 (60) St Ives Drive, Yanchep.

**CARRIED**

A Division was called with the following result:

In Favour of the MOTION: Crs Lynn, Gilmore, Ewen-Chappell,  
Wood, MacLean, Hall, Major

Against the MOTION: Crs Magyar, O'Grady, Dammers,  
Cooper, Moloney, Freame

The Deputy Mayor declared the MOTION

**CARRIED BY DIVISION**

Cr Waters abstained from voting.

**I21243 SECOND DWELLING ON RURAL LOT, LOT 50 (101) GOLFWVIEW PLACE, GNANGARA - [30/2579]**

**CITY PLANNER'S REPORT I21243**

Kestral Homes, on behalf of M & R Tapley is seeking Council approval to construct a second dwelling on Lot 50 (101) Golfview Place, Gngangara.

The City Planner provides background details of the subject site and an assessment of the proposal. He gives reasons why the application is not supported.

Cr Lynn left the Chamber at this point, the time being 9.16 pm.

**RECOMMENDATION**

That Council:

- 1 refuses the application by Kestral Homes on behalf of Mr and Mrs Tapley for a second dwelling to be established on Lot 50 (101) Golfview Place, Gngangara, on the grounds that:
  - (a) the proposal does not comply with the minimum requirements of Council's Policy;
  - (b) approval for the proposal would create an undesirable precedent for other proposals;
- 2 advises the applicant to consider other means of household extensions that do not result in two separate dwellings.

**MOVED** Cr Cooper, **SECONDED** Cr Hall that Council approves the application by Kestral Homes on behalf of Mr and Mrs Tapley for a second dwelling to be established on Lot 50 (101) Golfview Place, Gngangara, subject to:

- 1 the owners entering into a deed prepared by the Council's solicitors at the owners' expense to provide that the owners will not seek subdivision of the lot;
- 2 standard and appropriate conditions.

**CARRIED**

**I21244 SECWA INSULATOR POLLUTION MONITOR ON COUNCIL LAND - LOT 211 QUINNS ROAD, QUINNS ROCKS - [30/62]**

#### **CITY PLANNER'S REPORT I21244**

SECWA is seeking Council permission to erect an Electricity Insulator Pollution Monitor on Council's land at Lot 211 Quinns Road, Quinns Rocks.

The City Planner provides background details of the subject matter and gives reasons why the application is supported.

Cr Lynn entered the Chamber at this point, the time being 9.21 pm.

#### **RECOMMENDATION**

That Council permits SECWA to occupy an area of about 120m<sup>2</sup> within Part Lot 211 off Quinns Road, Quinns Rocks for a period of up to five years free of consideration for the purpose of an electricity insulator pollution monitor station.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council permits SECWA to occupy an area of about 120m<sup>2</sup> within Part Lot 211 off Quinns Road, Quinns Rocks in the location of the existing caravan park, for a period of up to five years free of consideration for the purpose of an electricity insulator pollution monitor station.

**CARRIED**

#### **I21245 LOCAL STRUCTURE PLAN - LOT 2 BURNS BEACH - [740-61]**

#### **CITY PLANNER'S REPORT I21245**

Russell Taylor and William Burrell have submitted a local structure plan for the proposed residential development of western cell of Lot 2 Burns Beach Road.

The City Planner provides background details to the subject site and an assessment of the proposal. He advises that the north-west portion of the structure plan is affected by the Environmental Protection Authority System 6 Reserves M2 and M6 and the Environmental Protection Authority has expressed concern at this aspect of the Structure Plan.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council awaits the preparation of a Consultative Environmental Review for Lot 2 Burns Beach before commenting on the structure plan.

**CARRIED**

#### **I21246 THE MARITIME LEGISLATION OF THE FUTURE - [765-20, 308-2]**

#### **CITY PLANNER'S REPORT I21246**

On 9 November 1994 (Item I21109 refers) Council considered advice received from the Department of Transport regarding a review it is undertaking of maritime legislation. Council concluded that the matter holds significant implications for this City and therefore required detailed investigations into the matter before final comments are made to the Department.

The City Planner provides background details to the subject matter and outlines the relative responsibilities between the Department of Transport and Local Government Authorities.

He makes comments on the subject of Coastal Management, Jetties and Marinas and Boat Harbours.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council provides the Department of Transport with the following comments:

- 1 the Department of Transport's new responsibilities should consist of a combination of all four possible levels of marine affairs to meet community needs; that is:
  - (a) providing advice and influence;
  - (b) providing incentives and subsidies;
  - (c) intervening directly by regulation;
  - (d) providing services and facilities itself;
- 2 the responsibility for coastal reserves management should lie with the relevant local government authority while responsibility for management of coastal waters should be maintained by the Department of Transport;
- 3 jetties are engineering structures situated below high water mark and therefore they are generally outside the local authority's municipal area, they should therefore remain a Department of Transport responsibility;
- 4
  - (a) the maintenance of marinas and boat harbour's breakwaters, and other permanent structures above high water mark (including the Sorrento keys jetty) should remain responsibility of the Department of Transport; the internal waters created by these breakwaters should also be the responsibility of the Department of Transport;
  - (b) the responsibilities of local authorities in relation to structures listed in point 4(a) above

should relate to those responsibilities conferred by the Local Government Act and other relevant legislation; this would therefore include the administration of the health and safety requirements, rubbish collection, planning control and development, building By-laws and associated control such street lighting, parking, access roads and control other matters of that kind.

**CARRIED**

**I21247 PROPOSED CHILD CARE CENTRE ON LOTS 166 AND 167 LAGOON DRIVE, YANCHEP - [30/3240]**

**CITY PLANNER'S REPORT I21247**

R Boshart, on behalf of Freehold Enterprises Pty Ltd is seeking Council approval for a Child Care Centre on Lots 166 and 167 Lagoon Drive, Yanchep.

The City Planner provides details of the proposal and supports the application subject to no objections being received from advertising.

Cr Waters declared an interest in this item.

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

1 approves the application for a Child Care Centre on Lots 166 and 167 Lagoon Drive, Yanchep, submitted by R Boshart on behalf of Freehold Enterprise Pty Ltd, subject to:

- (a) no objections being received from the matter's advertising;
- (b) the car parking layout, accessways and the verandah setback being modified, as indicated on the approved plan;
- (c) amalgamation of the lots;
- (d) standard and appropriate development conditions.

2 advises the applicant that should any objections be received from the matter's advertising, the proposal will need to be reassessed by Council.

**CARRIED**

Cr Waters abstained from voting.

**I21248 PROPOSED LOCALITY NAME CHANGE - PORTION OF MERRIWA - [727-0]**

**CITY PLANNER'S REPORT I21248**

Feilman Planning Consultants, on behalf of the Town and Country Bank and Quinns Developments Pty Ltd have submitted an application to rename the eastern portion of Merriwa to the new locality of Carnegie.

The suggested boundaries of the new locality are Hester Avenue in the south, Lukin Drive in the north, Connolly Drive in the west and the freeway reserve to the east. The land area comprises approximately 156 hectares.

The City Planner provides details of the submission and gives reasons why this request is not supported.

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

- 1 does not support changing a portion of Merriwa to the locality of Carnegie due to:
  - (a) duplication of the locality name;
  - (b) Council not wishing to support changes which are the result of market advertising;
- 2 supports the excision of a portion of Merriwa to a new locality with the name to be determined at a later time.

**CARRIED**

**I21249 REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN OLEANDER WAY AND BRIDGEWATER DRIVE, KALLAROO - [510-372]**

**CITY PLANNER'S REPORT I21249**

On 26 October 1994 Council resolved to initiate preliminary closure procedures by advertising the closure of pedestrian accessway between Oleander Way and Bridgewater Drive, Kallaroo.

The City Planner provides background details of the subject and an evaluation of the proposal. Two objections have been submitted. He advises that there are sufficient alternative routes and pedestrian movement will not be affected.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council agrees to the closure of the pedestrian accessway between Oleander Way and Bridgewater Drive, Kallaroo subject to the benefiting landowners meeting all of the associated costs.

**I21250 CLOSE OF ADVERTISING - AMENDMENT NO 657 TO TOWN PLANNING SCHEME NO 1 AND DRAFT SOUTH WANGARA LOCAL STRUCTURE PLAN - [790-657]**

**CITY PLANNER'S REPORT I21250**

Advertising of Amendment No 657 to Town Planning Scheme No 1 and Draft South Wangara Local Structure Plan concluded on 2 September 1994.

The City Planner advises that due to the number of concerns raised by local landowners, a public meeting was conducted to discuss issues relating to the subject area. A questionnaire was then circulated.

From the survey conducted, it appeared that the vast majority of landowners in South Wangara area are supportive of the current application for rezoning.

**ADDITIONAL INFORMATION**

The City Planner advised that following receipt of the questionnaires in regard to the above matter, the landowner of Lot 28 Lancaster Road, Wangara, Mr B R Williams, wrote to Council and subsequently telephoned to advise that he had incorrectly completed the questionnaire and wished to recant his support to the rezoning application as proposed. He has now stated that he would support the rezoning of the lots along the Wanneroo Road frontage to "Light Industrial" and "Mixed Business" but would prefer the balance of the area rezoned to "Special Residential".

This has reduced the ratio of landowners in support of the application to a margin of 56.36%. It should also be noted that the previous margin of support as stated in Report I21250 to Council, ie 55.2%, was incorrect and should have been recorded as 58.18%.

Crs Moloney and Hall declared an interest in this item.

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

- 1 modifies Amendment No 657 by deleting Lot 337 Parri Road from the rezoning;
- 2 finally adopts amendment No 657 to Town Planning Scheme No 1, as modified, subject to the satisfactory resolution of the following:

(a) a local structure plan which as been modified to accommodate the request from Modular Metals and approved by the Department of Planning and Urban Development;

(b) the receipt of a letter of undertaking from each respective landowner/developer (subject of the amendment) stating that they undertake to make the developer contributions as proposed in the State Planning Commission letter of 3 May 1994 prior to subdivisional clearances being issued;

3 authorises affixation of the Common Seal to, and endorses the modified amending documents;

4 forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 657 as modified.

**CARRIED**

Crs Moloney and Hall abstained from voting.

**I21251 PROPOSED PERIMETER SIGNAGE - JOONDALUP ARENA - WEST  
PERTH FOOTBALL CLUB - [30/3989]**

**CITY PLANNER'S REPORT I21251**

Council approval has been requested by West Perth Football Club (Inc) for the display of advertising on the back of the perimeter signs at the Joondalup Arena oval.

The City Planner provides an assessment of the proposal and outlines reasons why the request is not supported.

Cr Ewen-Chappell declared an interest in this item.

**MOVED** Cr Dammers, **SECONDED** Cr MacLean that Council advises West Perth Football Club (Inc) that it does not approve the display of advertising signs on the back of the existing perimeter signs because it would be contrary to the intended character of the area and detrimental to the amenity of the adjacent residential areas.

**CARRIED**

Cr Ewen-Chappell abstained from voting.

**I21252 SALE OF MUNICIPAL LAND, PART OF LOT 612 BRAZIER ROAD,  
YANCHEP - [740-84130, 444/612/87]**

**CITY PLANNER'S REPORT I21252**

Yanchep Ocean Front Trust, owner of Lot 614 Lagoon Drive, Yanchep has offered to purchase a portion of Council's adjoining Lot 612 for incorporation into a proposed residential subdivision.

The City Planner provides background information to the lot and advises that the sale of the land by private treaty without first offering it on the open market by public auction or public tender is dependent on Council applying for and receiving the approval of the Minister for Local Government under the provisions of Section 266(2) of the Local Government Act.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council seeks the approval of the Minister for Local Government to the sale by private treaty of a part of its landholding at Lot 612 Brazier Road, Yanchep to Yanchep Ocean Front Trust, subject to a qualified valuation to determine the sale price first being obtained.

**CARRIED**

**I21253 PROPOSED ADVERTISING BILLBOARDS - LOCATION 9974**  
**JOONDALUP DRIVE, JOONDALUP ARENA - NETTLEFOLD OUTDOOR**  
**ADVERTISING PTY LTD - [30/3989, 730-8-1]**

**CITY PLANNER'S REPORT I21253**

Nettlefold Outdoor Advertising Pty Ltd request Council approval for the development of outdoor advertising billboards on Location 9974 Joondalup Drive (Joondalup Arena).

The City Planner provides an assessment of the proposal and gives reasons why the proposal is not supported.

**MOVED** Cr Dammers, **SECONDED** Cr Hall that Council advises Nettlefold Outdoor Advertising Pty Ltd that it does not approve the development of outdoor advertising billboards on Location 9974 Joondalup Drive (Joondalup Arena) as they would be contrary to the intended character of the area, detrimental to the amenity of the adjacent residential areas and detract from the streetscape.

**CARRIED**

**I21254 DISTRICT STRUCTURE PLANS - YANCHEP-TWO ROCKS**  
**METROPOLITAN REGION SCHEME AMENDMENT - [319-7, 730-5-1]**

**CITY PLANNER'S REPORT I21254**

In August 1993 the Department of Planning and Urban Development (DPUD) invited Council to comment on a proposed major

Metropolitan Region Scheme Amendment for the Yanchep/Two Rocks area. The Council responded to this request in December 1993 and resolved to advise DPUD of its general support for the amendment subject to a number of concerns raised in Report H81201 being addressed. DPUD has now written to Council inviting comments in relation to three district structure plans prepared in support of the proposed Metropolitan Region Scheme Amendment.

The three district structure plans relate to a rural community north-east of Two Rocks, 733.5 hectares located south of Yanchep Beach Road and to the east of the existing Yanchep community and 732 hectares surrounding the existing St Andrews Estate north of Yanchep Beach Road.

The City Planner outlines a number of concerns which have been identified in relation to the structure plans and suggests DPUD be appraised of these concerns so that issues can be addressed prior to initiation of the Metropolitan Region Scheme Amendment.

Cr Ewen-Chappell left the Chamber at this point, the time being 9.40 pm.

#### **RECOMMENDATION**

That Council advises the Department of Planning and Urban Development of the comments and concerns in relation to the District Structure Plans for the Yanchep Metropolitan Region Scheme Amendment as raised in Report I21254.

**MOVED** Cr Magyar, **SECONDED** Cr O'Grady that Council:

- 1        advises the Department of Planning and Urban Development of the comments and concerns in relation to the District Structure Plans for the Yanchep Metropolitan Region Scheme Amendment as raised in Report I21254;
  
- 2        requests that the Department of Planning and Urban Development takes the appropriate steps to designate the Wilbinga open space area as an "A" Class Reserve so as to ensure that the land is retained for parks and recreation purposes.

**CARRIED**

Cr Major dissented on Point 1 above.

Appendix XIX refers.

Cr Ewen-Chappell entered the Chamber at this point, the time being 9.42 pm.

**I21255 EXTENSION OF TS MARMION NAVAL RESERVE CADET HEADQUARTERS, HILLARYS - [426-3]**

**CITY PLANNER'S REPORT I21255**

The Commanding Officer of the T S Marmion Naval Reserve Cadet Unit has requested that Council agrees to transfer control of about thirty-five square metres of Recreation Reserve 40802 to the Minister for Transport in order that the cadet headquarters building may be extended to accommodate a boat shed.

The City Planner provides background details to the subject site and gives reasons why the request is supported.

He considers that the proposed boat shed would not detract from the public enjoyment of the main body of the Recreation Reserve, nor would it impinge on the sand dunes.

**MOVED** Cr Dammers, **SECONDED** Cr Lynn that Council agrees to the excision of approximately thirty five square metres from Reserve 40802 to be incorporated into Reserve 39197 for the purpose of extending the TS Marmion Naval Cadet Unit Headquarters.

**CARRIED**

**I21256 PARLIAMENTARY SELECT COMMITTEE REPORT ON METROPOLITAN DEVELOPMENT AND GROUNDWATER SUPPLIES - [290-7]**

**CITY PLANNER'S REPORT I21256**

The City Planner provides details of the Parliamentary Select Committee Report on Metropolitan Development and Groundwater Supplies which has now been completed and presented to Parliament. Its findings and recommendations are still to be fully assessed particularly insofar as they may have implications for this City. However, it is evident that many government agencies will now be looking closely at the report's recommendations and it would be desirable for this City to promptly initiate approaches to those agencies, through their respective Ministers, with a view to aiming toward a dove-tailing of the plans, roles, functions etc of this City and those agencies.

**MOVED** Cr Gilmore, **SECONDED** Cr Moloney that Council writes to the Ministers for Water, Environment, Planning, Lands, Housing, Transport and Local Government advising that Council is keen to be involved in deliberations concerning the recommendations of the Parliamentary Select Committee Report on Metropolitan Development and Groundwater Supplies, particularly with a view to integrating the plans, roles, functions etc of this City and the various relevant State agencies which are overseen by those Ministers.

CARRIED

**I21257 PETITION RELATING TO MARKET GARDEN SALES PERMITS -  
[30/207]**

**CITY PLANNER'S REPORT I21257**

A 996-signature petition was tabled at Council's meeting on 23 November 1993, requesting Council to consider expanding the range of convenience goods allowed to be sold by holders of market garden sales permits. (Item I91133 refers).

The City Planner provides background details to the subject matter and an assessment of the proposal. He gives reasons why the petitioners' request cannot be justified on Town Planning grounds.

**MOVED** Cr Dammers, **SECONDED** Cr Gilmore that Council does not expand the range of goods allowed to be sold at Market Garden Sales premises.

CARRIED

**I21258 SOUTH WANNEROO LOCAL STRUCTURE PLAN - [790-577, 790-595]**

**CITY PLANNER'S REPORT I21258**

The South Wanneroo Local Structure Plan has now been revised following detailed discussion with the relevant government agencies and significant public liaison.

The City Planner outlines the revised plan which he considers should be adopted as the guide for future subdivision and development of the South Wanneroo area.

**MOVED** Cr Dammers, **SECONDED** Cr Gilmore that Council endorses the revised South Wanneroo Local Structure Plan and forwards it to the Department of Planning and Urban Development for its final adoption as the approved local structure plan.

CARRIED

**I21259 APPLICATION FOR EXTENDED TRADING PERMIT - BREAKWATER  
TAVERN, RESERVE 39197 (255) WEST COAST DRIVE, HILLARYS -  
[30/1733]**

**CITY PLANNER'S REPORT I21259**

A request has been received from the Director of Liquor Licensing for Council's comments regarding an application for an extended trading permit for the Breakwater Tavern situated at the Hillarys Boat Harbour, West Coast Drive, Hillarys.

The City Planner provides details of the proposed extension to trading hours and gives reasons why it is supported.

**MOVED** Cr Gilmore, **SECONDED** Cr Dammers that Council informs the Office of Racing and Gaming, Liquor Licensing Division that it has no objection to the Extended Trading Permit for the Breakwater Tavern Reserve 39197 (255) West Coast Drive, Hillarys as outlined in their correspondence.

**CARRIED**

**I21260 EAST WANNEROO METROPOLITAN REGION SCHEME AMENDMENT -**  
**[290-7, 319-7-1]**

**CITY PLANNER'S REPORT I21260**

The East Wanneroo Metropolitan Region Scheme Amendment took effect on 2 November 1994. This means that the proposals contained within this amendment for the reservation and rezoning of land for various purposes, are now finalised. This occurred following a lengthy debate in Parliament where members of the opposition questioned the Government on the various aspects of the amendment. The Minister for Planning responded with several statements in relation to the amendment, some of which were inaccurate. The City of Wanneroo has faced the brunt of many of these comments.

The City Planner outlines various problems which Council is trying to resolve to progress some 15 district amendments for East Wanneroo to accommodate future development proposals for the area.

He reports that it is the Minister's inconsistency in his approach which is jeopardising effective planning.

**MOVED** Cr Gilmore, **SECONDED** Cr Freame that Council forwards this report, together with the comments made by Crs Cooper and Dammers at Council's meeting of 21 December 1994, to the Premier for his information.

**CARRIED**

**I91250 FINANCE & ADMINISTRATIVE RESOURCES**

**MOVED** Cr Freame, **SECONDED** Cr Moloney that the Finance and Administrative Resources Reports be received.

**CARRIED**

Cr Dammers left the Chamber at this point, the time being 10.10 pm.

**REPORTS**

**I31206 BERKLEY ROAD LOCAL STRUCTURE PLAN AREA (FORMERLY PROPOSED TOWN PLANNING SCHEME 22) - [740-86238]**

**CITY TREASURER'S REPORT I31206**

The Berkley Road Local Structure Plan (formerly proposed Town Planning Scheme No 22) rationalises the drainage sumps, road system and the open space requirements for the residential development of the Berkley Road area. All subdividing landowners in the area pay a development headworks levy to the City and those funds are used to compensate those owners who actually provide the drainage, regional road and open space sites.

Funds associated with this scheme are currently held in Council's Trust Fund as "Town Planning Scheme 22".

The City Treasurer reports that as a consequence of the introduction of AAS 27, monies held in Trust Fund are restricted to those over which Council has no authority e.g. Unclaimed Monies.

He proposes establishment of a Reserve Account in which the balance of the funds held in Trust Fund may be transferred.

**MOVED** Cr Cooper, **SECONDED** Cr Ewen-Chappell that Council:

- 1 establishes, in accordance with Section 528 (3) (a) of the Local Government Act, a Particular Reserve Account for the purpose of the Berkley Road Local Structure Plan;
- 2 transfers funds held in Trust Fund as Town Planning Scheme 22 as at 1 July 1994 and all subsequent transactions to the Berkley Road local Structure Plan Reserve;

3 authorises, in accordance with Section 547 (12) of the Local Government Act the necessary adjustments to the 1994/95 Budget to reflect the above transactions.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**I31207 OUTSTANDING GENERAL DEBTORS - NOVEMBER 1994 - [020-0]**

**CITY TREASURER'S REPORT I31207**

The City Treasurer reports on the outstanding General Debtors for the month of November 1994.

He makes comments on the actions being taken with long outstanding accounts and recommends the write-off of debts totalling \$373.00 which are considered irrecoverable.

**MOVED** Cr Freame, **SECONDED** Cr Moloney that Council writes out of its General Debtors Ledger an amount of \$373.00, representing debts considered irrecoverable as detailed in Attachment B to Report I31207.

**CARRIED**

Appendix VIII refers.

**I31208 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30 NOVEMBER 1994 - [021-1]**

**CITY TREASURER'S REPORT I31208**

The City Treasurer submits the Warrants of Payments for the period ending 30 November 1994, covering Voucher Nos 005273-006608 relating to Treasurer's Advance Account No 1.

Voucher Nos 000049-000060 relating to Municipal Fund and Voucher Nos 000008-000011 relating to Trust, the total sum expended was \$14,259,265.10.

Crs Gilmore and Wood declared an interest in this item.

**MOVED** Cr Freame, **SECONDED** Cr Lynn that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 30 November 1994, certified by the Mayor and City Treasurer, and totalling \$14,250,265.10.

<u>Funds</u>	<u>Vouchers</u>	<u>Amount - \$</u>
Advance Account No 1	005273 - 006608	\$ 5,382,500.35

Municipal	000049 - 000060	\$ 8,790,914.09
Trust	000008 - 000011	\$ 76,850.66
		\$14,250,265.10
		<b>CARRIED</b>

Cr's Gilmore and Wood abstained from voting.

Appendix IX refers.

**I31209 AUTHORISATION OF REALLOCATION OF FUNDS - [006-2]**

**CITY TREASURER'S REPORT I31209**

The City Treasurer reports on various requests for authorisation to reallocate funds within the 1994/95 Budget and gives details of necessary adjustments to Budget estimates.

The net result of these reallocations and adjustments is a Budget surplus of \$5,524.

Cr MacLean declared an interest in this item.

**MOVED** Cr Freame, **SECONDED** Cr Ewen-Chappell that Council authorises, in accordance with Section 547 (12) of the Local Government Act, amendments to the adopted 1994/95 Budget as detailed in the Schedule of Budget Reallocations Requests - 21 December 1994.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Cr MacLean abstained from voting.

**I31210 DONATIONS - [009-1]**

**CITY TREASURER'S REPORT I31210**

The City Treasurer reports on the following requests for donations:

Miss Rebekah Poole, Kallaroo  
(28th National Flying Ant Sailing Championships)

Miss Kristy Bennett, Marangaroo  
Miss Sarah Lockett, Edgewater  
(U/16's National Softball Championships, Sydney)

Mr Ryan Oud, Marmion

(U/16's National Baseball Championships, Melbourne)

Mr Andrew Murray, Quinns Rock  
(Australian All Schools Track and Field Championships,  
Brisbane)

**MOVED** Cr Freame, **SECONDED** Cr Moloney that Council donates \$50.00 to the following:

Rebekah Poole  
Kristy Bennett  
Sarah Lockett  
Ryan Oud  
Andrew Murray

to assist with costs to participate in their respective sports.  
Such donation to be from Account No 29470 - Sundry Donations -  
Recreation Control.

**CARRIED**

**I31211 DONATION - WANNEROO HORSE AND PONY CLUB (INC) - [1358/  
159; 460-1]**

**CITY TREASURER'S REPORT I31211**

Council is in receipt of correspondence from the Wanneroo Horse and Pony Club (Inc) requesting consideration of a donation to partially offset the rates levied on the club premises which are leased from Council.

The City Treasurer reports that the Wanneroo Horse and Pony Club does not have the capacity or ability to generate funds to meet more than the minimum rate each year.

He suggests that the Council grant a non-statutory donation to the club, using the same formula as that applied in the 1993/94 financial year.

**MOVED** Cr Freame, **SECONDED** Cr Moloney that Council makes a non-statutory donation of \$1,185.52 to the Wanneroo Horse and Pony Club (Inc). Budget item 29470 Sundry Donations - Recreation Control.

**CARRIED**

**I31212 DONATION - UNICEF - [702-3-2]**

**CITY TREASURER'S REPORT I31212**

UNICEF has written to Council requesting financial assistance.

In the villages of Vietnam, Bangladesh, India, Malaysia, Papua New Guinea, Nepal and Burma and other countries throughout the developing world children are suffering with an iodine deficiency which can cause mental retardation.

The City Treasurer supports a donation of \$300.00 which would buy 150 kits for checking the level of iodine in the iodised salt produced by small saltworks.

**MOVED** Cr Freame, **SECONDED** Cr Moloney that Council donates \$300.00 to UNICEF to assist with the iodine deficiency programme in Vietnam. Such donation to be from Account Number 26531 Other Welfare Services - Sundry Donations.

**CARRIED**

**I31213 FINANCIAL ASSISTANCE - AUSTRALIAN CRIME PREVENTION COUNCIL - [009-1]**

**CITY TREASURER'S REPORT I31213**

The Australian Crime Prevention Council has written to Council seeking financial assistance.

In 1995 the Crime Prevention Council of Western Australia plans to hold a two day statewide conference on Crime Prevention in Western Australia.

The City Treasurer reports on the history of the Crime Prevention Council which is a community based non-profit organisation whose members come from many sectors of the community, State and Local Government and who represent a wide cross section of the needs and issues presently in crime prevention in WA.

**MOVED** Cr Major, **SECONDED** Cr Lynn that Council:

- 1 authorises, in accordance with the provisions of Section 547 (12) of the Local Government Act, a donation of \$1,500 to the Australian Crime Prevention Council to assist with costs to hold the Crime Prevention Conference in 1995;
- 2 in recognition of this contribution seeks six (6) free registrations to attend the Conference.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

**I31214 RATE EXEMPTION - TRUSTEES OF THE DAUGHTERS OF CHARITY - [413/ /35]**

## CITY TREASURER'S REPORT I31214

The City Treasurer reports on an application for rate exemption from the Trustees of the Daughters of Charity.

A statutory declaration regarding the use of the property has been received to support the application.

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

- 1 grants rate exemption pursuant to Section 532 (3) (c) of the Local Government Act on 35 Hazel Avenue, Quinns Rocks, effective 1 July 1994;
- 2 amends the rate book accordingly.

**CARRIED**

## I31215 AMENDMENT TO ANNUAL RESOLUTION - ACCOUNTING DIRECTIONS 1985 - [280-0]

### CITY TREASURER'S REPORT I31215

In June of each year, a report is submitted to Council requesting an annual resolution of Council formalising certain delegations of authority for the forthcoming financial year as required by the Local Government Accounting Directions 1985.

Section 626 (5) (c) (ii) of the Local Government Act provides for Council to entrust its Clerk or Treasurer a sum of money to be used as petty cash or other advance account.

The City Treasurer submits an amendment to Item 5 "Advance Account" requesting approval for the Deputy Town Clerk's signature to be included to sign Treasurer's Advance Account cheques.

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

- 1 entrusts to the City Treasurer the sum of \$1 million as an advance for Treasurer's Advance Account No 1, this account to operate by the City Treasurer/Deputy City Treasurer and Senior Accountant during the 1994/95 financial year. Cheques in excess of \$10,000 to be signed jointly by the City Treasurer and Deputy City Treasurer. In the absence of either, by the Town Clerk, Deputy Town Clerk or Senior Accountant;
- 2 directs that the Advance Account No 1 be applied to the following disbursements:

Wages and Salaries  
Contract Payments  
Loan Repayments  
Other Sundry Creditors  
Refunds of Deposits  
Petty Cash Recoups

Payments specifically authorised by Council resolution:

Refunds of Expenses (eg travelling allowance or telephone accounts)

Payments on behalf of Welfare organisations required urgently;

3 obtains Ministerial approval in accordance with Section 626 (5) (d) of the Local Government Act to authorise the payment of Municipal Fund cheques for the recoup of Treasurer's Advance Account No 1 payments upon the signature of Mayor and City Treasurer prior to the authorisation by Council.

**CARRIED**

**I91251 COMMUNITY SERVICES**

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

**CARRIED**

**REPORTS**

**I41209 FOOD COMPLAINT NO 34 - [30/811-9, 851-7]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT I41209**

Council is advised of a complaint regarding a blowfly which was allegedly found at the bottom of a takeaway container of Singapore Noodles.

The City Environmental Health Manager seeks Council approval to instigate legal proceedings against the proprietors of the restaurant.

**RECOMMENDATION**

That Council, in accordance with the provisions of the Health Act 1911 instigates legal proceedings against the proprietors of Ho Mei Chinese Restaurant and Takeaway, Lot 22 (19) Koorana Road, Mullaloo WA, 6027.

**MOVED** Cr Gilmore, **SECONDED** Cr Cooper that consideration of this matter be held behind Closed Doors.

**CARRIED**

**I41210 POLLUTION ABATEMENT NOTICE - [2094/222/25]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT I41210**

Council is advised that on 11 August 1994, a Pollution Abatement Notice was served on the occupier of Lot 222 (25) St Clair Circle, Edgewater regarding music emanating from the premises. This followed a letter dated 5 May 1994 advising of a complaint received by this local authority and subsequent sound level measurements on 25 July 1994 which verified a noise nuisance was occurring.

The City Environmental Health Manager reports on a further incident of 2 December 1994 and seeks Council approval to instigate legal proceedings against the perpetrator of the noise.

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

- 1 endorses the issue of the Pollution Abatement Notice of 11 August 1994 on Ms Julia Kaye Tweed of Lot 222 (25) St Clair Circle, Edgewater;
- 2 authorises legal action under the provisions of the Environmental Protection Act, 1986 against Ms Julia Kaye Tweed for breach of the Pollution Abatement Notice issued on 11 August 1994.

**CARRIED**

**I41211 APPLICATION - CARPORT - [30/148]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT I41211**

The City Environmental Health Manager reports on an application from Westral Outdoor on behalf of Mrs A Peucker of Bay 30 Cherokee Village Caravan Park to erect a carport. The carport will be of metal construction.

The application is in accordance with Council's By-laws Relating to Caravan Parks.

**MOVED** Cr Gilmore, **SECONDED** Cr Lynn that Council approves the application from Westral Outdoor of 2 Bell Street, Canning Vale to erect a carport on behalf of Mrs Peucker at Bay 30 Cherokee Village Caravan Park subject to the issue of an appropriate building licence.

**CARRIED**

**I41212 EVALUATION OF PILOT MEALS ON WHEELS SERVICE - [862-1]**

**MANAGER WELFARE SERVICES REPORT I41212**

In May 1994, Council received additional funding from the Home and Community Care Programme to operate an alternative delivered meals service for 50 aged clients on a pilot basis for twelve months.

The pilot service was contracted to Home Chef which is a private catering firm. Part of that HACC grant covered an evaluation of the pilot to determine possible future operating and funding structures.

The Manager Welfare Services provides details of the criteria used to select a company to carry out an evaluation of the project.

**MOVED** Cr Gilmore, **SECONDED** Cr Lynn that Council approves the appointment of Compass International Pty Ltd to carry out an evaluation of the pilot delivered meals service at a cost of \$11,100.

**CARRIED**

**I41213 MATTERS ARISING FROM MANAGEMENT AND ADVISORY COMMITTEES**  
**- [264-3]**

**CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT**  
**I41213**

The City Recreation and Cultural Services Manager reports on matters arising from meetings of the Historical Sites, Kingsway Sports Complex and Gloucester Lodge Management Committees.

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

- 1 supports a reciprocal assessment process between the Cities of Wanneroo and Stirling for the purpose of identifying significant trees within the respective localities and, subsequently, submits a list of significant trees to the Tree Society for its approval;
- 2 identifies the row of Olive trees at Perry's Paddock by installing a plaque, following by an unveiling ceremony; and mounts an educational display at the 1995 Perry's Paddock Picnic to emphasise the significance of the Olive trees;
- 3 accepts the resignations of Ms L Plenderleith from the Kingsway Sporting Complex Management Committee and Mrs S Truepenny from the Gloucester Lodge Museum Management Committee.

**CARRIED**

**I41214 PARK CHARGES - WEDDINGS - [250-1]**

**CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT**  
**I41214**

Over the past few years, it has become apparent that several parks in the City of Wanneroo have become popular venues for weddings and other special events. In Central Park, Joondalup, five weddings were held in November 1994, three in December 1994 and four have already been booked for January 1995.

There are other parks in the municipality which are also utilised for wedding ceremonies or the taking of wedding

photographs. For example - Neil Hawkins Park; Charles Searson Park; Santiago Park and Mawson Park.

The City Recreation and Cultural Services Manager reports that currently there is no charge for holding wedding ceremonies and photographic sessions in parks managed by Council. He considers that it might be appropriate to review the current system when taking into account the frequency of use of parks and the administrative costs associated with booking areas.

#### **RECOMMENDATION**

That Council charges a nominal fee of \$15 per hour or \$50 per day for the non-exclusive use of parks for wedding ceremonies and the taking of photographs to cover administrative costs associated with booking these venues.

**MOVED** Cr Gilmore, **SECONDED** Cr Freame that Council does not charge for the use of parks for wedding ceremonies and the taking of photographs.

**CARRIED**

#### **I41215 DIAL-A-YOUNG-LIFE - [405-1]**

##### **CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT I41215**

Discussions have recently taken place between Council's Recreation and Cultural Services Department and the Development Officer from the Royal Life Saving Society in regard to conducting a home based resuscitation programme in the City of Wanneroo.

The City Recreation and Cultural Services Manager reports on the "Dial-a-Young-Life" project which could be conducted in people's homes and would cater for six to ten participants. Whilst enrolments will be administered by Council officers, direct costs will be borne by the participants.

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

- 1 co-ordinates and administers a "Dial-A-Young-Life" programme through officers in the Recreation and Cultural Services Department targeting residents with backyard swimming pools;
- 2 utilises qualified instructors with the Royal Life Saving Society;

3 promotes these courses in people's homes at a cost of \$55 to ensure all costs incurred for instruction and information booklets are covered by the participants.

**CARRIED**

**I91252 BUSINESS FOR INFORMATION**

**MOVED** Cr Wood, **SECONDED** Cr Lynn that the Business for Information Reports be received.

**CARRIED**

**REPORTS**

**I61205 ENGINEERING DEPARTMENT CURRENT WORKS - [210-2]**

**CITY ENGINEER'S REPORT I61205**

The City Engineer reports on Council works, drainage, pedestrian and dual paths, traffic management, car parks, miscellaneous works, minor road resurfacing, street lighting, rubbish disposal and subdivisional development for the period ending 7 December 1994.

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY ENGINEER'S REPORT I61205 be received.

**CARRIED**

**I61206 SPEED ZONING - MARMION AVENUE, WHITFORD AVENUE AND BEACH ROAD - [510-2, 510-1287, 510-1900, 510-2143]**

**CITY ENGINEER'S REPORT I61206**

The City Engineer reports that due to community objections to the 80 Km/hr zoning, Main Roads WA have agreed not to increase the speed on the following sections of roads:

**Marmion Avenue**

100 metres north of Karrinyup Road to Mermaid Way, Ocean Reef.

**Whitfords Avenue**

Marmion Avenue to Mitchell Freeway

**Beach Road**

Alexander Drive to 550 metres east of Wanneroo Road  
Alvaston Drive to Marmion Avenue

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY ENGINEER'S REPORT I61206 be received.

**CARRIED**

**I61207 MONTHLY REPORT FOR NOVEMBER 1994 - PARKS DEPARTMENT -  
[201-5]**

**CITY PARKS MANAGER'S REPORT I61207**

The City Parks Manager reports on the major activities of work undertaken by the Department's groundstaff during November.

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY PARKS MANAGER'S REPORT I61207 be received.

**CARRIED**

**I61208 DEVELOPMENT ENQUIRIES: NOVEMBER 1994 - [290-0]**

**CITY PLANNER'S REPORT I61208**

The City Planner submits schedule lists of development enquiries received during November indicating preferred location for such development.

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY PLANNER'S REPORT I61208 be received.

**CARRIED**

Cr Dammers entered the Chamber at this point, the time being 10.16 pm.

**I61209 APPEAL DETERMINATION - PROPOSED THREE GROUPED DWELLINGS  
ON LOT 126 (19) ROSSLARE PROMENADE, MINDARIE -  
[30/4639]**

**CITY PLANNER'S REPORT I61209**

John McKenzie & Associates representing Golden Hotels Pty Ltd submitted a proposal to develop Lot 126 (19) Rosslare Promenade, Mindarie with three grouped dwellings. Council did not support this proposal and the applicant has appealed to the Minister for Planning who has upheld the appeal.

The City Planner reports on the Minister's decision.

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY PLANNER'S REPORT I61209 be received.

**CARRIED**

**I61210 APPEAL DETERMINATION: 19 GROUPED DWELLINGS ON LOTS 48-  
50 ST MALO COURT/TOULON CLOSE/ITEA PLACE, MINDARIE -  
[30/4674]**

## CITY PLANNER'S REPORT I61210

The City Planner reports that the Minister for Planning has upheld the appeal by Byron Corporation to develop Lots 48, 49 and 50 in the Mindarie Keys area with 19 grouped dwellings of two storeys.

The City Planner provides background information and advises that Council did not support the application because of the reduced setbacks and private open space.

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY PLANNER'S REPORT I61210 be received.

**CARRIED**

## I61211 STAFF AND OUTSIDE WORKERS' OVERTIME - NOVEMBER 1994 - [404-10]

### CITY TREASURER'S REPORT I61211

The City Treasurer submits the staff overtime return for the month of November 1994 together with details of the outside worker's overtime for the same period.

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY TREASURER'S REPORT I61211 be received.

**CARRIED**

## I61212 FINANCIAL REPORT FOR THE PERIOD ENDED 30 NOVEMBER 1994 - [002-3]

### CITY TREASURER'S REPORT I61212

The City Treasurer submits the Municipal Fund Summary of Financial Activity for the period ended 30 November 1994. He advises that with five months of the year expired, actual revenues/expenses are generally within Budget estimates.

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY TREASURER'S REPORT I61212 be received.

**CARRIED**

## I61213 PESTICIDE RESIDUES SURVEY OF FRUIT AND VEGETABLES - [865-2 85107]

### CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT I61213

Council is advised of an ongoing survey of pesticide residues in fruit and vegetables grown and/or sold within the City of Wanneroo.

The samples are obtained mainly from local growers and submitted to the Health Department of Western Australia who in turn submits them to the Chemistry Centre of Western Australia. Results obtained contribute to a state-wide survey.

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT I61213 be received.

**CARRIED**

**I61213A PESTICIDE RESIDUES SURVEY OF FRUIT AND VEGETABLES -**  
**[865-2 85107]**

**MOVED** Cr Dammers, **SECONDED** Cr Moloney that Council issues a Press Release regarding this matter.

**CARRIED**

**I61214 HEALTH EXPO - [241-5-2]**

**CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT I61214**

Council is advised that the Environmental Health Department's first Health Expo was held on 15 and 16 November 1994 at the Craigie Leisure Centre. The event was opened by the Mayor, Councillor Rita Waters and the ceremony was followed by an aerobics display from the Woodvale Senior High School aerobics team.

The City Environmental Health Manager reports on the activities undertaken over the two day programme and advises that cooperation between the Health and Recreation Departments contributed to the event's success.

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT I61214 be received.

**CARRIED**

**I61215 RECREATION AND CULTURAL SERVICES DEPARTMENT - MONTHLY**  
**ACTIVITIES REPORT - [260-0]**

**CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT**  
**I61215**

The City Recreation & Cultural Services Manager reports on the major activities of the Recreation Department during the month of November 1994.

A number of activities have been undertaken by the Youth Services Co-ordinator in preparation for a Youth Festival to be held in 1995.

"Expressions of interest" were invited from community groups and Local Government interested in applying for a grant to undertake an innovative recreational project to benefit people with disabilities. Council has received confirmation that a grant for \$1,545.00 has been approved.

Attendances at the Craigie Recreation Centre pool has increased steadily with the warmer weather.

Renovations at the Girrawheen/Koondoola Centre are progressing well.

A number of social events occurred in Council's North Ward recreation facilities during the past month with the Recreation Facilities Manager taking on an active guiding and organisational role in events.

Building works have now been completed at Sorrento Community Hall and most user groups have recommenced use of facilities.

Education Department In-Term school swimming lessons have commenced at Aquamotion with over 350 children in attendance.

The City Recreation & Cultural Services Manager reports on interesting programmes successfully run from the Warwick Leisure Centre which included the "Swing into Shape" and "Take Time Out".

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY RECREATION & CULTURAL SERVICE MANAGER'S REPORT I61215 be received.

**CARRIED**

**I61216 MULTICULTURAL FESTIVAL - [429-1-12]**

**CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT  
I61216**

Following the success of the Multicultural Festival held on 24 March 1994, it has been confirmed that the 1995 Multicultural Festival will be held again at Sorrento Quay on Sunday, 9 April 1995. The Festival will officially close Multicultural week due to take place 2-9 April 1995.

Due to the City of Wanneroo being chosen as the municipality to host the festival, a collaboration between the City's Cultural Development Officers and the Multicultural Arts Centre of WA was established.

The City Recreation & Cultural Services Manager reports on the primary aim of the festival and advises that the day's events will involve performances, and visual displays incorporating costume, dance, visual art, music and food.

**MOVED** Cr Wood, **SECONDED** Cr Lynn that CITY RECREATION & CULTURAL SERVICES MANAGER'S REPORT I61216 be received.

**CARRIED**

## **I91253 POLICY AND SPECIAL PURPOSES COMMITTEE**

**MOVED** Cr Hall, **SECONDED** Cr Ewen-Chappell that the Report of the Policy and Special Purposes Committee Meeting, held on 14 December 1994, be received.

**CARRIED**

### **ATTENDANCES**

Councillors:	H M WATERS, JP - Mayor	North Ward
	L O'GRADY	North Ward
	M J GILMORE	South Ward
	G A MAJOR	South-West Ward
	B A COOPER - Deputising for Cr Dammers	Central Ward
	S P MAGYAR - Observer, from 5.38 pm	Central Ward
	K H WOOD - Observer, from 5.36 pm	South Ward
	F D FREAME - Observer	South-West Ward
	M E LYNN, JP - Observer, from 5.39 pm	South-West Ward

Town Clerk:	R F COFFEY
Deputy Town Clerk:	R E DYMOCK
City Treasurer:	J B TURKINGTON
City Planner:	O G DRESCHER
City Engineer:	R MCNALLY
Acting City Librarian:	J CADDY
Committee Clerk:	J HARRISON

### **APOLOGIES**

Apologies for absence were tendered by Crs Dammers, Curtis, Hall, Ewen-Chappell and Moloney.

### **CONFIRMATION OF MINUTES**

The Minutes of Policy and Special Purposes Committee Meeting held on 30 November 1994, were confirmed as a true and correct record.

### **PETITIONS AND DEPUTATIONS**

Nil

### **DECLARATIONS OF PECUNIARY INTEREST**

Cr Major declared an interest in Item I51202.

Cr Cooper and the Town Clerk declared an interest in Item I51207.

**MEETING TIMES**

Commenced: 5.35 pm

Closed: 7.48 pm

**I51201 PETITION REQUESTING NOISE BARRIER CHIPALA COURT AND OCEAN REEF ROAD, EDGEWATER - [510-1917, 510-1288]**

**CITY ENGINEER'S REPORT I51201**

Council has recently received petitions from residents in Chipala Court, Edgewater, Cachuca Court, Duncraig and from a resident in Dolphin Way, Beldon near Ocean Reef Road concerning traffic noise levels from the adjacent arterial road.

As a result of these complaints, Acoustic Consultants were commissioned to monitor and record traffic noise over several days outside the affected residences.

The City Engineer reports on the noise measurements recorded and the cost implications for Council to resolve the problem.

**MOVED** Cr Wood, **SECONDED** Cr MacLean that Council:

- 1 undertakes a study, in consultation with the Department of Planning and Urban Development, to determine a suitable policy for noise attenuation for all arterial roads within the City;
- 2 requests the Department of Planning and Urban Development to include noise assessment and attenuation criteria into its planning policies so that future subdivisions have noise control features designed and built into the subdivision;
- 3 undertakes a noise assessment on a road which is scheduled to be resurfaced within the normal budget process;
- 4 advises the petitioners of the proposed strategy for noise attenuation and the trial to resurface a section of road within the normal budget process.

**CARRIED**

**I51202 KERB NUMBERING SYSTEM - [727-4]**

**CITY ENGINEER'S REPORT I51202**

A house numbering company seeks Council endorsement to attach reflectorized numbers to the roadside kerbing.

The Engineering Department currently approves requests for painted house numbers on kerbing provided that applicants adhere to the specification. These painted house numbers are reflectorized, yellow numbers on a matt green background, being

a similar combination to the City's street name plates. Numbers are located centrally along the property frontage and contractors must obtain ratepayer approval prior to commencing works.

The City Engineer reports on the problems associated with raised reflectorized numbers which could cause injury to pedestrians.

Cr Major declared an interest in this item.

**MOVED** Cr Dammers, **SECONDED** Cr Gilmore that Council refuses to allow any house numbering products which, when located within the road reserve, sit above the normal kerb profile.

**CARRIED**

Cr Major abstained from voting.

**I51203 PROPOSED REZONING OF LOT 53 (2) NEWMAN ROAD, YANCHEP - [790-704]**

**CITY PLANNER'S REPORT I51203**

The City Planner reports on an application to rezone Lot 53 (2) Newman Road, Yanchep from Residential to Commercial which was deferred by Council at its meeting of 23 November and referred to Policy and Special Purposes Committee.

He gives reasons why it would not be appropriate for Council to rezone further land in Yanchep for commercial use.

**MOVED** Cr Wood, **SECONDED** Cr MacLean that Council:

- 1        advises the applicant, J Bloomfield, that it rejects his request to rezone Lot 53 Newman Road, Yanchep from Residential to Special Zone (Restricted Use) Office, because there is an adequate amount of appropriately zoned land in the locality;
- 2        writes to Tokyu Corporation informing them of the demand for industrial lots within the area and enquiring whether the industrial park could be extended to create more lots;
- 3        writes to Mr D Vaz, enquiring whether Mr Bloomfield could be accommodated within his commercial land at Lot 12 Newman Road, Yanchep.

**CARRIED**

**I51204 RESERVATION OF LAND FOR FUTURE REQUIREMENTS - RIGHTS OF LANDOWNERS - [790-542]**

## CITY PLANNER'S REPORT I51204

In February 1994 the Council considered a proposal for the rezoning of Lot 66 on the north-west corner of Wanneroo Road and Whitfords Avenue, Woodvale from Rural to Special Zone (Restricted Use) Service Station, Restaurants/Fast Food (Item I20221 refers).

Council subsequently resolved to discontinue the proposed amendment due largely to the requirement for future road reserves at the Wanneroo Road/Whitfords Avenue intersection. As a result of this decision the City Planner was asked to prepare a report on "the question of land being reserved for future requirements, ie road reservations etc particularly having regard to the rights of the affected owners of the land".

The City Planner advises that approximately two thirds of this property has recently been reserved under the Metropolitan Region Scheme for the purposes of Other Major Highways. He outlines the compensation procedures which would apply to this land.

**MOVED** Cr Wood, **SECONDED** Cr MacLean that CITY PLANNER'S REPORT I51204 be received.

**CARRIED**

## I51205 COUNCIL MEETING STRUCTURE - [702-2]

### TOWN CLERK'S REPORT I51205

On 23 November, Council resolved that a report be prepared for consideration by Policy and Special Purposes Committee outlining possible changes to Council's meeting system, with a view to holding Town Planning and General Purposes Committee meetings in the week preceding Council meetings.

The Town Clerk reports on the background details to open committee meetings and gives reasons why adoption of an open committee system would present a viable alternative to the present system.

He outlines a workable schedule of meetings, order of business and the introduction of a numbering system to reflect the year numerically, rather than by letter code.

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

1 Council:

- (a) in accordance with the provisions of Section 179(1)(a)(ii) of the Local Government Act, appoints a Town Planning Committee comprising one councillor from each Ward, with the Mayor as an "ex officio" members, and adopts the Terms of Reference detailed in Appendix X hereto;
- (b) in accordance with the provisions of Section 179(1)(a)(ii) of the Local Government Act, appoints a General Purposes Committee comprising one councillor from each Ward, with the Mayor as an "ex officio" member, and adopts the terms of Reference detailed in Appendix XI hereto;
- (c) renames the Policy and Special Purposes Committee to the Policy Committee and adopts the amended Terms of Reference detailed in Appendix XII hereto, retaining the current representation until the May 1995 municipal elections and thereafter providing for representation by the Mayor and one councillor from each ward;
- (d) conducts meetings of the Town Planning and General Purposes Committees as open to the public;
- (e) schedules meetings of the Town Planning Committee for Monday in the weeks preceding Council meetings, and meetings of the General Purposes Committee for Wednesday in the weeks preceding Council meetings;
- (f) amends the Order of Business to list matters of outstanding business in the "Business for Information" section of the agenda and minutes;
- (g) initiates the new meeting system with a meeting of the Town Planning Committee on Monday 30 January 1995 commencing at 5.30 pm and advises the public accordingly by press release and by public notice in the Wanneroo Times
- (h) amends the Order of Business for Town Planning and General Purposes Committees to allow a period of public question time at the beginning of the meeting for submission of questions or comments regarding items on the agenda;

2

a report be submitted to Council reviewing Council's Standing Order By-laws with a view to increasing committee

representation.

**CARRIED**

Appendices X, XI and XII refers.

**I51206 EFFECTIVENESS OF ONE-MAN REFUSE TRUCKS - [508-1]**

Cr Waters drew attention to problems being experienced with collection of rubbish due to bins being overweight and requested a report on the effectiveness of the existing one-man refuse trucks.

**MOVED** Cr Wood, **SECONDED** Cr MacLean that a report be submitted to Council on the effectiveness of the existing one-man refuse trucks.

**CARRIED**

**I51207 LOCAL GOVERNMENT STRUCTURAL REFORM ADVISORY COMMITTEE - [312-2]**

The Town Clerk referred to the advice to Council at its meeting of 9 November 1994 from the Hon Minister for Local Government that Cabinet had approved the establishment of the Local Government Structural Reform Advisory Committee. He suggested that consideration be given to having discussion with the City of Stirling and Shire of Swan with the object of pooling resources in the preparation of a joint submission; also that merit exists for Council representatives to visit the City of Brisbane.

Cr Cooper and the Town Clerk declared an interest in this item.

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

- 1 authorises the Mayor, Cr Cooper and the Town Clerk to seek negotiations with the City of Stirling and Shire of Swan to consider the preparation of a joint response to the Local Government Structural Reform Advisory Committee;
- 2 authorises in accordance with Section 547(12) of the Local Government Act, Cr Cooper and the Town Clerk to visit the City of Brisbane early in the New Year to look at the operation of that authority; approximate expenditure of \$2,300 per person to be from Account Nos 20006 and 20151.

**CARRIED BY AN  
ABSOLUTE MAJORITY**

Cr Cooper abstained from voting.



**I71201 JOONDALUP CIVIC AND CULTURAL FACILITIES - LOCATION OF LIBRARY AND CIVIC CENTRE - [730-8-8-1]**

The Architects made a presentation with respect to the issues relating to the location of the Library, Civic Centre and Carparking.

Cr Dammers advised of a meeting held on 7 December with the Architects and the City Librarian, and reported that the City Librarian was now generally in agreement with the present position of the library.

Mr Christou presented plans of the three levels of the proposed Council Chamber building to the Committee and outlined the details relating to each level.

Discussion took place during which time the following were raised regarding the following points:

- Provision of storage facilities;
- security;
- flexibility of function areas;
- connection to existing administration building;
- disabled access;
- provision of lifts and design of staircase.

Cr Dammers advised that the Committee was happy with the general layout, subject to costs being within the available budget.

Following discussion regarding design of stairs, the Architects advised they will investigate options available, in particular with regard to the possibility of a round staircase.

**MOVED** Cr Cooper, **SECONDED** Cr O'Grady that the Joondalup Civic and Cultural Facilities Occasional Committee, as empowered by Council, formally adopts the location of the Library and Civic Centre as submitted by James Christou and Partners.

**CARRIED**

**I91255 TOWN CLERK'S REPORT**

**MOVED** Cr Dammers, **SECONDED** Cr Moloney that the Town Clerk's Report be received.

**CARRIED**

**I91256 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF AFFIXING THE COMMON SEAL - [200-0-1]**

Document: Transfer of Land  
Parties: City of Wanneroo and Burns Management Pty Ltd  
Description: Part Lot 2 Connolly Drive, alignment Currambine  
Date: 06.12.94

Document: Transfer of Land  
Parties: City of Wanneroo and N & S A Rapinese  
Description: Lot 721, Part Hepburn Avenue alignment Alexandra Heights  
Date: 06.12.94

Document: Transfer of Land  
Parties: City of Wanneroo and Pacesetter Homes Pty Ltd  
Description: Lots 700/701 Part Hepburn Avenue alignment Marangaroo  
Date: 06.12.94

Document: Lease  
Parties: City of Wanneroo and Minister for Education  
Description: Craigie Pre-School, Camberwarra Drive, Craigie  
Date: 06.12.94

Document: Withdrawal of Caveat x 2  
Parties: City of Wanneroo and Woodvale Park Commercial Centre  
Description: Lot 11 Whitfords Avenue, Woodvale  
Date: 09.12.94

Document: Transfer of Land  
Parties: City of Wanneroo and C J & L M R Mather  
Description: Lot 1 Ziatas Road, Pinjar  
Date: 13.12.94

Document: Transfer of Land  
Parties: City of Wanneroo and V Weil  
Description: Loc 3109 Pinjar Road, Pinjar  
Date: 13.12.94

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

**I91257 HUMAN RESOURCES MATTERS - [404-0]**

This report gives details of staff appointments and resignations, seeks approval for secondary employment and seeks authorisation of an Officer in accordance with the Dog Act.

## STAFF APPOINTMENTS

<u>Position</u>	<u>Appointment</u>	<u>Commencement</u>
Student Engineer - Eng	Warwick ALLANSON	06.12.94
Technical Officer (Temp)	Ian DAVIS	12.12.94 - Parks
Switchboard Operator - Admin	Susan PATERNOSTER	12.12.94
" " - Admin	Denise FORBES	14.12.94
Library Clerk Gr.1 WhitLouise REID		14.11.94 Patrol
Officer		
Ian WHYBORN		26.12.94

## RESIGNATIONS

Switchboard Operator - Admin	Eileen HARRISON	09.12.94
Secretary - Parks	Jessie BARNETT	09.12.94
Asst Stores Supr - Treasury	Graham LUNDY	23.12.94

## AUTHORISATION OF OFFICER - DOG REGISTRATION

In accordance with the provisions of Sections 16 and 29 of the Dog Act 1976, Council is requested to appoint Mr Kevin Marshall as an Authorised Registration Officer.

## REQUEST FOR SECONDARY EMPLOYMENT

Sam Duina, Leading Hand/Truck Driver in the Engineering Department, seeks Council approval under the provisions of Section 160A of the Local Government Act, to undertake secondary employment as a granolithic worker at weekends.

The City Engineer has confirmed that this employment will not conflict with Mr Duina's Council duties.

**MOVED** Cr Freame, **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 this report;

- 2 in accordance with the provisions of Section 16 of the Dog Act 1976, approves the appointment of Kevin Marshall as an Authorised Registration Officer;
- 3 in accordance with the provisions of Section 160A of the Local Government Act approves secondary employment for Mr S Duina;
- 4 appoints Mr Ian Whyborn as a Patrol Officer and that he be authorised to take appropriate action in respect of the following legislation:

Justices Act 1902;  
Local Government Act 1960;  
Control of Vehicles (Off Road Vehicles) Act 1978 and regulations thereunder;  
Bush Fires Act 1954 and regulations thereunder;  
Dog Act 1976 (as amended) regulations and By-laws thereunder;  
Prevention of Cruelty to Animals Act (Note 6 officers appointed as Special Constables);  
Litter Act 1979 and regulations thereunder;  
Spearguns Control Act 1955;  
By-laws Relating to the Parking of Vehicles on Street Verges;  
Local Government Model By-laws (Parking Facilities) No 19;  
Local Government Uniform General (Parking for Disabled Persons) By-laws 1988;  
Safety, Decency, Convenience and Comfort of Persons in respect of Bathing By-laws;  
By-laws Relating to the Removal of and Disposal of Obstructive Animals and Vehicles;  
By-laws Relating to abandoned Machinery and Motor Vehicles;  
By-laws Relating to the Control and Management of Halls, Community Recreation Centres, Multi-Purpose Centres, Equipment and Property.

**CARRIED**

**I91258 JOONDALUP BUSINESS INCUBATOR - [730-8-1]**

The Joondalup Business Incubator Committee of the Wanneroo Goes For Jobs' Community Task Force on Job Creation has submitted for Council's consideration a proposal to develop a business incubator in Joondalup.

This report addresses the Concept Plan prepared for the Committee by IDEAS (Initiatives for the Development of Enterprising Action and Strategies), the company commissioned by

LandCorp in 1992 to undertake an economic study of the Wanneroo region.

The 1992 IDEAS study recommended, as part of a major strategy for the establishment and expansion of small business within the region, that a small business incubator be developed to "nurture the development of new small businesses so that their capacity to provide long term jobs is enhanced."

The Concept Plan states that the aim of the Joondalup Business Incubator is "to foster the development of small business in the Wanneroo region. This aim will be achieved through the following objectives:

- . to provide a business incubator facility which provides appropriate facilities for small businesses in the first years of operation
- . to provide advice, guidance and assistance to tenants of the incubator
- . to complement the support services provided by other local, state and federal agencies to small businesses in the region
- . to be financially viable."

Essentially the proposal seeks to improve the employment self sufficiency within the region, estimated in 1992 to be in the vicinity of 18%. (ie; on average, 82% of our residents leave the area for work, whilst a very limited number of people come to work within the area.)

By providing a low-cost alternative to commercial premises and a supportive environment, incubators help young businesses to develop past the three year "danger" period for small businesses. (Currently, 59% of Australian small businesses fail within the first three years of operation.)

The Concept Plan identifies the following perceived benefits associated with the project:

**"Small Business (Tenants) -**

- rent affordable premises in a highly desirable location
- participate in an environment where small businesses can share experiences and conduct business with one another, thereby reducing the risks involved in business start-up.

- develop increased awareness of and access to financial, professional and technical services assistance
- gain access to facilities and equipment otherwise unavailable or not affordable. It is critical that a high profile location be utilised to fast track business development.
- increase their viability
- share reduced building maintenance responsibilities

**Community -**

- increase the capacity for job creation and job retention
- create greater opportunities for public-private partnerships, thereby maximising the use of local resources
- improve the ratio of jobs for residents in the northern suburbs
- enhance the value of adjacent land and the appeal of the new Joondalup City Centre as a 'place to do business'.

**Incubator Partners - (ie: those who have invested in the establishment and operation of the incubator) -**

- identify suppliers for subcontracting and purchasers of products or services
- translate research and development activities into commercial opportunities for new products and technologies
- nurture a pool of potential growth companies for equity investment
- provide special support services to tenants
- take advantage of "naming rights" and other marketing opportunities
- support the development of business in the northern metropolitan corridor."

The perceived benefits having been clearly stated, it is necessary to consider the extent and appropriateness of Council's involvement.

Indicative costs for the incubator project, prepared for the IDEAS company by Ralph & Beatie, Bosworth Pty Ltd, suggest that the land acquisition, approvals and construction costs would be in the order of \$3,039,000.

The IDEAS submission lists the City of Wanneroo as a project partner, along with Edith Cowan University, LandCorp and a fourth partner presently being sought. Assuming an equal sharing of costs, Council's commitment would be in the order of \$760,000.

The submission states that "The City of Wanneroo has indicated its preparedness to support the establishment of the Joondalup Business Incubator through direct financial support to building construction." Council has in fact only contributed \$3,000 towards market research for the project on the clear understanding that "such grant to be of a once only nature with no commitment for ongoing funding." The adoption of Council as a project partner I believe requires clarification.

During August this year a forum was arranged by the Edith Cowan University to coincide with a visit to the Joondalup Campus by a Dr David Allen who manages the Technology Communication and Economic development activities at the Ohio University (USA).

Dr Allen pointed out the Ohio University business incubator serves the usual role of providing low cost office space, access to share office services, professional business management assistance, and a supportive environment to assist entrepreneurs in developing their businesses. Like Australia, a considerable proportion of economic growth, job creation and innovation in America occurs in small business, and OU has sought ways to raise the success rate of start-up businesses.

The only businesses that OU assists however are what might be termed "high tech". Whilst the OU Innovation Centre Program (or incubator) provides services to its tenants, it also seeks to further the University's education and research goals.

This is quite different to our perception of what a business incubator at Joondalup should become.

Accordingly, if Council is to be involved it would need to be established whether or not a business incubator at Joondalup is to assist small business in general and/or high tech innovation.

With regard to the extent and appropriateness of Council's financial support for such an initiative, it is considered that two issues require deliberation. The first issue relates to the application of funds to what is clearly a State and Federal Government responsibility, and for a purpose which may see new

businesses placed at a distinct advantage over competing local businesses. The appropriateness of Council's involvement in a business nurturing role should be carefully considered.

Secondly, arguments for the application of significant funding towards such an initiative should be weighed against competing priorities within Council's budget. The provision of basic public facilities in the rapidly developing suburbs of our municipality, together with the ever-increasing costs of maintaining existing facilities, weighs heavily against venturing into the area of job creation/economic development at this point in time.

**MOVED** Cr Dammers, **SECONDED** Cr Freame that Council advises the Wanneroo Goes For Jobs Taskforce that it supports in principle the development of a business incubator within the municipality, however it is doubtful a commitment of funding could be considered at this point in time in view of competing budget priorities.

**CARRIED**

**I91259 HEPBURN HEIGHTS WATER RESERVOIR - [210-0]**

A letter has been received from a Padbury resident who strongly objects to the use of razor wire at the Hepburn Heights Water Reservoir.

The photographs shown on Appendix XIII indicate that the razor wire has been installed inside the reserve behind an 1.8 metre high ringlock fence topped with three strands of barbed wire. The resident has indicated that this fence is continuously falling into disrepair. A fence of this nature does not fall into disrepair but is damaged by vandals. The resident is also concerned with the aesthetics of the razor wire.

It should be clarified that the wire is actually super-barb and not razor wire, but a sign on the outer fence which indicates that it is razor wire acts as a further deterrent.

Contact made with a WA Water Authority officer indicates that the reason for placement of the wire is because of a number of incidents where children have broken into the shed and used the reservoir as a swimming pool. Not only is there a danger of contamination of the water but a child could drown or be maimed by the suction of the filter units.

The contractor who is currently roofing the reservoir has suffered \$100,000 worth of damage to materials and equipment caused by vandalism and graffiti.

The outer fence has been cut on several occasions but the super-barb has prevented further intrusion since its installation.

The Local Government Act, Part XV.- Buildings, Section 373 (1)(3) states:

'The provisions of this Part shall not apply to buildings owned or occupied by, or under the control or management of the Crown in right of the State, or a department, agency, or instrumentality of the Crown in right of the State.'

This means that Council cannot enforce any action under its by-laws which has been requested by the resident. However Council may register its concern to the Minister for Local Government who also holds the portfolio of Minister for Water resources.

In the past the WA Water Authority have consulted with Council regarding the colours preferred for painting of the structures over the reservoirs. No consultation was made regarding the installation of the razor wire.

It is considered that the reservoir is a public utility that requires sufficient security to ensure that children's lives are not in danger and protection of the facility.

**MOVED** Cr Dammers, **SECONDED** Cr Freame that Council advises the resident of the reasons given by the Water Authority for the installation of the super-barb wire and that it supports the Authority's reasoning.

**CARRIED**

Appendix XIII refers.

#### **I91260 WARD BOUNDARIES AND REPRESENTATION - [801-5]**

As reported to the meeting of Council 7 December 1994 (Item I51131) to the Hon Paul Omodei MLA Minister for Local Government had indicated to the Deputation from Council that he was not prepared to approve its submission to restructure electoral ward boundaries and increase representation.

By letter dated 7 December 1994 the Hon Minister has confirmed his decision which is as follows -

"I refer to your letter of 18 October 1994, my subsequent replies and my recent meeting with Mayor Waters, Cr Cooper and yourself to discuss the above matter.

As I indicated at that meeting I am not prepared to approve Council's application to increase the number of Councillors from 15 to 19 and the number of Wards from 4 to 10.

In making my decision I was mindful that the proposal would not significantly reduce the number of electors that each Councillor would represent. Whilst I accept that in the short term there will be some reduction, in five years' time the number of electors that each Councillor will represent will be about the same as at present.

Furthermore, I believe that there are inherent problems with a large number of Wards and Councillors. For instance, there are logistical problems such as allowing sufficient time for each Councillor to speak on a matter and also in reaching consensus. The creation of 10 Wards could be viewed as potentially 10 separate areas of interest.

I also do not support allowing Council to exceed the maximum number of Councillors proposed for the new Local Government Act. The proposed limit of 15 will however allow the Cities of Fremantle and Melville to maintain their 18 Councillors though over time they will be required to bring their Council into line.

In addition the work of the Structural Reform Advisory Committee may well have direct relevance in relation to representation issues and in evaluating the relative value of economy of scale and community of interest.

Following on from our meeting you have sought confirmation of my decision and a copy of the Departmental report on Council's application. As I advised at the meeting my decision has been reached having regard to the Department's report which recommends against approval of the application.

I do not propose making available the Department's report to me on this matter as you have requested.

You are assured that I have not taken this decision lightly and that I have given careful consideration to Council's submission."

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

1 the information submitted to Council on the increased representation and the restructuring of electoral ward boundaries be received;

2 Council makes application under the Freedom of Information Act 1992 for all documentation held by the Department of Local Government and the Office of the Minister for Local Government in respect of Ward Boundaries and Representation in the City of Wanneroo.

**CARRIED**

**I91261 URBAN DEVELOPMENT INSTITUTE OF AUSTRALIA - 24TH NATIONAL CONGRESS - [202-1-1]**

The Urban Development Institute of Australia's 24th National Congress will be held from 6-9 March 1995 in Adelaide.

The theme of the congress is "Urban Australia - The Developers' Changing Role". Development industry leaders, academics, key policy makers and decision-makers from Federal, State and Local Government will be providing a perspective on shifting issues in Australia. The conference will be an opportunity for discussion, new ideas and professional development.

The costs for this conference are:

Registration	\$ 700
Air Fare	\$1 400 (approx)
Accommodation	\$ 725
Daily Allowance	\$ 200
	<hr/>
TOTAL	<u>\$3 025</u>

Funds are available in Account 20006 (Members - Conference Expenses) for a Councillor and in Account 27751 (Town Planning - Conference Expenses) for the City Planner to attend.

Cr Cooper nominated Cr Dammers.

Cr Dammers declared an interest in this item.

**MOVED** Cr Cooper, **SECONDED** Cr Hall that Council nominates Cr Dammers to attend the Urban Development Institute of Australia's 24th National Congress.

**CARRIED**

Cr Dammers abstained from voting.

**I91262 WATER RESOURCES - LAW AND MANAGEMENT IN WESTERN AUSTRALIA CONFERENCE - [322-18-1]**

The Water Resources - Law and Management Conference is being held on the 23 and 24 February, 1995 at the University of Western Australia.

The conference will examine a variety of issues relevant to managing water resources including legal frameworks for planning and managing water resources, protecting water resources and allocating water resources. The conference will be of benefit to those with an interest in the management of water resources and the land uses affecting water resources. The conference brochure is attached for information (Appendix XIV refers).

The cost of the conference is \$185 for a full registration. The conference dinner will be held at Matilda Bay Restaurant at a cost of \$35 per head. Sufficient funds are available in Account 20006 (Members - Conference Expenses) to allow a Councillor to attend this conference.

Cr Cooper nominated Cr Major.

Cr Major declared an interest in this item.

**MOVED** Cr Cooper, **SECONDED** Cr Moloney that Council nominates Cr Major to attend the Water Resources - Law and Management Conference to be held on the 23 and 24 February 1995, at the University of Western Australia at a cost of \$185.00 for full registration; the funds to be available from Account 20006 (Members - Conference Expenses).

**CARRIED**

Cr Major abstained from voting.

Appendix XIV refers.

**I91263 METROPOLITAN MEMBER - WA PLANNING COMMISSION VACANCY -**  
**[312-2, 017-1]**

The Western Australian Municipal Association has invited nominations from member Councils for appointment to the position of Metropolitan Member - WA Planning Commission. (A panel of four names is sought.)

The Commission meets monthly in Perth. The meetings are held during working hours and the meeting fee is \$73 for a half day and \$108 for a full day. The term is four years.

The proposed appointee needs to have interest and/or experience in Town Planning.

Cr Cooper nominated Cr Dammers.

Cr Dammers nominated Cr Cooper and Cr Waters.

Cr O'Grady nominated Cr Magyar.

Crs Dammers, Cooper, Waters and Magyar declared an interest in this item.

**MOVED** Cr Wood, **SECONDED** Cr MacLean that Crs Dammers, Cooper, Waters and Magyar be nominated for consideration as a Metropolitan Member to the WA Planning Commission.

**CARRIED**

Crs Dammers, Cooper, Waters and Magyar abstained from voting.

**I91264 MEMBER - WA PLANNING COMMISSION VARIOUS COMMITTEE  
VACANCIES - [312-2, 017-1]**

The Western Australian Municipal Association has invited nominations from member Councils for appointment to the following positions;

- Member - WA Planning Commission - Infrastructure Committee
- Member - WA Planning Commission - Finance and Property Committee
- Member - WA Planning Commission - Transport Committee
- Member - WA Planning Commission - Statutory Planning Committee

The Infrastructure and Transport Committees meet bimonthly or quarterly, the Finance and Property Committee meets fortnightly and the Statutory Planning Committee meets weekly.

The Committees meet in Perth. The meetings are held during working hours and the meeting fee is \$73 for a half day and \$108 for a full day. The term is four years.

The proposed appointee needs to have interest and/or experience in Town Planning.

Cr Wood nominated Cr Cooper.

Cr Cooper declared an interest in this item.

**MOVED** Cr Wood, **SECONDED** Cr Moloney that Cr Cooper be nominated for consideration as Member - WA Planning Commission - Infrastructure Committee and Member - WA Planning Commission - Statutory Planning Committee for the WA Planning Commission.

**CARRIED**

Cr Cooper abstained from voting.

**I91265 COMMUNITY SPORTING AND RECREATION FACILITIES FUNDING  
GUIDELINES - [260-0]**

The Minister for Sport and Recreation recently announced an increase in the government's allocation of funds for the Community Sport and Recreation Facilities Fund (CSRFF). Over the three year period \$26 million has been allotted to the CSRFF grants. An amount of \$10 million has been allocated for 1995/96. The funds will be available in one of two grant categories; annual grants or forward planning grants (Appendix XV refers).

A seminar was held on 12 December 1994 to present the new guidelines for CSRFF grant applications and the grant process. The main principles were identified to ensure that the best planned, designed and managed facilities are constructed.

Local Government Authorities and community groups are invited to apply for grants to upgrade existing facilities to better suit current and future needs, to make modifications and additions to existing facilities to provide greater opportunities for participation and for the construction of new facilities.

The timeline and procedure that applicants must follow once they have been identified as being eligible for consideration for a CSRFF grant is as follows.

- . Collect an application kit from Council (Recreation and Cultural Services Department).
- . Community groups to submit applications to Council by 28 February 1995.
- . Council to prioritise and rate LGA projects and community group projects in March 1995.
- . Council to lodge all applications at the Ministry for Sport and Recreation (MSR), Perth office by 21 April 1995.
- . MSR to collate all applications. Applications to be assessed by sports associations (24 April-12 May 1995).
- . CSRFF committee meets and formulates recommendations (15 May-2 June 1995).
- . CSRFF committee recommendations forwarded to the Minister (5 June-20 June 1995).

Minister announces approvals on 20 June 1995.

The Recreation and Cultural Services Department will be liaising with the Building Department to discuss future projects involving upgrading existing sports/recreation facilities and/or building new facilities.

Grant applications on behalf of Council will be written and submitted at the appropriate time and further documented in reports to Council in the near future.

**MOVED** Cr Dammers, **SECONDED** Cr Freame that the information regarding the guidelines for the Community Sporting and Recreation Facilities Funding be received.

**CARRIED**

Appendix XV refers

**I91266 MODEL HEALTH BY-LAWS - [920-13]**

Council was advised in March 1988 of a comprehensive review of the Model Health By-laws Series 'A' adopted by the City of Wanneroo on 4 June 1970, being undertaken by Health staff.

The procedure of adoption of by-laws is lengthy inasmuch as the Health Department of Western Australia (HDWA) must approve of such legislation before being published in the Government Gazette. To alleviate the necessity of referring to Council every request of HDWA to alter or amend the revised by-laws, the documentation, once completed by the City Health Department, was submitted for guidance in September 1989.

In August 1991 Council considered a Report (F40805) by the City Environmental Health Manager on the delay being experienced in a response from HDWA and it was resolved to request the Minister for Health to expedite the processing of the review of the Health By-laws. As a result of this action further progress was made. However more recently the former City of Perth produced a substantial edition of its Health by-laws after considerable expense and time was spent by its Health staff. It is believed that the City of Wanneroo by-laws being processed by HDWA may not have received the attention expected.

Council's Health staff have been negotiating with HDWA By-laws Officer and finally have received an indication that the City of Wanneroo by-laws are now acceptable, in spite of suggestions for the City of Wanneroo to adopt the by-laws produced by the City of Perth. It is considered after studying those by-laws that they could only be adopted by this Council after extensive modifications. This would entail similar procedures as have been experienced with the current attempts with our own by-laws.

Council is advised that the revised by-laws are a complete re-writing of the existing legislation which has been brought up to date with current terminology and the only changes made are removal of those sections of the by-laws which are now in conflict with regulations which have been introduced since 1970.

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

- 1 revokes the Model Health By-laws Series 'A' upon promulgation of the proposed City of Wanneroo Health By-laws;
- 2 (a) adopts the City of Wanneroo Health By-laws as tabled in the Councillors Reading Room and attached hereto in the Minute Book (Appendix XVI refers);  
(b) authorises the affixation of the Common Seal to and endorses the signing of, the by-law document;  
(c) authorises administrative action to have the proposed revised by-laws promulgated without prior advertising.

**CARRIED**

Appendix XVI refers.

Cr MacLean left the Chamber at this point, the time being 10.28 pm.

**I91267 AUSTRALIAN CITIZENSHIP REPORT - [703-1]**

The Joint Standing Committee on Migration has recently completed a report on Australian Citizenship entitled AUSTRALIANS ALL - Enhancing Australian Citizenship. The Chairman of this Committee, Senator Jim McKiernan, has submitted a copy of this report to Council.

The report is a comprehensive analysis of Australian Citizenship law and practice. The report contains a series of recommendations concerning aspects of Australian Citizenship including Citizenship Ceremonies, community awareness of Citizenship, scope of the Citizenship Act and assessment of Citizenship applications.

The recommendations that most concern Local Government are those relating to Citizenship Ceremonies. These recommendations are attached for information (Appendix XVII refers). Senator Nick Bolkus, Minister for Immigration and Ethnic Affairs, is currently considering the implications of this report.

**MOVED** Cr Dammers, **SECONDED** Cr Freame that the report from The Joint Standing Committee on Migration relating to Australian Citizenship be received.

**CARRIED**

Appendix XVII refers

**I91268 PMFM 92.9 "MARS COOL-IT/POOL EVENTS" - CRAIGIE LEISURE CENTRE - [745-1, 680-1]**

PMFM 92.9 has invited Craigie Leisure Centre to become involved in its 1995 summer promotion "Mars Cool-it/Pool Events".

The promotion is detailed below:

- PMFM 92.9 will pre-promote the event on radio.
- The PMFM "Road Runner" vehicle will arrive at Craigie Leisure Centre on a predetermined day and time for a period of approximately one hour.
- The radio announcements will advertise a one hour period, where the first 100 people who arrive at Craigie Leisure Centre can collect a free entry pass into the pool and sample a Mars Bar from the Road Runner Vehicle.

The benefits to Craigie Leisure Centre include:

- free radio air play valued at \$250.00;
- choice of a single weekend day and time appropriate to the Centre;
- the potential to encourage new patronage to the Centre.

It is anticipated that the promotion takes place on a Sunday afternoon in February 1995. No additional financial outlay or staff resources are required for the event.

**MOVED** Cr Dammers, **SECONDED** Cr Freame that Council endorses Craigie Leisure Centre's request to participate in the PMFM 92.9 "Mars Cool-It/Pool Events".

**CARRIED**

**I91269 DOG ATTACK ON CHILD - MCDONALD SPORTS COMPLEX, PADBURY - [903-6-1]**

Town Clerk referred to advice to Council at its meeting on 23 November 1994 of details of the dog attack and that action against the registered owners had been filed under Section

33D(1) of the Dog Act which has been listed for hearing in the Joondalup Court of Petty Sessions.

Solicitors Parker and Parker have advised by letter dated 5 December 1994 that they act on behalf of their clients who hold the City liable in negligence for the loss and damage sustained by them as a result of the dog attack.

The City's insurers, SGIO, will be acting on behalf of Council.

**MOVED** Cr Dammers, **SECONDED** Cr Freame that the correspondence from Parker and Parker in relation to the dog attack on a child at McDonald Sports Complex, Padbury be received.

**CARRIED**

Cr MacLean entered the Chamber at this point, the time being 10.33 pm.

**I91270 DELEGATION OF AUTHORITY FOR URGENT BUSINESS DURING JANUARY 1995 - [702-0]**

Council has, in the past, not held the normal monthly meeting of Standing Committees and Council in January, deferring any business to the February meeting of the appropriate Committee.

Since 1987, the power to deal with routine and other urgent matters, and to accept tenders etc, has been delegated to an Occasional Committee. This ensures that the normal business of the Council is not impeded during the January recess.

Cr Major nominated Cr Freame.

Cr Ewen-Chappell nominated Cr Major.

Cr O'Grady nominated Cr Dammers.

Cr Moloney nominated Cr Gilmore.

**MOVED** Cr Ewen-Chappell, **SECONDED** Cr Wood that:

- 1 Council delegates to an Occasional Committee, comprising the Mayor, Deputy Mayor Cr Freame, Crs Major, Cr Dammers and Cr Gilmore, and Town Clerk, the power to act for, and on behalf of Council in respect of any matters of an urgent or routine nature, arising before February 1995;
- 2 such decisions to be made by the Mayor and any two nominated Councillors.

**CARRIED**

**I91271 OPTION TO ADOPT 4 YEAR TERMS OF OFFICE FOR COUNCILLORS OF THE CITY OF WANNEROO - [702-3]**

On Thursday, 8 December 1994, the Local Government Amendment (Elections) Bill 1994 received Royal Assent.

This Act provides the power to enable Council to adopt 4 year terms of office for its Councillors.

To achieve the transition the legislation provides three options. The first of the three options is to have a complete spill with elections being held in May 1995 to fill all offices of Councillor.

In addition, there are two phase-in options, the first of which provides for the reduction in the terms of office for those Councillors who are due to retire in May 1996. Under this option, 8 of the 10 persons elected in May 1995 would get a 4 year term with the remaining 2 Councillors retiring in 1997.

Under the second phase-in option, which is the only one dependent on Ministerial approval, each Councillor would serve the full term for which they have been elected. Each of the 5 Councillors elected at the May 1995 election would receive a 4 year term. Of the 5 vacancies at the 1996 election, 3 Councillors would receive a 3 year term with the two remaining Councillors obtaining a 1 year term.

The attached schedule demonstrates how the latter phase-in option would work (Appendix XVIII refers).

To adopt any one of the options, Council must pass a resolution to do so by an absolute majority. However, with the second phase-in option, which involves all Councillors maintaining their current terms, Council is required to obtain Ministerial approval.

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

- 1 in accordance with the provision of Section 72A (1) (a) of the Local Government Act, Council resolves to choose to be under the biennial election system from the May 1995 ordinary election day;
- 2 in accordance with the provisions of Section 139A (2) (b) of the Local Government Act, Council resolves that each Councillor maintains the term for which he/she has been elected;
- 3 in accordance with the provisions of Section 72B (1) (5) of the Local Government Act, Council resolves to seek Ministerial Approval to allow Councillors to maintain the full term for which they have been elected.

MAJORITY

Appendix XVIII refers

**I91272 SPECIAL MEETING OF ELECTORS HELD ON 20 DECEMBER 1994 -**  
**[801-2]**

A Special Meeting of Electors was held on Tuesday 20 December 1994 to discuss concerns relating to oversized dwellings.

Forty six electors attended the meeting, and discussion took place regarding the proposed developments at Lot 40 (32) West Coast Drive, Marmion and Lots 626 (6), 627 (4) Randall Crescent and Lot 628 (2) Swanson Way, Ocean Reef.

At the conclusion of the meeting the following Motion was put:

**"MOVED** Vic Harman, **SECONDED** David Banham that this Special Meeting of Electors calls on Council to:

- 1 acknowledge the concerns of the meeting and reject the building applications for the proposed developments on Lot 40 (32) West Coast Drive, Marmion and Lots 626 (6), 627 (4) Randall Crescent and Lot 628 (2) Swanson Way, Ocean Reef;
- 2 if necessary, obtain a written guarantee that no commercial practice is contemplated;
- 3 in the event of an appeal, furnish the Minister for Planning, the Minister for Local Government, the Member for Marmion, Mr Jim Clarko, MP, and the Member for Whitford, Mr Rob Johnson MP, with a transcript of these proceedings.

**CARRIED**

**MOVED** Cr Freame, **SECONDED** Cr Gilmore that the Report of the Special Meeting of Electors held on 20 December 1994 be received.

**CARRIED**

**I91273 APPOINTMENT OF HONORARY PARKING INSPECTOR FOR WHITFORDS**  
**CITY SHOPPING CENTRE - [910-4]**

In accordance with Council policy it is necessary to reappoint the following person as an Honorary Parking Inspector for the Whitfords City Shopping Centre for a 12 month period.

He is, namely, Graham John LEWIS of 17 Taupo Glade, Joondalup 6027, age 35, occupation Security Guard.

Council draws its authority to appoint Honorary Parking Inspectors under Section 669DA of the Local Government Act 1960.

Should Council resolve to re-authorise the applicant, his enforcement duties will cover all parking enforcement as contained in Council's Parking Facilities Ordinance No. 19. Council will also be required to authorise the applicant under the Local Government Uniform General (Parking for Disabled Persons) By-laws 1988.

The Honorary Parking Inspector will be empowered to issue offending motorists with two separate types of infringement notice under the abovementioned By-laws. These notices will be strictly monitored by the City's Municipal Law & Fire Services Department and any monies paid by way of fines must be directed to Council. Payment of on the spot fines cannot be made to the issuing officer, or to the Whitford City Shopping Centre Management or the Managing Agents.

The applicant is a person of good character and there appears to be no impediment to his honorary appointment.

The position, if approved under Section 669DA, will confer the authority for Honorary Inspectors to serve infringement notices or modified penalties under Section 669D (Local Government Act) of which parking, standing or leaving of a vehicle are an element. However, the power to withdraw a modified penalty or infringement notice is not conferred on Honorary Parking Inspectors by Section 669DA.

The position is voluntary and the officer, if appointed, does not receive any form of salary, wage or other gratuity from Council. The duties performed as an Honorary Parking Inspector will be carried out during his paid duties by his employers.

The appointments, as in the case of Honorary Beach Inspectors, will be for a 12 month period and may be cancelled by resolution of Council.

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

1 in accordance with Section 669DA of the Local Government Act 1960 reappoints Graham John Lewis as an Honorary Parking Inspector for the Whitfords City Shopping Centre, Hillarys for a 12 month period, subject to renewal;

2 in accordance with the provisions of the Justices Act 1902 re-authorises the withinmentioned Honorary Parking Inspector to act under and enforce the Parking By-laws for the City of Wanneroo only within the boundaries of the Whitfords City Shopping Centre, Hillarys as detailed hereunder:

- (a) Parking Facilities By-laws No. 19;
- (b) Local Government Uniform General (Parking for Disabled Persons) By-laws 1988.

**CARRIED**

**I91274 APPOINTMENT OF A CONSULTANT TO PREPARE A 5 YEAR INFORMATION TECHNOLOGY (IT) PLAN - [206-2]**

At the time of the 1994/95 budget was prepared, Council agreed to the inclusion of \$100,000 to provide for the appointment of a Consultant to prepare a 5 Year Information Technology Plan.

For almost a decade, the City's major computing applications have operated on an ICL mainframe computer.

Many Departments are moving to adopt new technologies which enable them to more effectively carry out their functions. It must be realised that many of the older systems are nearing the end of their effective lives and must be reviewed or replaced.

Aside from the need to consider the adoption of new technologies there are alternative ways of structuring hardware and software to meet Council's computing needs.

Given Council's commitment to both hardware and software, there is a need to have a forward plan for the adoption of new technologies and the migration to a computer configuration which will serve the long term needs of the City. In addition there is a need to adopt a configuration with the flexibility to allow for the adoption of new technologies as they arise.

In order to guide and manage the changes which must be made, an Information Technology Committee has been formed. It is comprised of representatives from each Department and is chaired by the Deputy Town Clerk.

Recently, expressions of interest were called in respect to the preparation of a 5 year Information Technology plan. Nine submissions were reviewed and subsequently four firms were given the opportunity to make a presentation to the IT Committee.

As a result of these presentations and other enquiries the IT Committee decided to recommend that DEAKIN CONSULTING PTY LTD be commissioned to produce a 5 Year Information Technology Plan.

The following is a list of expressions of interest which were received :

PFA Consulting	\$40,500	*
Price Waterhouse	\$63,500	*
Computer Power	\$83,681	
Spiral Technology	\$92,200	
Australian Technology Resources	\$111,750	
DMR Group	\$77,500	
Deakin Consulting	\$52,000	*
Ernst & Young	\$58,560	
Coopers & Lybrand	\$39,375	*

\* - Denotes the groups who made a presentation to the Information Technology Committee.

**MOVED** Cr Cooper, **SECONDED** Cr Ewen-Chappell that:

- 1 Council appoints Deakin Consulting Pty Ltd to produce a 5 Year Information Technology Plan at a cost of \$52,000;
- 2 Cr Dammers be nominated as a member of the Information Technology Committee.

**CARRIED**

**I91275 PROPOSED WAREHOUSE (BUNNINGS), PT LOT 3 JOONDALUP DRIVE, EDGEWATER - [30/4943] AND PROPOSED COMMERCIAL DEVELOPMENT (EDGEWATER GATE) PT LOT 3 JOONDALUP DRIVE, EDGEWATER (30/3769)**

At Council's meeting held on 9 November 1994, Council considered reports on these two matters (Items I51104 and I51105 refer) and resolved to seek meetings with the applicants and advise the Department of Planning and Urban Development of its concerns.

A meeting was held with the applicants who proposed to submit an alternative application. It was determined that a public meeting should be arranged for 19 December 1994 to give any concerned residents the opportunity to have the applicants explain the proposals and the changes introduced since the previous approval.

The revised application was received on 16 December 1994 and is currently being assessed by the technical officers.

The public meetings was well attended and presented with the revised proposal. Questions were asked about landscaping within the property and on the verge, and traffic control. Those in attendance were generally in favour of the proposal.

The revised proposal has increased the floor area from 9,107m<sup>2</sup> to 9,376m<sup>2</sup> and relocated the building supply showroom away from the Ocean Reef Road boundary to the Mitchell Freeway boundary and re-arranged the other buildings to include a landmark building on the corner of Ocean Reef Road and Joondalup Drive, similar to that proposed in the previous approval. The altered configuration of the buildings means that the subdivision recently approved by the State Planning Commission is no longer appropriate.

The total floor area proposed in this southern precinct is 14,531m<sup>2</sup> requiring 581 parking bays. The proposal provides for 554 parking bays leaving a shortfall of 27 bays. Either the floor area should be reduced or the parking increased to correct this shortfall. The proposed landmark building is closer than 6m to the Joondalup Drive boundary in a number of places and should be set further back.

Other issues have been discussed in the previous reports. The revised plan is a considerable improvement over the previous proposal although the building style of the proposed hardware centre is not in accordance with previous approval. This proposal is more acceptable because of the reduced impact of the hardware centre building.

**MOVED** Cr Dammers, **SECONDED** Cr Cooper that Council advises Haselhurst Management, on behalf of Edgewater Gate Pty Ltd and Bunnings Building Supplies Pty Ltd that it supports the proposed hardware centre and commercial development on Pt Lot 3 (57) Joondalup Drive, Edgewater and authorises the City Planner to issue the necessary Development Approvals following receipt of details satisfactorily addressing the issues of car parking, building setback and subdivision, subject to:

10arrangements, to the satisfaction of the City Engineer, for the necessary modifications to the intersection of Ocean Reef Road and Joondalup Drive to be carried out prior to occupation of any buildings;

11arrangements to the satisfaction of the City Engineer for a contribution to the provision of traffic lights at the intersection of George Grey Place and Joondalup Drive prior to the occupation of any buildings;

12the drainage sump being vested in the City of Wanneroo and provided with the necessary easements;

13the provision and ongoing maintenance of landscaping on site and the adjacent road verge, to the satisfaction of the City Parks Manager;

14access to the site being obtained only from approved crossovers on Joondalup Drive and George Grey Place;

15standard and appropriate development conditions.

**CARRIED**

**I91276 PROPOSED DWELLING: LOT 195 (18) FIREBALL WAY, OCEAN REEF  
- [2483/195/18]**

A report was submitted to Council at its meeting on 23 November, 1994, in respect to a proposed dwelling to be constructed at Lot 195 (18) Fireball Way, Ocean Reef (Item I11125 refers).

No comment was made when this report was reached. However the report on the proposed dwelling to be constructed over three lots in Ocean Reef was deferred as was a proposed grouped dwelling development in West Coast Drive.

A special electors meeting held on 20 December, 1994, made no reference to the proposed dwelling in Fireball Way. The report on this dwelling was submitted to Council because of objections received after the period for comment had lapsed.

At that time the licence had been prepared and was ready for issue as no other objections had been submitted. The Builder was aware that the licence was ready for issue and was prepared for Council to consider the objections at its meeting on 23 November.

The builder attended the electors meeting and as no reference was made to his application, he has requested the reasons why he cannot collect his licence. It is considered that the builder should not have to wait until the other matters have been considered.

There is no urgency on the proposed dwelling over three lots as they have not yet been amalgamated. The grouped dwelling application requires amended details and further information to be submitted before it can be considered.

If the builder decides to appeal to the Minister, there is no doubt that the appeal would be upheld. If the builder decides to lodge a complaint with the Ombudsman, it could be an embarrassment to Council.

**MOVED** Cr Major, **SECONDED** Cr Freame that Council approves the application for the proposed dwelling to be constructed at Lot 195 (18) Fireball Way, Ocean Reef so that the building licence can be issued without further delay.

**CARRIED**

**MOTIONS FOR FURTHER ACTION**

**I91277 SELECT COMMITTEE ON RECYCLING AND WASTE MANAGEMENT -  
[508-4]**

Cr Magyar reported that the State Government has initiated a Select Committee to look at recycling and waste management and suggests that Council makes a submission.

**MOVED** Cr Magyar, **SECONDED** Cr Major that a draft be prepared for submission to the Select Committee on Recycling and Waste Management.

**CARRIED**

**I91278 INVESTIGATION INTO MATTERS RELATING TO PROPOSED CHILD  
CARE CENTRE, LOT 217 (60) ST IVES DRIVE, YANCHEP -  
[30/4928]**

Cr Maclean referred to a remark made to the public by Cr Dammers relating to I21242.

Cr Waters declared an interest in this Item.

**MOVED** Cr Maclean, **SECONDED** Cr Ewen-Chappell that Council directs the Town Clerk to request the Minister for Local Government to investigate all matters relating to I21242, and any dual interests held by councillors or staff in respect of supporting or rejecting the recommendation given to Council on 21 December 1994.

**CARRIED**

Cr Waters abstained from voting.

**MOTIONS FOR REPORT**

**I91279 REDUCED SPEED LIMIT IN JOONDALUP CITY CENTRE PRECINCT -  
[730-8-1]**

**MOVED** Cr Cooper, **SECONDED** Cr Maclean that a report be submitted to Council on the feasibility of:

- 1 establishing a low speed limit for the Joondalup City Precinct;
- 2 providing a safe environment for the wildlife which remained in the City.

**CARRIED**

**I91280 HOUSE OF REPRESENTATIVES STANDING COMMITTEE FOR LONG TERM STRATEGIES ON AUSTRALIA'S POPULATION CARRYING CAPACITY - [702-0]**

Cr Magyar requested that Council seeks a copy of the report from the House of Representatives Standing Committee for Long Term Strategies on Australia's population carrying capacity as he considers the Committee's findings would have particular significance to this City.

**RESOLVED** that Council seeks a copy of the report from the House of Representatives Standing Committee for Long Term Strategies on Australia's population carrying capacity.

**MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

**NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING**

Nil

**PUBLIC QUESTION/COMMENT TIME**

THERE WILL FOLLOW A 15-MINUTE PERIOD OF QUESTION/COMMENT TIME, DURING WHICH QUESTIONS MAY BE PUT OR COMMENTS MADE BY THE PUBLIC ON BUSINESS DISCUSSED DURING THE COURSE OF THE MEETING.

**I91281 LEAVE OF ABSENCE - COUNCILLOR FREAME - [702-3]**

Cr Freame requested leave of absence from Council from 27 December 1994 to 8 January 1995 inclusive.

**MOVED** Cr Wood, **SECONDED** Cr Hall that Council approves the leave of absence requested by Cr Freame from 27 December 1994 to 8 January 1995 inclusive.

**CARRIED**

**MOVED** Cr Freame, **SECONDED** Cr Lynn that the meeting be held behind closed doors, the time being 11.07 pm.

**CARRIED**

The public and members of the press left the Chamber at this point.

**CONFIDENTIAL BUSINESS**

**I41209 FOOD COMPLAINT NO 34 - [39/811-9, 851-7]**

**MOVED** Cr Gilmore, **SECONDED** Cr Ewen-Chappell that Council does not proceed with legal action against the proprietors of Ho Mei Chinese Restaurant and Takeaway, Lot 22 (19) Koorana Road, Mullaloo, WA 6027.

Discussion ensued. Cr Gilmore with the approval of Cr Ewen-Chappell, advised that he wished the Motion to be

**WITHDRAWN**

**MOVED** Cr Dammers, **SECONDED** Cr Major that Council, in accordance with the provisions of the Health Act 1911 instigates legal proceedings against the proprietors of Ho Mei Chinese Restaurant and Takeaway, Lot 22 (19) Koorana Road, Mullaloo WA, 6027.

**CARRIED**

**I91282 APPEAL 13802.941: URBANSTONE - [30/564]**

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

1 CITY PLANNER'S REPORT (attached hereto in the Minute Books) be received;

2 Council:

- (a) authorises an amendment No 714 to Town Planning Scheme No 1 to insert an appropriate interpretation of "Incidental Use" and submits the amended documents for the Minister's approval to advertise;
- (b) seeks a deputation with the Minister for Planning to discuss its concerns about his determination of the Urbanstone appeal so that the consequences can be impressed upon him and his assurance obtained for the urgent approval of an amendment to include an incidental use interpretation in the scheme;
- (c) instructs its solicitors to seek appropriate relief through the Supreme Court to have the Minister's determination of the Urbanstone Appeal; 13803.9.L set aside;
- (d) seeks the support of Western Australian Municipal Association in this action which has possible ramifications on all Local Government authorities.

**CARRIED**

**MOVED** Cr Maclean, **SECONDED** Cr Wood that the meeting be held  
with the doors  
open.

**DATE OF NEXT MEETING**

The next Ordinary Meeting of Council has been scheduled for  
**WEDNESDAY 8 FEBRUARY 1995.**

**CLOSE OF BUSINESS**

There being no further business, the Chairman declared the  
Meeting closed at 11.40 pm the following Councillors being  
present at that time:

COUNCILLORS:    WATERS  
                  FREAME  
                  O'GRADY  
                  DAMMERS  
                  COOPER  
                  EWEN-CHAPPELL  
                  MAGYAR  
                  GILMORE  
                  MOLONEY  
                  WOOD  
                  MACLEAN  
                  HALL  
                  MAJOR  
                  LYNN

I11200A

CITY OF WANNEROO

TECHNICAL SERVICES SECTION

REPORTS FOR COUNCIL

21 DECEMBER 1994

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I11213

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CITY OF WANNEROO REPORT NO I11213

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TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 208-6 - 080-94/95

WARD: ALL

SUBJECT: NEW DOMESTIC REFUSE TRUCK

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At its meeting on the 23 November 1994, Council resolved to purchase a new domestic refuse truck as specified in Tender No: 080-94/95. The new unit is specified to incorporate modifications made to the existing fleet to overcome heating problems last summer.

The hot weather in early December revealed that the overheating problems with the current fleet had not been fully resolved. Additional work and consultation with the equipment suppliers is currently underway to ensure the trucks are operational for the summer.

In view of the above, it appeared inappropriate to proceed with purchasing an additional vehicle. The tenderer has been advised accordingly.

New tenders will be called when the situation is resolved and a new specification prepared in consultation with the waste management and trucking industries.

## RECOMMENDATION

That Council endorses the City Engineer's action in cancelling the order placed in relation to Tender No 080-84/95.

R T McNALLY  
City Engineer

PWC/jc  
dre1007

I11214

CITY OF WANNEROO REPORT NO: I11214

TO: TOWN CLERK  
FROM: CITY BUILDING SURVEYOR  
FOR MEETING OF: COUNCIL  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 208-89-94/95  
WARD: NORTH  
SUBJECT: JENOLAN WAY COMMUNITY CENTRE, MERRIWA

Tenders closed for the above project on 2 December 1994. Eight tenders were received.

\$

Palmerston Building Company	809,792.00
Southdown Construction Co Pty Ltd	812,000.00
Longo Construction Pty Ltd	821,000.00
Dalcon Construction Pty Ltd	835,000.00
Pacific Building Co	836,000.00
Homestead Construction Pty Ltd	855,963.00
WD Petersen & Son	954,858.00
Brown & Joy Industries Pty Ltd	1,012,381.00

The lowest tenderer is Palmerston Building Company at \$809,792.00. This contractor has not undertaken any building work for Council previously. A check on previous contracts completed has been made and the contractor is considered to be competent and capable of completing this project.

Dun & Bradstreet confirm the contractors financial standing. The budget for the works comprises:

Building, car parking and landscaping	809,792.00
Furniture	60,000.00
Contingency & fees	<u>37,208.00</u>
total expenditure	907,000.00

The funding for the works comprises:

Dept for Community Development	425,000.00
City of Wanneroo Municipal funds	275,000.00
Grants (Lottery Commission)	<u>212,000.00</u>
Total funding:	912,000.00

RECOMMENDATION

That Council:

- . accepts the tender of \$809,792.00 from Palmerston Building Company for the contraction and completion of the Jenolan Way Community Centre in Merriwa;
- . agrees to the signing of the contract documents.

R FISCHER  
City Building Surveyor

RF:SE

bme12012

I11215

## CITY OF WANNEROO REPORT NO I11215

TO: TOWN CLERK  
 FROM: CITY ENGINEER  
 FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION  
 MEETING DATE: 21 DECEMBER 1994  
 FILE REF: 201-2  
 WARD: ALL  
 SUBJECT: TRAFFIC IMPROVEMENTS - VARIOUS LOCATIONS  
 REALLOCATION OF FUNDS

Council approved \$60,000 in the 1994/95 Traffic Management Budget for the construction of minor junction treatments and pedestrian facilities as determined by traffic studies. Account No 33066 refers.

In the past three months the Education Department has agreed to contribute 50% towards the cost of constructing parking embayments at the following schools:

<u>Report No</u>	<u>School</u>	<u>Street</u>	<u>Estimated Total Cost</u>
I10903	Camberwarra Primary	Currajong Cr	\$ 7,000
I11003	Edgewater Primary	Kestrel Mews	\$14,000
I60919	Glengarry Primary	Glengarry Dve	<u>\$21,000</u>
		TOTAL	<u>\$42,000</u>

As there were no specific funds allocated in the budget for these projects, Council approved the reallocation of \$21,000 from Account No 33066 - Traffic Improvements - Various Locations to accommodate its contribution to these school parking embayments.

With minor traffic management works already undertaken there is currently \$33,000 remaining in Account No 33066 for projects as determined by traffic studies. Projects that have been identified for construction are outlined below:

	<u>Cost</u>	<u>Estimated</u>
Banks Avenue Traffic Treatment		\$10,000
Shaw Road/Keane Street Junction		\$15,000
Timberlane Dve Traffic Treatment		\$13,000
Dundobar Road/Civic Dve junction		\$ 6,000
Calectasia St/Marlock Dve junction		\$ 8,500
Constellation Dve Pedestrian Refuge Islands		\$ 5,000
Prendiville Ave Pedestrian Refuge Islands		\$ 3,000
Creaney Dve/New Cross Rd junction		(subject to design)
Blue Mountain Drive Pedestrian Refuge Islands		(subject to design)

It is likely that more projects will be identified, particularly early in 1995 when the new school year commences. It is important that these projects be progressed to gain maximum community benefit.

Council approved \$40,000 in the 1994/95 Budget for the construction of a roundabout at the Admiral Grove/Channel Drive intersection. (Report G10418 refers).

The final design for this roundabout is complete and the construction estimate is \$87,000. This higher than normal cost for a roundabout at a T-junction has resulted from the need to realign a 70m section of Channel Drive and reconstruct a section of Admiral Grove to accommodate the site constraints. A review of this design and a further traffic study of Admiral Grove is proposed to determine if there is a more cost effective method of traffic calming Admiral Grove. This reassessment is unlikely to be completed prior to the end of the 1994/95 financial year.

On this basis, the reallocation of the \$40,000 budgeted for Admiral Grove/Channel Drive roundabout to Account No 33066 - Traffic Improvements - Various Locations is supported. Funding for the traffic management treatment of Admiral Grove could then be considered as part of the 1995/96 Budget.

RECOMMENDATION

That Council:

- 1 defers the construction of a roundabout at Admiral Grove/Channel Drive, pending investigation of alternative, cost effective, traffic management treatments for Admiral Grove;
  
- 2 authorises, BY ABSOLUTE MAJORITY, in accordance with Section 547(12) of the Local Government Act, the reallocation of \$40,000 from Account No 33077 Admiral Grove/Channel Drive Roundabout to Account No 33066 Traffic Improvements - Various Locations.

R T McNALLY  
City Engineer

DRB:EMT  
Bere1211

I11216

CITY OF WANNEROO REPORT NO I11216

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 510-2115

WARD: SOUTH

SUBJECT: TRAFFIC CALMING - PEREGRINE DRIVE, KINGSLEY

---

Council, at its October 1994 meeting, requested a report on traffic speeds in Peregrine Drive, Kingsley and the feasibility of installing traffic calming measures in the vicinity of the Dalmain Primary School and the Kingsley Family Centre.

Previously, Council considered a report on a parking strategy at the school (Item G11114 refers) which involved the installation of parking embayments, as shown on Attachment 1. Parking prohibitions were subsequently installed to support the parking embayment treatments. The treatments were installed in April 1993.

Recent surveys of traffic flows along Peregrine Drive and parking/pedestrian movements in the area have been undertaken. The results of the surveys are shown on Attachments 2, and 3 and generally indicate that overall vehicular speeds are below the legal speed limit. It appears that the resultant traffic congestion around the school at peak periods reduces vehicular speeds.

However, it is conceivable that the speed of motorists approaching the school during peak periods is of concern. A symbolic school warning sign is located on the bend, north of the school near Malden Way. Further supporting signs, at the approach to the bend, would reinforce the presence of the school to motorists. Similarly, the centreline delineation of the bend with a painted white line should assist with defining the road geometry for motorists. Main Roads WA will be requested to undertake these signing improvements.

With regard to a reduced speed limit past schools, a Main Roads WA Taskforce is currently examining this issue. It is anticipated that the Taskforce findings will consider, as part of reduced speed zoning limits, the need for supporting physical traffic devices on local streets. Therefore, consideration of Traffic Calming on Peregrine Drive should be deferred pending the Taskforce's recommendations.

## RECOMMENDATION

That Council:

16requests Main Roads WA to erect symbolic school signing on Peregrine Drive, on both sides of the road;

17requests Main Roads WA delineate the road bend in Peregrine Drive, north of the school, with a painted white line;

18advises the school Parents' & Citizens' Association accordingly.

R T McNALLY  
City Engineer

DP:AT  
Berel216

I11217

CITY OF WANNEROO REPORT NO I11217

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/0215

WARD: SOUTH

SUBJECT: PARKING PROHIBITIONS - WARWICK GROVE SHOPPING CENTRE

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Council has received a request from the Management of the Warwick Grove Shopping Centre seeking authority to install general parking prohibitions within the Centre car park. It is initially proposed to restrict parking on car park access routes and special use areas, such as taxi stands and loading bays. In addition, a quarter hour limited parking prohibition is proposed in certain dedicated areas adjacent to the main Centre entry exit to allow for high volume turnover short term parking.

The extent of the proposed parking prohibitions is shown on Drawing No E1170-1 at Attachment 1.

The Warwick Grove Shopping Centre Management will arrange for the purchase, installation and maintenance of the appropriate signage in accordance with the Parking Standard AS1742.11.

Approval for Warwick Grove Shopping Centre as a parking station is required from the Minister for Local Government under Section 231(3) of the Local Government Act.

Council's parking facilities by-laws will also require amendment to allow inclusion of Warwick Grove Shopping Centre as an additional parking station location.

The appointment of Honorary Parking Inspectors for the Warwick Grove Shopping Centre was approved at Council's meeting on 9 November 1994 (Item I41107 refers).

RECOMMENDATION

That Council:

19requests Ministerial approval under Section 231(3) of the Local Government Act for the Warwick Grove Shopping Centre car park to be established as a parking station;

20subject to Warwick Grove Shopping Centre being approved as a parking station:

- .1 amends its by-laws relating to parking facilities at the site;
- .2 authorises the affixation of the Common Seal to and endorses the same;
- .3 authorises administrative action in accordance with Section 231(3) of the Local Government Act.

21subject to Warwick Grove Shopping Centre car park being approved as a parking station:

- .1 authorises the management of the Warwick Grove Shopping Centre car park in accordance with the Standard AS1742.11 as amended and as shown on Drawing No E1170-1 at Attachment 1 to Report
- .2 authorises the management of the Warwick Grove Shopping Centre car park in accordance with the Standard AS1742.11, as amended and as shown on Drawing No E1170-1 at Attachment 1 to Report
- .3 authorises the management of the Warwick Grove Shopping Centre car park in accordance with the Standard AS1742.11 as amended and as shown on Drawing No E1170-1 at Attachment 1 to Report
- .4 authorises the management of the Warwick Grove Shopping Centre car park in accordance with the Standard AS1742.11 as amended and as shown on Drawing No E1170-1 at Attachment 1 to Report

22advises the Warwick Grove Shopping Centre Management accordingly.

BL:EMT  
Bere1207

I11218

CITY OF WANNEROO REPORT NO I11218

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 510-1665

WARD: CENTRAL

SUBJECT: JOONDALUP DRIVE - SPEED ZONE CHANGE

---

Main Roads WA has concluded a reassessment of vehicle speeds in Joondalup Drive subsequent to the commissioning of traffic signals at the Cord Street junction.

A 70 Km/h speed zone will operate on Joondalup Drive from 140 metres south of the Edith Cowan University entrance to 320 metres north of Moore Drive.

The change will be implemented after the receipt of Council's endorsement.

RECOMMENDATION

That Council concurs to the implementation of a 70 Km/h speed zone on Joondalup Drive from 140 metres south of the Edith Cowan University entrance to 320 metres north of Moore Drive and advises Main Roads WA accordingly.

R T McNALLY  
City Engineer

ABW:EMT

Bere1218

I11219

CITY OF WANNEROO REPORT NO I11219

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 061-39-1, 478-1-1

WARD: CENTRAL

SUBJECT: RESURFACING OF BLACKBOY PARK TENNIS COURTS,  
MULLALOO

Council, as part of the 1994/95 Budget, allocated funds for the resurfacing of two tennis courts at Blackboy Park, Mullaloo.

Funds on Account No 29235 to the value of \$10,000 were set aside for remedial treatment of sealing the cracks with a fibreglass membrane and the application of an approved synthetic acrylic surfacing.

As a result of further investigation, it was found that the covering of the whole courts with an approved fibreglass membrane, prior to the application of a synthetic acrylic surfacing, will provide a longer life for the tennis courts.

Tenders were called for the two options in November 1994. The first option being for the fibreglass membrane application to the cracks only and the second being for the application of the fibreglass membrane to the entrance surface of the two courts.

Two tenders were received and are listed as follows:

<u>Name of Tenderer</u>	<u>Tender Value</u>	
	<u>Option 1</u>	<u>Option 2</u>
Sport Surfaces	\$17,378	\$19,166
Sportcoat*	\$10,237	\$17,368

\*Please note Sportcoat also provided two more alternative treatments which are not to specification and should not be considered.

As can be seen, the lowest price for the preferred Option 2 for the entire resurfacing is \$17,368 as submitted by Sportcoat. The shortfall of funds to the value of \$7,368.00 can be funded from two other areas. It is suggested that it would be advantageous to reallocate savings of \$5,640.00 made on the recent resurfacing of four courts in Heathridge Park and to reduce the extent of remedial works proposed for the two courts at the Wanneroo Showground to allow reallocation of the \$1,728.00 shortfall.

Although Sport Surfaces has carried out a majority of Council's past tennis court resurfacing, Sportcoat has provided new court surfaces for Council with satisfactory results.

#### RECOMMENDATION

That Council:

23authorises, **BY ABSOLUTE MAJORITY**, in accordance with Section 547(12) of the Local Government Act the reallocation of \$5,640.00 from Account No 29236 - Resurfacing of Tennis Court in Heathridge Park and \$1,728.00 from Account No 29234 - Resurfacing of Tennis Courts in the Wanneroo Showground to Account No 29235 - Resurfacing of Tennis Courts at Blackboy Park;

24accepts Tender No 90-94/95 Option 2 by Sportcoat for the resurfacing of the two tennis courts at Blackboy Park, Mullaloo for the price of \$17,368.00.

R T McNALLY  
City Engineer

GR:AT  
Bere1217

I11220 \_\_\_\_\_

CITY OF WANNEROO REPORT NO I11220

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/1455

WARD: NORTH

SUBJECT: EXTRACTIVE INDUSTRY LICENCES  
LOT 22 FLYNN DRIVE, NEERABUP

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Council has received an application for development approval and extractive industry licence relating to Lot 22 Flynn Drive, Neerabup from the Readymix Group on behalf of the Flynn Drive Joint Venture and the location of the site is shown on Attachment/1.

Lot 22 Flynn Drive is owned by Western Australian Land Authority (Landcorp). The land has just been zoned industrial under the MRS and is currently zoned rural in Council's Town Planning Scheme. Landcorp let a contract to the Flynn Drive Joint Venture in 1987 and there has been a major quarry on the site since, with nearly 5 million cubic metres of limestone extracted. The site has an estimated life of 10 to 15 years at which time the land will be subdivided for industrial purposes.

Lot 21 to the west is owned by Cockburn Cement and will be quarried for limestone in the future. Co-ordination of levels for the two quarry operation is provided for by maintaining a steep batter along the west side of Lot 22.

During the early stages of quarry operations on Lot 22 there were some problems with machinery being used outside the approved times. This was resolved and there have been no formal complaints about this quarry for several years. The current renewal submission would see a continuation of the existing operations.

The site rehabilitation is aimed at stabilising the area and re/establishing the native vegetation. This will be undertaken

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progressively as the active quarry area moves north away from Flynn Drive. The final slope of the land is intended to be suitable for industrial subdivision. The quarry operators have proposed changes to the previous approved plan to allow additional extraction. This would see the excavation deepened 4m to RL50. The steeper slopes are considered unsuitable for industrial land. The applicants have agreed to review this proposal with Landcorp during the coming year. A 12 month interim licence is requested based on the previously approved site plan to allow the quarry to operate during the review period.

The site has a range of limestone grades resulting in a variety of quarry activities including block cutting, which is located at the back half of the lot and has not created any noise problems. Standard conditions have been recommended to cover future eventualities. There is some sand that is being quarried as part of the recontouring.

The site is different to others in that there are several companies operating in the same area. The Flynn Drive Joint Venture consists of CSR Limited, trading as The Readymix Group (47.5%), WA Limestone (47.5%) and Concept Nominees (5%). This group will be operating over the whole of the site and has requested that the licence be issued in the name of the Flynn Drive Joint Venture even though it is not a separate legal identity. It is considered appropriate to issue separate licences until the companies provide legal advice to the contrary. Rehabilitation bonds of \$10,000, \$10,000 and \$5,000 respectively would be appropriate and total more than the \$20,000 individual maximum. The final site contours are very simple and the subject of contract arrangements between the parties.

The extractive industry licence fee for each operator should be the maximum of \$300 as is appropriate for a quarry of this size.

Road maintenance contributions have been negotiated with the applicants.

#### RECOMMENDATION

That Council:

25approves the applications by CSR Limited (trading as The Readymix Group), WA Limestone and Concept Nominees to commence development of the limestone rubble and block cutting quarry on Lot 22 Flynn Drive, Neerabup in

accordance with the provision of its Town Planning Scheme.  
The approval is for the period to 30 November 1995 and subject to:

- .1 The use of the land for quarrying purposes ceasing by 30 Nov
- .2 the operator of the quarry maintaining a water allocation of
- .3 all fuel storage on site being in approved underground tanks  
Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
- .4 submission of an annual, rehabilitation report incorporating
- .5 the applicant entering into an agreement with the City of WA  
the site for extraordinary expenses for repairing and maintaining roads under its care in the neighbourhood of the proposed excavation at the agreed rate, such payment to be made quarterly;
- .6 all stockpiles and work areas being stabilised and suitable
- .7 hours of quarry operation being restricted to:  
Monday to Friday ..... 0700-1800  
(except public holidays  
Saturdays ..... 0700-1700  
Sundays ..... (work not permitted)  
Public Holidays ..... (work not permitted)
- .8 all site equipment being suitably sound proofed so as to con
- .9 maintaining a sealed crossover and sealing up to the first
- .10 operating in accordance with the submitted report and docum
- .11 Operator to give an undertaking not to cut capstone whenever
- .12 excavation to be based on the plans approved in 1987 with a
- .13 standard conditions.

26approves Extractive Industry Licences for CSR Limited (trading as The Readymix Group), WA Limestone and Concept

Nominees on Lot 22 Flynn Drive, Neerabup, with the following conditions:

- (a) annual fee - \$300
- (b) period of licence - 1 year to 30 October 1995
- (c) rehabilitation bond -
  - \$10,000 - The Readymix Group
  - \$10,000 - WA Limestone
  - \$5,000 - Concept Nominees

.1

under By-law 21 of the Extractive Industry By-laws agreement to the operators paying Council a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its control in the neighbourhood of the proposed excavation at the agreed rate.

This agreement is in accordance with By-law 7 of the Extractive Industry By-laws and Section 85 of the Road Traffic Act.

R T McNALLY  
City Engineer

RWE:EMT  
Bere1215

I11221

CITY OF WANNEROO REPORT NO I11221

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/2831

WARD: NORTH

SUBJECT: LIMESTONE BLOCK CUTTING QUARRY, PT LOT 6  
WESCO ROAD, NOWERGUP

Lunard Pty Ltd, trading as A1 Limestone, has recently taken over the quarry on Pt Lot 6 Wesco Road, Nowergup and has applied for renewal of the approvals for carrying out stonecutting in the quarry. The Extractive Industry Licence is current to April 1995.

The previous operator had been operating outside approved hours and Council had restricted limestone block cutting due to complaints from residents in Gibbs Road.

Lunard Pty Ltd has asked for permission to operate six days a week. The City Environmental Health Manager has reviewed the acoustic report accompanying the application. He has recommended that quarry operations be restricted to Monday - Friday 7am - 5pm (not including public holidays).

Rehabilitation will be to pasture land. The quarry site is shown on Attachment 1.

A road maintenance contribution of \$0.16 per cubic metre of material has been agreed to by the applicant.

The new operator has regularised the operation of this quarry and issuing of appropriate approvals is recommended.

RECOMMENDATION

That Council:

27approves the application by Lunard Pty Ltd, trading as Al Limestone, to commence development of the limestone block cutting quarry on Pt Lot 6 Wesco Road, Neerabup in accordance with the provision of its Town Planning Scheme. The approval is for the period to 30 October 1996 in regard to the use of the land for limestone block cutting, subject to:

- .1 The use of the land for quarrying purposes, ceasing by 30 October 1996;
- .2 the operator of the quarry maintaining a water allocation on the land;
- .3 all fuel storage on site being in approved underground tanks in accordance with Western Australia's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
- .4 submission of an annual, rehabilitation report incorporating the results of monitoring;
- .5 the applicant entering into an agreement with the City of Wanneroo to pay for the site for extraordinary expenses for repairing and maintaining roads under its care in the neighbourhood of the proposed excavation at the rate of \$0.16 per cubic metre. Such payment to be made quarterly;
- .6 all stockpiles and work areas being stabilised and suitably revegetated;
- .7 hours of quarry operation being restricted to:  
Monday to Friday ..... 0700-1700  
(except public holidays)  
Saturday ..... (work not permitted)  
Sundays ..... (work not permitted)  
Public Holidays ..... (work not permitted)
- .8 all site equipment being suitably sound proofed so as to comply with the relevant sections of the Environmental Protection Act 1986;
- .9 maintaining a sealed crossover and sealing up to the first 30m of the quarry access road from the crossover to the satisfaction of the City Engineer to stop dust and material being tracked onto the road;

- .10 operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified by Council's specific approval conditions;
- .11 standard conditions.

NOTE: It is to be clearly understood that regardless of the conditions imposed, these approvals do not indemnify the quarry operators from any future action under the provisions of the Environmental Protection Act 1986.

28approves Extractive Industry Licences for Lunard Pty Ltd, trading as Al Limestone, for a limestone block cutting quarry on Pt Lot 6 Wesco Road, Nowergup, with the following conditions:

- (a) annual fee - \$300
- (b) period of licence - 2 years to 30 October 1996
- (c) rehabilitation bond - \$20,000
- (d) under By-law 21 of the Extractive Industry By-laws agreement to the operators paying Council a road charge contribution for each cubic metre of material removed from the site for extraordinary expenses for repairing and maintaining roads under its control in the neighbourhood of the proposed excavation at the rate of \$0.16 per cubic metre. This agreement is in accordance with By-law 7 of the Extractive Industry By-laws and Section 85 of the Road Traffic Act.

R T McNALLY  
City Engineer

RWE:AT  
Berel221

I11222

CITY OF WANNEROO REPORT NO I11222

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 508-5-5

WARD: ALL

SUBJECT: GREEN WASTE PROCESSING BY THE MINDARIE  
REGIONAL COUNCIL

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Over the past 18 months, the Mindarie Regional Council has been progressing a proposal for a regional green waste processing facility. This would include the production of some compost to allow the development of the compost market for future sale of composted municipal waste.

Tenders closed in November. The results were not encouraging and the matter has been referred back to the member Councils for consideration.

The lowest price was from Nass Tree Services Pty Ltd. This company has no experience with composting and this is reflected in an unrealistically low price of \$4.00 per tonne. Attachment 1 shows the schedule of tenders received.

Soils ain't Soils Pty Ltd was the next lowest tenderer. This company controls between 80% and 90% of the soil conditioner market in Perth and takes a very aggressive position in the market place. At interview the owner indicated that he would only produce "accelerated compost". This takes about 4 weeks and involves adding urea as a nitrogen supplement and ferrous oxide for black colouring. Full composting takes 12 to 16 weeks and does not require these additives.

Soils ain't Soils Pty Ltd currently produces over 50,000 tonnes per year of "accelerated compost". This is sold as a general mulch and soil conditioner. It is unlikely that the production of 1,200 tonnes of higher quality compost by Council will impact on the market.

In view of the above it was considered that there was unlikely to be a future benefit for Council to pay a premium to subsidise the production of compost. The question then becomes, "What is most economic for the City of Wanneroo?"

Council's Waste Management Section collects tree loppings separately in its bulk verge collection service. These are currently taken by a local company for shredding at a cost of \$8.50 per tonne. This is cheaper than any of the tender prices.

Council's Parks Department hires contractors to shred its tree loppings and then uses the mulch. The cost is similar to the tender prices, but the shredding is undertaken at a variety of sites to suit the Department's needs.

The option of Council establishing a greens processing facility at the old tip site at Badgerup Road, Wangara will be considered in the 1995/96 Budget process.

#### RECOMMENDATION

That Council resolves to advise the Mindarie Regional Council that, in view of the tender prices received and the latest information on the composting market, it does not support the establishment of a Regional Green Waste processing facility at this time.

R T McNALLY  
City Engineer

RWE:EMT  
Berel2017

I11223

CITY OF WANNEROO REPORT NO I11223

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 510-1770, 218-1-1, 061-4

WARD: SOUTH WEST

SUBJECT: SITE RELOCATION OPTIONS - "HELP OUR PRECIOUS ENVIRONMENT (HOPE) GROUP RECYCLING UNIT"

The matter of relocating the HOPE Group recycling shed has been a particularly contentious issue. A previous report to Council (Item I10807 refers) identified potential sites and assessed each option. This matter was deferred by Council and additional information was supplied by memorandum to South West Ward Councillors for future discussions with affected parties. Copies of Report I10807 and the memorandum are shown at Attachments 1 and 2 respectively.

It is now apparent that a general consensus on a particular option cannot be achieved. However, a meeting on 22 September 1994 did agree Options 3 and 5 were the least favoured.

Subsequent to that meeting, an architectural firm, Baverstock and Associates Architects consulted Alfreton Way residents on a proposal for a proposed Environmental Centre for the Glengarry Primary School. This initial proposal included access to the recycling shed and planned Environmental Centre off Alfreton Way. The residents unanimously rejected this proposal. This outcome is consistent with the position adopted by residents since the shed relocation matter arose. A revised proposal shows the recycling shed relocated to the southern end of the school property with access from Doveridge Drive.

Essentially, consideration of the recycling options has reduced to a comparison of the relative merits of an Alfreton Way access to one in Doveridge Drive. Both residential groups oppose access off their street. Alfreton Way residents have experienced

operations of the HOPE Group whereas Doveridge Drive residents seem to be opposing the concept on principle.

Council can significantly reduce the number of options available by closing the current Alfreton Way access. On balance, this would seem the most reasonable decision. Council's original grant of the recycling shed was on the basis that it would be located solely on Education Department land. Presumably access was to be gained via school access routes. Though this decision would be a disappointment to the HOPE Group, their operations could be re-established off Doveridge Drive, the main frontage to Glengarry Primary School.

The concern of the Alfreton Way residents about access to this street for the HOPE Group operations would also apply to the future development of the Community Purpose Site. The need for a Community Purpose Site in this locality should also be reviewed.

#### RECOMMENDATION

That Council:

29closes access off Alfreton Way to the HOPE Group Recycling Shed and removes the existing limestone track across Alfreton Reserve;

30requests the HOPE Group to relocate their recycling shed within Glengarry School property;

31advises all interested parties accordingly.

R T McNALLY  
City Engineer

DP:AT  
Bere1212

I11224

CITY OF WANNEROO REPORT NO I11224

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 24 AUGUST 1994

FILE REF: 510-1770, 218-1-1, 061-4

WARD: SOUTH WEST

SUBJECT: SITE RELOCATION OPTIONS - "HELP OUR PRECIOUS ENVIRONMENT" (HOPE) GROUP RECYCLING UNIT

For some time residents of Alfreton Way, Duncraig have been concerned about the operations of the HOPE Group Recycling Unit at the Glengarry Primary School. This Group commenced some eight to ten years ago and in 1991 Council donated a shed to assist the Glengarry Primary School based recycling programme. The shed was supposed to have been located on school property. Unfortunately, a lack of clear boundary line definition caused the majority of the shed to be located outside the school boundary. A limestone track, constructed across Alfreton Park from Alfreton Way to allow transportable classrooms to be installed at the school, is being used by the HOPE Group to gain access to the shed. A pine bollard fence and chain "gate" were installed early this year to restrict access to the track. However, it appears that confrontations between HOPE Group workers and residents have increased.

Council has received two conflicting petitions on the limestone track with one requesting its upgrading and the other requesting its removal. (Items I90624 and I90625 refer).

Alfreton Way residents object to access by a "commercial" venture being gained across a public park. Traffic generated by the unit has also been of concern. The HOPE Group, though acknowledging funds are generated from its operations, contends that it carries out a valuable public service. The Group has received many awards for its environmental work and the unit has become a model for similar ventures at other schools.

A meeting with HOPE Group representatives, Alfreton Way residents, Glengarry School representatives, Engineering Department officers, the Mayor and Ward Councillors was held on 17 June 1994. Previously residents of Alfreton Way had petitioned Council to remove the limestone track. The HOPE Group had counter petitioned requesting Council upgrade the track and carry out limited tree planting in the area. The meeting resolved that a number of relocation options for the Recycling Unit be investigated.

Five options, as shown on Attachment 1, were identified as follows:

#### **OPTION 1 - ALFRETON WAY ACCESS**

This option maintain the existing shed in the current position, but realigns the access track further to the east. This would position the track within the battle axe access leg to the Community Purposes Reserve and enable the shed and recycling operations to be screened from Alfreton Way. Some native bushland would have to be cleared to enable a vehicular "turning circle" to be created. The existing track would be removed.

It should be noted that this option is likely to formalise HOPE Group use of this reserve and, therefore, impact upon any future planning for this area.

#### **OPTION 2 - ALFRETON WAY ACCESS**

This proposal relocates the shed within school property, but abutting an access track through the Community Purposes Reserve battle axe access leg. Sufficient screening from Alfreton Way is still possible, however, the school playground area would be diminished. A turn-around area within school grounds would further erode playground space in this area. A path would be required to give access to the school area. This area has previously been identified as a possible site for an Environmental Education Centre.

#### **OPTION 3 - DOVERIDGE DRIVE ACCESS**

This option relocates the shed to a site near the pre-primary centre. This would allow access off Doveridge Drive via an existing car park. No vegetation would be removed, although some playing area would be affected. It would be difficult to screen the HOPE Group recycling operations from some Doveridge

Drive residents. This option is unlikely to be supported by the Ministry of Education as current policy (Scott Report 1994) is to physically combine Grade 1 and pre-primary class rooms. Therefore, a combined Grade 1/pre-primary area is likely to be established in this region.

#### **OPTION 4 - DOVERIDGE DRIVE ACCESS**

This option utilises the existing dump bin track to relocate the shed. This site provides better access than option 2, although a suitable bin site would need to be identified. One possible site is next to the existing track to the south. This site is on the perimeter of the school's playing area and is, therefore, likely to cause less disruption. Again, the operation is open to residential view. The site is also furthest from the plant nursery which is used as a bin storage area.

Options 3 and 4 have not been addressed with the residents of Doveridge Drive and there is likely to be resistance to the proposals.

#### **OPTION 5 - GLENGARRY DRIVE ACCESS**

This option would utilise an existing pathway system through a section of Alfreton Park. Only two residences would have any visual aspect of the routes. Unfortunately, it would not overcome a fundamental residential concern - namely the use of a public park to gain access to a school based commercial venture.

Costs involved in improving the existing tracks to a reasonable standard are likely to be high.

### **Recycling Operations**

It appears that the major operation at the recycling unit is not the delivery and collection of recyclables, but rather the sorting of material. Even during peak Saturday morning periods, only three to five cars queue to deliver.

To assess this matter further information was sought from the Glengarry Primary School on the amount and type of traffic generated. The School Principal has advised as follows:

"Current vehicular movements, which are controlled by a chain over the limestone track, allow for the following:

- 1 x City truck, twice per month (8.30am - 2.00pm),  
5 tonne vehicle (cardboard, plastic codes 1 and 2)

- 
- Balcatta recycling truck, twice per month (maximum), around 8.30am on a weekday.  
(Aluminium cans, steel cans, car batteries)
  - Recycling Company of WA, twice per month (maximum), during normal school hours.
  - Privately owned truck for newspaper collections. There have been three collections so far in 1994, but this frequency may increase with the need to use a smaller truck. The three collections have taken place on Saturday mornings.
  - Community access to deposit recyclables takes place on the first Saturday of each month. Activities take place between 8.30 and 11.30 and there is an average of three vehicles at any one time on the limestone track.
  - Recycling committee members need to access the facilities from time to time. Probably one car per week would use the track for such purposes."

### Conclusions

On balance, it is considered that Option 2, which relocates the shed within school property and uses an access through the Community Purposes site, provides the best compromise solution.

The recycling shed will be within the school property as originally proposed and will be close to the site of the proposed Environmental Education Centre. Also, the access track would be on a Community Purpose Reserve, which would be a conforming use. It should be noted that this access will be formalised if and when the Community Purpose reserve is developed. The traffic generated by a community facility would be far greater than that currently observed as part of the Glengary Primary School recycling programme.

The proposal requires expenditure as follows:

1	Limestone track .....	\$1,500
2	Planting and reinstatement .....	\$500
3	School costs (shed relocation/turn-around area) ...	\$2,000

### RECOMMENDATION

That Council:

32requests the Glengarry Primary School HOPE Group Recycling Unit to relocate the shed and limestone turn-around onto school property, preferably in the vicinity of Option 2 as shown on Attachment 1 to Report

33subject to relocation of the shed, constructs a limestone standard access track at an estimated cost of \$1,500 within the Community Purpose Reserve to access Alfreton Way, as shown on Attachment 1 to Report to be funded from Verge Maintenance Account No 71025;

34removes the existing track across Alfreton Park from Alfreton Way and revegetates the area at an estimated cost of \$500 to be funded from South West Ward "Dry Park" Maintenance Account No 29085;

35advises all interested parties accordingly.

R T McNALLY  
City Engineer

DP:EMT  
Bere0815

I11224

CITY OF WANNEROO REPORT NO I11224

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 508-2, 30/3513

WARD: ALL

SUBJECT: WET AND DRY COMPACTORS IN LARGE SHOPPING CENTRES

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Knight Frank Hooker (WA) Pty Ltd has applied to Council for permission to use a Transpak 5000, 23 cubic metre wet and dry stationary waste compactor in the Lakeside Joondalup Shopping Centre.

Council's current policy is that food waste collection is controlled by its own commercial refuse collection operation. This policy was set in 1990 when there was a major review of the commercial rubbish collection service. (Item E50501 refers) Large shopping centres, such as Lakeside Joondalup Shopping Centre, have special needs and it is appropriate to review the policy.

Several shopping centres use compactors with 3 cubic metre bins. These can be serviced by Council's vehicles and operate within the current guidelines.

Council cannot service large compactor units and there would appear to be no reason to consider acquiring special vehicles to do so.

Compactor units can provide an economic rubbish disposal system which reduces costs for the shop owners with large quantities of rubbish.

The policy on handling food waste can be modified to allow large compactor units with Council maintaining its original intent of supporting a competitive and economic commercial waste collection service.

RECOMMENDATION

That Council resolves to modify its policy on the collection of commercial rubbish by adding:

"allows private waste collection companies registered with Council to collect commercial rubbish including food waste from compactor units with bins over 4.5 cubic metre capacity."

R T McNALLY  
City Engineer

RWE:EMT  
Bere1210

I11225

CITY OF WANNEROO REPORT NO I11225

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 510-1288

WARD: CENTRAL

SUBJECT: OCEAN REEF ROAD - WILDLIFE CROSSING  
REALLOCATION OF FUNDS

The construction of the southern carriageway of Ocean Reef Road, between Trappers Drive and Wanneroo Road, has been included in 1995/96 of the Five Year Roadworks Capital Expenditure Programme.

This project includes the southern extension of the wildlife crossing as shown at Attachment 1.

The traffic volumes on this section of Ocean Reef Road are rapidly increasing and considerable delays are being experienced at the Trappers Drive intersection, particularly at the evening peak period. The early construction of the southern carriageway of Ocean Reef Road in 1995/96 is recommended as it will assist with the traffic concerns at the Trappers Drive junction.

The programme for the roadworks is dependent on the construction of the wildlife crossing. The ideal time to construct the wildlife crossing is during April/May when the Lake Joondalup water levels are at their lowest. Construction of this facility in April/May 1996 will delay the opening of this important regional road link to June 1996.

Alternatively, the construction of the wildlife crossing could be brought forward to April/May 1995 with a reallocation of funds. Design drawings have been finalised and documentation could be prepared by February 1995 to allow the calling of tenders. This would allow the construction of the southern carriageway of Ocean Reef Road before the end of 1995.

The estimated cost of construction of the wildlife crossing is \$180,000.

Council approved \$300,000 in the 1994/95 Budget for the reconstruction of Karoborup Road, between Wanneroo Road and Gibbs Road. The construction programme is subject to the finalisation of acquisition of four parcels of land required to improve the horizontal alignment of Karoborup Road.

Valuations for the land are still being negotiated and the property owners have not yet signed the "Application for Approval to Subdivide" form. This form is required to be submitted to the Department of Planning and Urban Development to enable the survey to be approved and finalised. Based on other land acquisition negotiations, it is most unlikely that the land required for the Karoborup Road Upgrading Project will be acquired this financial year.

On this basis, it is considered a better use of available budget funds to defer the upgrading of Karoborup Road until land acquisition negotiations are finalised and reallocate \$180,000 to the construction of the Ocean Reef Road Wildlife Crossing. This will allow the early construction of this facility and progress the construction of the southern carriageway of Ocean Reef Road.

The land acquisition programme will be reviewed as part of the preparation of the 1995/96 Budget. Funds will be included for the Karoborup Road Upgrading Project if the negotiations are likely to be finalised during the 1995/96 financial year.

#### RECOMMENDATION

That Council:

36defers the upgrading of Karoborup Road, between Wanneroo Road and Gibbs Road, until the land acquisition programme is finalised;

37authorises, **BY ABSOLUTE MAJORITY**, in accordance with Section 547(12) of the Local Government Act the reallocation of \$180,000 from Account No 32661 Karoborup Road Upgrading, Carabooda, to enable the early construction of the Ocean Reef Road Wildlife Crossing.

R T McNALLY  
City Engineer

DRB:AT  
Berel213



I11227

CITY OF WANNEROO REPORT NO: I11227

TO: TOWN CLERK

FROM: DEPUTY CITY BUILDING SURVEYOR

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 2490/911/15

WARD: SOUTH WEST

SUBJECT: PROPOSED ADDITION TO DWELLING: LOT 911 (15)  
HELSELL COURT, SORRENTO

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APPLICATION

An application has been received from the owners of Lot 911 (15) Hellsall Court, Sorrento, seeking approval to construct a loft within the roof space of the dwelling (see Attachment 'A').

The proposed loft was deleted from the approved plans for the dwelling because the owners felt that a three storey application would delay approval.

The application for the loft has now been submitted as an amendment. Letters were sent to adjoining owners in accordance with Council Policy for an overheight dwelling.

One objection was received from the owners of Lot 910, who claim that the roof has an unnecessarily excessive roof height and are concerned about loss of views and property values.

The objecting owner's dwelling is three storey.

COMMENTS

The approved roof has a pitch of 25 degrees and is not considered to be excessive. The only windows in the loft are fixed highlights set in one gable end of the roof.

Loss of views should not be considered. There is no reason why property values are affected by a loft within a roof space.

RECOMMENDATION

That Council approve the proposed loft to be constructed within the roof space of the proposed dwelling to be constructed at Lot 911 (15) Helsall Court, Sorrento.

L.CANDIDO  
Deputy City Building Surveyor  
LC:lc  
brel2009

I11228

CITY OF WANNEROO REPORT NO: I11228

TO: TOWN CLERK

FROM: CITY BUILDING SURVEYOR

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 061-284-5

WARD: SOUTH

SUBJECT: PROPOSED PATIO: PENISTONE RESERVE CLUBROOMS

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The Greenwood Cricket Club has written to Council requesting permission to erect a 3.4m wide x 8m long, colorbond patio adjacent to the Penistone Reserve Clubrooms. The location of the patio is shown on Attachment 1. The Club has stated it will fund the work itself except for the paved floor, but has requested that Council provide the paving, possibly through levies on other uses. The Club has also stated that all insurances during construction will be effected by their nominated installer (Heritage Outdoor Leisure Centre, Joondalup), and that the Club understands that on completion, ownership of the patio will pass to the City of Wanneroo. It is implied that on completion, the City of Wanneroo will become responsible for the patios maintenance.

With respect to paving, re-cycled concrete paving slabs are available at the Works Depot for community groups such as the Greenwood Cricket Club to use (I51116 refers).

RECOMMENDATION

That Council accepts in principle the erection of a patio attached to the Penistone Reserve Clubrooms and gives permission to the Greenwood Cricket Club to erect the patio subject to:

- 1 The Club being wholly responsible for all costs associated with the construction including insurance costs;
- 2 The Club applying for paying all fees for and gaining planning approval for the patio;

- 3 The Club or the Clubs nominated installer applying for, paying all fees for and gaining a building licence for the patio; and
- 4 All construction of the patio being to the satisfaction of the City Building Surveyor.

R FISCHER  
City Building Surveyor

PW:SE/brel2006

I11229

CITY OF WANNEROO REPORT NO: I11229

TO: TOWN CLERK

FROM: DEPUTY CITY BUILDING SURVEYOR

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 3466/116/4

WARD: CENTRAL

SUBJECT: FENCE INFRINGEMENT: LOT 116 (4) AGONIS PLACE,  
WANNEROO

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INFRINGEMENTMENT

The Builder of the dwelling at Lot 116 (4) Agonis Place, Wanneroo, has constructed a fence which exceeds the height set down in Council's By Laws relating to Fencing and Private Tennis Court Floodlighting and has not been finished to the satisfaction of the City Building Surveyor.

BACKGROUND

A site instruction was served on the builder on 11 July, 1994, requiring that the fence be reduced to 1800 high as required by Council's by-laws. No action has been taken to reduce the height of the wall.

The owner of the property negotiated with the owner of the adjoining lot, to remove an existing fibre cement fence and replace it with a masonry fence. The agreement was that the fence would be rendered on the side of the wall facing the adjoining property. This has not been done.

The builder has introduced sand fill on to the road reserve verge in an effort to reduce the height. However verges must be maintained at an angle of 2% unless special approval is given by the City Engineer. Approval has not been requested.

The builder has requested on two occasions that the By-Laws be waived in regard to the height of the wall. These requests have

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been refused. The builder also advised that a petition of surrounding owners was being prepared to submit to Council requesting that the high fence be permitted to remain. However this appeared to be a stalling action as no petition has been submitted

It is considered that a Notice under Clause 12.3 of Council's By-laws should be served on the Builder requiring the wall to be finished to the satisfaction of the City Building Surveyor.

Prosecution proceedings should be instigated against the builder for failing to reduce the height of the wall.

#### RECOMMENDATION

That Council:

- (1) serve a Notice under Section 12.3 of Council's By-laws relating to Fencing and Private Tennis Court Floodlighting be served on the builder of the wall at Lot 116 (4) Agonis Place, Wanneroo, requiring the wall be finished to a standard acceptable to the City Building Surveyor;
- (2) instigate prosecution proceedings against the builder of the wall for failing to reduce the height of the wall to comply with Council's By-laws.

L.CANDIDO  
Deputy City Building Surveyor

LC:lc  
brel2010

I11230

CITY OF WANNEROO REPORT NO: I11230

TO: TOWN CLERK  
FROM: CITY BUILDING SURVEYOR  
FOR MEETING OF: COUNCIL: TECHNICAL SERVICES SECTION  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 317-2-1  
WARD: NORTH  
SUBJECT: PROPOSED PERGOLA - QUINNS MINDARIE SURF LIFE  
SAVING CLUB

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The Quinns Mindarie Surf Life Saving Club is seeking approval to build a pergola west of and adjacent to their clubhouse at Quinns Beach. The pergola is part of a series of upgrades to club facilities which are intended to:

38 Improve facilities available to existing members, thereby encouraging more active participation in all club activities.

39 Improve the appearance of the foreshore area.

40 Improve the image of the club with the objective of increasing membership. Given the recent substantial population growth in this area. Quinns Mindarie Surf Life Saving Club must increase its members in order to meet future patrol commitments.

It is appreciated that the current location of the club is deemed temporary and that any improvements will fall into the same category. However, until a permanent site becomes available, it is necessary to continue to upgrade/enhance existing facilities in order to maintain an enthusiastic membership and attract new members with the necessary skills.

RECOMMENDATION

That Council gives approval to the Quinns Mindarie Surf Life Saving Club to construct a pergola adjacent to their clubrooms subject to:

.1the Club first applying for and obtaining a building licence;

.2the Club meeting all costs associated with construction and maintenance of the pergola;

.3the lease agreement being amended as appropriate to provide for the extended lease area; and

.4the Club acknowledging in writing the pergola will become the property of the City of Wanneroo.

R FISCHER  
City Building Surveyor

GW:HW  
bre12007

I11231

CITY OF WANNEROO REPORT NO: I11231

TO: TOWN CLERK

FROM: DEPUTY CITY BUILDING SURVEYOR

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 2496/5/9

WARD: SOUTH

SUBJECT: REQUEST FOR REFUND: LOT 5 (9) CORNISH AVENUE,  
WOODVALE

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APPLICATION

A letter has been received from the builder who submitted an application for a building licence for a proposed dwelling at Lot 5 (9) Cornish Avenue, Woodvale, now seeks a refund of the building licence fees.

COUNCIL POLICY

Council's Policy J2-02 (b) states:

'No refund will be made of building licence fees except in cases of hardship when the City Building Surveyor shall submit details of the circumstances to Council for consideration.'

The builder has explained that the clients have requested that the job be put on hold as they are not certain if they can go ahead with the development.

The application was submitted on 24 November, 1994, and the licence was prepared for issue on 2 December, 1994. The licence has not been collected and validated and is now cancelled.

Because the licence was prepared for issue, it is considered that the building licence fee of \$408.00 should be refunded less 25% for administration costs (\$306.00).

RECOMMENDATION

That Council refund building licence fees of \$306.00 to the builder for the cancelled building licence for a proposed dwelling at Lot 5 (9) Cornish Avenue, Woodvale.

L.CANDIDO  
Deputy City Building Surveyor

LC:lc  
brel2008

I11232

CITY OF WANNEROO REPORT NO: I11232

TO: TOWN CLERK

FROM: CITY BUILDING SURVEYOR

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 854-1, 208-94/95

WARD: SOUTH

SUBJECT: ALEXANDER HEIGHTS DROP-IN CENTRE FOR CATA

In February 1994, Council agreed to the establishment of a Community Drop-In Centre for disabled persons adjacent to the proposed Alexander heights Hall in Mirrabooka Avenue. Council authorised the documentation and calling of tenders, item I10215 refers.

Tenders closed on 14 November 1994 and were received as follows:

Primo Constructions	\$208,224
Mike Lynch Constructions	\$239,950
Homestead Constructions	\$252,900
Dalcon Constructions	\$276,437
Longo Constructions	\$281,600
City Constructions	\$289,715
WD Petersen & Sons	\$295,266
Paradam Constructions	\$298,097
Southdown Constructions	\$305,440
Pacific Building Company	\$338,195
Esslemont & Son	\$296,579 (late tender)

Primo Constructions withdrew their tender on 16 November 1994 after checking it for accuracy.

Financial Arrangements

Income:

Home & Community Care Grant 225,000

Expenditure

Building tender (Mike Lynch Const)	239,950	
Fees, prelims and admin costs	9,917	
Prepaid headworks - plumbing	4,314	
Furniture - item	<u>10,000</u>	<u>264,181</u>

shortfall (\$39,181)

Discussions have been held with the CATA Group concerning the funding shortfall. They have indicated that they do not wish to reduce the scope of the project and that they are seeking additional funds. This process may take 3-4 months, thus exceeding the period the builders are expected to hold their prices for.

It is suggested that the three lowest tenderers are requested to hold their price until the funding issue has been resolved.

RECOMMENDATION

That Council:

- 1 advise Mike Lynch Construction, Homestead Construction and Longo Construction that there are funding difficulties that will delay a decision about 3-4 months and requests them to hold their price;
- 2 advises the balance of the tenderers they were unsuccessful.

R FISCHER  
City Building Surveyor

RF:SE

bre12005

I11233

CITY OF WANNEROO REPORT NO: I11233

TO: TOWN CLERK  
FROM: CITY PARKS MANAGER  
FOR MEETING OF: COUNCIL  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 061-293 C755-36497  
WARD: SOUTH  
SUBJECT: PETITION REQUESTING PLAY EQUIPMENT ON POYNTER  
PARK, DUNCRAIG

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A petition containing 25 signatures was received in this office on 28 November 1994 requesting that Council provide additional play equipment on Poynter Park, Duncraig.

This particular park is located in Poynter Drive, Duncraig and covers an area of 2.15 hectares.

Currently this park has two minor items of play equipment, ie one slide and one swing, and I consider that the petitioners' request for additional play equipment is justified.

**RECOMMENDATION**

That Council:

- (a) advises the petitioners that funds are not available on the current budget for the purchase of additional play equipment, and;
- (b) lists this item on the 1995/96 draft budget submissions for Council's consideration.

F GRIFFIN  
City Parks Manager

DHC:JB  
gre1205

I11234

CITY OF WANNEROO REPORT NO: I11234

TO: TOWN CLERK

FROM: CITY PARKS MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 253-7

WARD: CENTRAL

SUBJECT: PROPOSAL TO DEVELOP JOONDALUP CENTRAL PARK  
AMPHITHEATRE AS A JOBSKILLS PROJECT

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Council at its meeting on 27 April 1994 received Report No I10433 and resolved that Council defers acceptance or rejection of the proposal as submitted by the RED Group and establishes a project team to review the proposal and submit a report to Council.

Representatives of the Parks, Building and Engineering Departments have met and reviewed the proposal with the following results:

- 1 LandCorp's initial development concept for Central Park included the direct involvement and control of all design and construction works associated with this project.
- 2 Because of the complexity and magnitude of the proposed project it is considered that a project of this nature is not suitable for an unskilled and inexperienced team of workers.
- 3 The proposed development of a cultural centre within the Council buildings area may negate the requirement for an amphitheatre in close proximity to the City Centre.
- 4 If the amphitheatre construction does proceed it is considered that LandCorp should meet all costs and supervision of all construction phases as they have done in other major projects throughout Joondalup City.

**RECOMMENDATION**

That Council:

- (a) rejects the proposal as submitted by the RED Group, and;
- (b) advises LandCorp that as the initial concept for Central Park included Stage 2 Amphitheatre to be constructed by LandCorp, Council anticipates that suitable action will be undertaken by LandCorp in the near future to carry out these works.

F GRIFFIN  
City Parks Manager

DHC:JB  
grel206

I11235

CITY OF WANNEROO REPORT NO: I11235

TO: TOWN CLERK

FROM: CITY PARKS MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 061-432

WARD: NORTH

SUBJECT: MANAGEMENT PLAN FOR KINSALE PARK, MINDARIE

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The City of Wanneroo has developed a draft management plan for Kinsale Park. A copy has been placed in the Councillors' Reading Room and a separate copy has been forwarded to all Councillors for their perusal.

Kinsale Park is located in the residential suburb of Mindarie and covers an area of 5.8 hectares of coastal heathland bounded by Duncannon Rise, Kinsale Drive and Caldera Close.

The objectives of the management plan are to conserve the bushland, prevent further degradation, plan for passive recreation use and facilitate environmental management of the area.

The plan emphasises the necessity of retaining this area as a representative sample of coastal heathland, particularly as this vegetation type has diminished in extent greatly in recent years due to the widespread clearing of coastal heathland in response to the demand for coastal land for residential development.

A survey of public attitudes undertaken in the surrounding area received an overwhelmingly positive response to the proposed conservation of Kinsale Park. A high proportion of respondents also demonstrated a willingness and desire to become involved in the management of the reserve. These responses highlight the value to the community of such an area of remnant bushland.

Recreation in the area will be limited to passive forms, ie birdwatching, bushwalking. Minimising the impact of recreation

on the reserve by providing formal access trails will ensure that rehabilitation of the degraded areas and the future protection of undisturbed indigenous vegetation will be possible.

**Recommendations**

That Council:

a) endorses the attached management plan for Kinsale Park and;

b) accepts the proposal to class Kinsale Park as a Conservation Reserve.

F GRIFFIN  
City Parks Manager

DS:JB  
gre1001

I11236

CITY OF WANNEROO REPORT NO: I11236

TO: TOWN CLERK

FROM: CITY PARKS MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 061-243

WARD: SOUTH

SUBJECT: MANAGEMENT PLAN FOR MONTROSE PARK, GIRRAWHEEN

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The City of Wanneroo has developed a draft management plan for Montrose Park. A copy has been placed in the Councillors' Reading Room and a separate copy has been forwarded to all Councillors for their perusal.

Montrose Park is bounded by Montrose Avenue, Mirrabooka Avenue, Chataway Road and residential blocks to the west and covers an area of 6.8 hectares of Banksia woodland.

The objectives of the management plan are to prevent further degradation of the bushland and facilitate both passive and active recreation.

It is proposed to limit active recreational facilities to the existing four (4) tennis courts, carpark, toilet/changerooms and a small grassed play area. These facilities are consolidated in the northwest corner of the reserve. The provision of formal access trails will provide facilities for passive recreation users of the bushland.

A key objective of the Green Plan, a scheme devised by the City of Wanneroo to preserve and enhance the local environment, is to have adequately sized samples of each vegetation type existing within the City of Wanneroo represented in Conservation Reserves.

These are managed to enhance their intrinsic qualities as examples of indigenous remnant bushland. Conserving the Montrose Park Banksia woodland will complement this objective.

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Another important aspect to be considered is the enormous educational value of bushland remnants where local flora and fauna can be seen in their natural state. This is reflected by students from the nearby Mercy Primary School who consider Montrose Park of particular interest and educational importance and for the past three (3) years have enthusiastically undertaken planting projects in the reserve.

**RECOMMENDATION**

That Council:

- a) endorses the attached management plan for Montrose Park and;
- b) accepts the proposal to class Montrose Park as a Conservation Reserve.

F GRIFFIN  
City Parks Manager

DS:JB  
gre1002

I11237

CITY OF WANNEROO REPORT NO I11237

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 510-664, 510-1822

WARD: CENTRAL

SUBJECT: JOONDALUP BUSINESS PARK - ADDITIONAL ACCESS  
ROADS TO HODGES DRIVE AND SHENTON AVENUE

The Joondalup Business Association has recently instigated meetings with LandCorp, Main Roads WA and the City's Engineering Department on the provision of additional access points to the Business Park. This has been in response to the difficulties perceived by the Association members regarding adequate access to the Business park.

The Association's position is that it considers "there is an absolute need to have additional entry and exit roads to the Park. The existing Aston and Cord Street facilities are inadequate to service the Park currently, let alone at full capacity. The difficulties already obvious will be exacerbated dramatically as the road usage and demand on services within the Park grows".

Following discussion and technical investigations on the feasibility of a southern access road, the Association formally supports the construction of a road, between Winton Road (south) and Hodges Drive.

In addition, the Association considers that "a road between Shenton Avenue and Winton Road (north) to be also of critical importance and the current information would seem to suggest that it is practical from an engineering road safety aspect. It is generally agreed that the suitable location for such a road would be by utilising part of Lot 78 Winton Road. This land is currently privately owned and as such, the Association requests the City of Wanneroo to resume Lot 78 or at least part

thereof, so the possibility of road construction can be pursued".

#### Existing Road Layout

The layout of the Joondalup Business Park, as shown on Attachment 1, currently provides for two access points to Joondalup Drive being the recently signalised intersection at Cord Street and a channelised Tee junction at Aston Street.

The Aston Street junction layout incorporates an exclusive right turn acceleration lane in Joondalup Drive to assist primarily with Transperth buses right turn movements.

The City Centre traffic study report has estimated that the Business Park will generate 14,000 vpd. The two access points onto Joondalup Drive with the projected traffic volumes have been modelled to be satisfactory. This is on the basis of the overall Transportation Policy adopted for the City Centre. Joondalup Drive in its ultimate configuration will be 6 lanes and be heavily congested.

The section of Joondalup Drive, north of Hodges Drive, currently carries approximately 20,000 vpd.

#### City Centre Transportation Policy

The City Centre's transportation policy has been planned to serve the Centre from its initial stages of development to the level sustaining an employment of 40,000, a student population of 18,500, 80,000m<sup>2</sup> of retail floor space and a comprehensive range of residential, civic, cultural and sporting facilities.

The Policy recognises that "transportation in the initial stages of development will provide easy and quick access to the Centre by rail, bus, car and bicycle. A generous supply of office parking will be provided for convenience to encourage development and attract employees. The initial development of office and commercial sites will benefit from good accessibility and ample parking.

The long term transportation system for the Centre will encourage commuters to travel by public transport. A key aim of this policy is that public transport should ultimately carry at least 25% of all peak trips to and from the Centre, and that this level should be targeted to occur within 30 years.

It will be ultimately achieved by:

- \* Provision of a high standard of bus and rail transport, including possible future extension of the Northern Suburbs Railway beyond Burns.
- \* Provision of bus priority measures on arterial routes for quick access of buses into the Centre.
- \* Limiting the traffic capacity of roads serving the Centre in the long term thus restricting the number of cars able to achieve easy access.
- \* Limiting office car parking supply in the long term in order to restrict the number of cars entering the Centre.
- \* Provision of an extensive network of pedestrian, dual use and cycle paths to encourage pedestrian and bicycle movement in safety".

The future traffic lane capacities of the major road and proposed traffic signals are shown on Attachment 2.

This policy must be carefully considered in determining additional access roads and their impact on the overall development.

#### Southern Access to Hodges Drive

The need for a southern access to Hodges Drive has been an issue actively promoted particularly for Transperth bus movements. The short distance between the Mitchell Freeway and Joondalup Drive effectively prevented any connection.

Main Roads WA review of the interchanges associated with the Mitchell Freeway, from a "Cloverleaf" to a "Diamond" layout resulted in additional land being available in the south eastern corner of the Business Park, as shown on Attachment 1.

Accordingly, LandCorp received planning approval in 1993 to subdivide this land with a cul-de-sac frontage road. In view of the submissions, the feasibility of connecting the cul-de-sac to Hodges Drive to provide a left in/left out junction has been evaluated with LandCorp's Traffic and Design Consultants, Main Roads WA and Transperth. While this proposed access point is in close proximity to the future ramps of the Mitchell

Freeway, Main Roads WA considers the left in/left out concept to be satisfactory. This left in/left out arrangement is shown on Attachment 3. This concept has been developed after careful consideration of the vertical and horizontal geometry of Hodges Drive at this location.

A main benefit of this access in the short term will be for Transperth bus movements enabling a left turn out onto Hodges Drive and then a right turn at the Joondalup Drive traffic signals. This is seen as desirable as the development of the City Centre land, east of Joondalup Drive near the Basketball stadium and associated access points onto the Joondalup Drive, will require the Aston Street right turn "bus" acceleration lane to be removed.

In the longer term, Hodges Drive will function as a six lane dual carriageway and be heavily congested. The access into the Business Park may need to be controlled to a left in only from Hodges Drive.

The approval of this access point, from Hodges Drive into the Business Park, also effectively controls future access to a "left in/left out" from Hodges Drive to the southern Business Park Technology Precinct. LandCorp has agreed to this access limitation.

As part of the negotiations on the provision of the southern access, LandCorp has accepted responsibility to fund all the works, as shown on Attachment 3, and modify the subdivision plans. On this basis, the proposal is supported.

#### Northern Access to Shenton Avenue

The option of providing an access point, from Winton Road (north) to Shenton Avenue, is constrained with private ownership of the land, the majority of the lots being developed, the location of the Railway rapid transit route and also proximity to the future ramps associated with the Mitchell Freeway.

A mid-block location that utilises the western portion of Lot 78 has been suggested as a practical option.

#### Design

Preliminary investigations indicate that an access road can be located on the western portion of Lot 78, as shown on

Attachment 4. However, any access onto Shenton Avenue needs to be co-ordinated with the future Arena access road and therefore would be limited to "left in and left out". This traffic flow control will enable the Arena access road to provide for the major projected turning movements of left in and right out on Shenton Avenue. The proposed future intersection layout is shown on Attachment 5. The approval of the proposed northern access from the Business Park onto Shenton Avenue will effectively determine that the right turn movement from the Arena Access Road will be prevented until the median in Shenton Avenue is constructed. The creation of a "4-way" intersection is not considered appropriate.

#### Traffic Flows

The Business Association has raised concerns about the existing congestion at Cord Street and Ashton Street.

The intersection of Cord Street has been recently signalised with the opening of the access into the Lakeside Shopping Centre.

Traffic surveys of the existing peak flows at Cord Street, as shown on Attachments 6 and 7, indicate that some congestion is occurring particularly in the afternoon peak period. The provision of a northern connection to Shenton Avenue, with a left in/left out movement can assist in improving some of the traffic movements at Cord Street.

#### Land Availability

Lot 78 is privately owned and Council in October approved a development application on this site for Warehouses and Showrooms. The owners representatives are aware of the road proposal and have indicated that they are prepared to discuss the provision of land for the road. An early firm response on the need for the land is sought due to existing development programming.

It has been indicated that the owners are prepared to negotiate the land acquisition at market rates. Lot 78 has an area of 5868 square metres. It is proposed that a 20 metre road reserve be created, requiring a total of approximately 2160 square metres, to be excised from this lot. It has also been indicated that with the reduced lot size and frontage to Winton Road consideration is likely to be sought on access to the new

road. If access is approved to the revised lot, the construction of the road would also need to be advanced.

The proposed road reserve also transverses a small portion of Lot 170 which is Railway Reserve owned by Westrail. Preliminary indications are that Westrail has no objection to this proposal in principle.

#### Funding

The estimated cost of the road construction, including works in Shenton Avenue, is in the order of \$60,000. This excludes landscaping costs. The acquisition of the land at recent indicated market rates is in the order of \$250,000.

The total cost of this project is therefore in the order of \$310,000 and does not include statutory fees for surveys and creation of the road reserve.

The proposed access connection will only provide for left in and left out movements at Shenton Avenue. While this access will assist to improve circulation movements to the north of the Business park the cost benefits of the project are considered to be low to moderate and the project has therefore a low priority ranking in relation to other City projects.

However, it is recognised that a current opportunity exists to acquire the land for this road.

Council has not allocated any funds in this year's budget for the land acquisition or road construction. The land acquisition process is likely to take a period of six months. Therefore, on suitable acquisition of the land, the cost of the road construction could be considered in the draft 1995/96 Budget.

The main cost of the project is the land acquisition.

The development of the Business Park and City Centre has been the charter of LandCorp. Therefore, it is considered that a cost sharing arrangement would be equitable for the project and contributions should be sought from LandCorp. The preferred arrangement is for LandCorp to undertake with the Joondalup Business Association the acquisition of the necessary land. This would enable the road construction works to be programmed by the City early in the 1995/96 financial year.

RECOMMENDATION

That Council:

41approves the construction of a left in/left out access road from Hodges Drive to Winton Road (south) subject to LandCorp undertaking at its expense the funding of these works to the satisfaction of the City Engineer;

42approves, in principle, the provision of a left in/left out access road from Shenton Avenue to Winton Road (north) with funds to construct the road being considered for inclusion in the 1995/96 Budget subject to LandCorp acquiring the land from Lot 78 for the road reserve;

43advises the Joondalup Business Association and LandCorp accordingly.

R T McNALLY  
City Engineer

PP:AT  
Bere1219

I21200A

CITY OF WANNEROO

TOWN PLANNING SECTION

REPORTS FOR COUNCIL

21 DECEMBER 1994

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**I21212**

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**CITY OF WANNEROO REPORT NO: I21212**

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 290-1

WARD: ALL

SUBJECT: DEVELOPMENT ASSESSMENT UNIT -  
1 NOVEMBER TO 30 NOVEMBER 1994

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Overleaf is a resumé of the development applications processed by the Development Assessment Unit from 1 November to 30 November 1994.

## RECOMMENDATION:

That Council endorses the action taken by the Development Assessment Unit in relation to the applications described in Report.

O G DRESCHER  
City Planner

gap:gm  
pre941234  
2.12.94

I21213

CITY OF WANNEROO REPORT NO: I21213

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/4914

WARD: CENTRAL

SUBJECT: PROPOSED CHILD CARE CENTRE ON LOTS 90 AND 91  
DIABLO WAY, CONNOLLY

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential Development  
APPLICANT/OWNER: G M Campbell  
CONSULTANT: J & P King  
APPLICATION RECEIVED: 16.9.94  
DAU: 27.9.94  
APPLICANT CONTACTED: 28.9.94, 28.10.94  
ADVICE RECEIVED: 29.9.94  
REPORT WRITTEN: 1.12.94

SUMMARY

This application for a Child Care Centre cannot be supported because of the inappropriate location of the centre at the junction of Marmion Avenue and Diablo Way, inadequate on-site parking provisions, and the inappropriate existing road treatments on Diablo Way.

PROPOSAL

Lots 90 and 91 total 1,567m<sup>2</sup> in area. They are zoned Residential Development and are located at the corner of Marmion Avenue and Diablo Way.

The proposal is to cater for babies and children to six years old between 7am and 6pm. The centre is proposed to operate with either 63 children and 11 staff or 54 children and 9 staff. At

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least one of these staff would be part-time. The first option is preferred by the applicant.

#### ASSESSMENT

Child Care Centres are an AA use in the Residential Development zone requiring Council's approval and advertising on site for 30 days. Advertising concluded on 4 November 1994. A petition of 65 signatures and nine letters were received, all objecting to the proposal.

The issues of concern are summarised below:

- .1 extra traffic generated by this activity will cause congestion at Marmion Avenue intersection, increased noise and be hazardous to motorists using Marmion Avenue, Diablo Way or Fairway Circle;
- .2 possible roadside parking;
- .3 likelihood of using Mission Hills Place cul-de-sac as a pick-up/drop-off area and walking through to the centre thus increasing traffic hazards to children playing on this road;
- .4 loss of residential amenity due to the possible aesthetics of the development and the noise generated by such a use;
- .5 invasion of privacy of adjacent landowners and damage to common fences;
- .6 proximity of another centre 2km away and the long-term viability of the proposed and existing centres;
- .7 devaluation of property values.

Marmion Avenue presently narrows to two lanes just south of Diablo Way with localised widening around this junction (see Attachment No 4). Extension of the dual carriageway past this point is currently being planned and is intended to be adopted in Council's 1995-96 budget.

Significant vehicular movement at this intersection has been noted between 8.15 am and 9.00 am in a recent traffic survey by Council's Engineering Department resulting in queuing of vehicles in Diablo Way waiting to turn into Marmion Avenue. This

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situation is likely to be compounded by the future construction of the eastern dual carriageway by lessening the available distance for queuing (see Attachment No 5).

The median openings (see Attachments 4 and 5) would permit right turn access into the proposed centre. This is a major safety concern because it will result in haphazard traffic movements as parents try to enter and leave Lots 90 and 91 from different directions and parents may also choose to park in the median breaks causing further hazards. This situation would be undesirable in normal residential circumstances, but particularly since children are involved and vehicular activity will occur at definite peak times.

The existing breaks in the median strip would need to be closed to ensure safe access. This would cause vehicles turning right off Marmion Avenue to travel to the end of Diablo Way and return from the roundabout to enter the centre at the proposed accessway on Lot 90 and leave via the accessway on Lot 91. Since the median configuration was designed solely for residential purposes. Any such proposal would need the support of all affected residents on Diablo Way. Considering one of these residents has already expressed opposition to the proposal, such support may not be forthcoming.

Mission Hills Place is unlikely to be used to drop-off or pick-up children given the distance of the cul-de-sac head from Fairway Circle. This is not likely to be a popular option for parents who have to check children in and out of the centre. Parking on the Diablo Way would be a problem given the location of existing and proposed crossovers and reinforces the importance of the amount and configuration of on-site parking.

The development proposes to utilise an existing dwelling which is to be extended but will, nevertheless, look like an ordinary dwelling. Only the car parking and play areas will differ from the residential norms but would need to be landscaped in accordance with Council's standards for commercial-type developments.

All yard areas of adjacent lots abut designated outdoor play areas. Noise generation has not been a problem at other centres because children are supervised.

The proposal has been assessed in the light of Council's draft policy on Child Care Centres. The policy recommends lot sizes 1,200-2,000m<sup>2</sup> (preferably a minimum of 1,500m<sup>2</sup>), a frontage of

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50m<sup>2</sup> to facilitate desirable levels of access and parking and the provision of one car bay per five children and one bay per staff.

Amalgamation of the lots would result in a lot of 1,567m<sup>2</sup> with a frontage of 46.5m<sup>2</sup>.

A total of 24 bays would be required for Option 1 (applicant's preferred option) and 20 bays for Option 2. Only 18 bays have been proposed because the applicants wish to maximise outdoor play area and two of these bays are proposed as tandem staff parking. Tandem parking is not supported due to the nature of the use with a concentration of parking requirements in morning and afternoon peaks and in view of the fact that tandem parking has not been successful to date in commercial type developments.

The proposal may be capable of being modified to comply with most aspects of Council's draft Child Care Centres Policy. However, this is not regarded as an acceptable use at the corner of the relatively busy link road to Marmion Avenue with the present road treatments. The road treatments would have to be amended to prevent the centre being accessed by crossing Diablo Way and to prevent parking in the centre of the road. Without the support of the affected residents, such an amendment would be unlikely to occur.

#### RECOMMENDATION:

THAT Council advises the applicant, P & J King, on behalf of the owner G M Campbell, that it does not approve the application for a Child Care Centre on Lots 90 and 91 Diablo Way, Connolly, because of the inappropriate location of the centre close to the junction of Marmion Avenue and Diablo Way, inadequate on-site parking provisions and the inappropriate traffic access on Diablo Way.

O G DRESCHER  
City Planner

hjj:gm  
pre941202

16.11.94

I21214

CITY OF WANNEROO REPORT NO: I21214

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/2067

WARD: NORTH

SUBJECT: USE APPROVAL FOR MEDITATION CLASSES, LOT 3  
(24) WELLS STREET, MARIGINIUP

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METRO SCHEME: Rural  
LOCAL SCHEME: Rural  
APPLICANT/OWNER: R S J & S Powley  
APPLICATION RECEIVED: 1.11.94  
APPLICANT CONTACTED: 29.11.94  
REPORT WRITTEN: 2.12.94

SUMMARY

This application to teach meditation to a maximum of six people in the dwelling on this Rural lot within Planning Control Area No 16 will have minimal impact on surrounding residents. It is therefore recommended to the Department of Planning and Urban Development (DPUD) in its determination of the proposal.

BACKGROUND

Lot 3 is 4.0697ha in area and zoned Rural. It is located in Planning Control Area No 16 requiring the determination of DPUD and is presently used for mushroom farming.

The applicant has applied for funding under the New Enterprise Scheme. The proposal cannot be considered as a Home Occupation because it involves people visiting the property and an accompanying increase in traffic and parking provisions. It can be considered under the Town Planning Scheme as an Educational Establishment, defined as:

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*"... means a school, college, university, technical institution, academy or other educational centre, or a lecture hall, but does not include a reformative institution or institutional home."*

An educational Establishment is an AA use under the Town Planning Scheme, a use not permitted without Council's approval. The proposal is to teach a maximum of six people meditation in the lounge-room of the existing dwelling.

The application has been forwarded to DPUD who are awaiting Council's recommendation.

#### ASSESSMENT

The existing dwelling is approximately 200m from Wells Street and accessed separately from the mushroom farm activities located forward of the lot.

Parking for six vehicles is provided adjacent to the house.

It is considered that this use will have minimal impact on the surrounding residences and is supported subject to a maximum of six people attending at any one time. Any increase in numbers would require reassessment by Council. It is also recommended that Council does not advertise this application for the normal 30 day period due to the nature of the proposal.

#### RECOMMENDATION:

THAT Council advises the Department of Planning and Urban Development that it supports the use of the dwelling on Lot 3 (24) Wells Street, Mariginiup for meditation classes, subject to a maximum of six people attending at any one time and approval being granted only to Mr and Mrs Powley who shall reside at the premises while they are being used for meditation classes.

O G DRESCHER  
City Planner

hjc:gm

pre941231  
2.12.94

I21215

CITY OF WANNEROO REPORT NO: I21215

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/3780

WARD: CENTRAL

SUBJECT: USE APPROVAL FOR CHURCH, LOT 31 (71) UNIT 3,  
WINTON ROAD, JOONDALUP

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METRO SCHEME: Urban  
LOCAL SCHEME: Service Industrial  
OWNER: S Caple  
APPLICANT: K Veld  
APPLICATION RECEIVED: 7.10.94  
DAU: 11.10.94  
APPLICANT CONTACTED: 18.11.94  
ADVICE RECEIVED: 2.12.94  
REPORT WRITTEN: 2.12.94

SUMMARY

An application has been received for a unit to be converted into a church use. As the operating hours of the proposed church are not anticipated to coincide substantially with the existing uses on Lot 31, the application is supported.

BACKGROUND

The subject lot is located in Joondalup Business Park on the west side of Winton Road between the intersections with Delage Street and Ascari Lane. The property comprises nine showroom units and is zoned Service Industrial.

The applicant requests a use approval for conversion of Unit 3 to a church. This church use, or Public Worship as termed by Town Planning Scheme No 1, is an AA discretionary use under Council's

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Town Planning Scheme No 1 and therefore was the subject of 30 day advertising. Each of the owners and occupiers of the site were notified of the proposal and given thirty days to comment.

After the 30 day advertising period, five submissions were received of which three were objections. The nature of objections are listed below:

1. The proposed church use is not compatible with the existing uses in that these already compete for car parking on the site and such a use would propound the problem with the numbers expected to attend such a facility.
2. As the present uses are of a "commercial" type, the proposed use would detract from potential business to this property. If the unit was used for a business similar to those already existing at the property presently it would encourage the trade of the units already established.
3. The nature of business of the present uses would likely cause a conflict with loading and unloading of vehicles which may occur during church service times.

With regard to Items 1 and 3 above, given the church service is likely to generate the greatest number of cars on a Sunday morning, there would be little likelihood that a parking or traffic problem would occur as the Sunday service would not conflict with the normal trading hours of other businesses.

Further, in relation to Item 2 above, it could not be proven that the church use would discourage commercial activity and, in addition, this is not a valid planning concern in consideration of such an application.

The proposed church, Berea Christian Centre, anticipates 80 people occupying the premises at their church services which are held on Sunday from 9.00 am to 12.00 noon. Further, the applicant advises church meetings would take place during the week and cites an example of music practise on a Monday evening with approximately ten people attending.

In addition to the services and meetings, the applicant also proposes to operate a bookshop selling Christian books, tapes, gift items and other religious paraphernalia. Generally this would operate after church services on a Sunday, but the

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applicant wishes to locate the bookshop to the shop-front of the unit and operate every day of the week.

#### ASSESSMENT

The parking ratio prescribed for such a use under the Scheme is one bay per four persons accommodated. The site provides 68 car parking bays in total. Given that the number of people attending the premises at any one time will be a maximum of 80 people, the maximum car bays required for this use would be 20. Thus, based on the assumption that church service times will not coincide substantially with other uses, the car parking provision is adequate. It should be noted that a hardware store and health studio would also be trading during the time church services would be held but the anticipated car parking generated by these uses (16 bays based on the one bay per 30m<sup>2</sup> requirement for the Service Industrial zone) can still be accommodated comfortably leaving a surplus of 32 car bays.

As mentioned earlier in this report, the applicant wishes to utilise the front portion of the unit for a bookshop to be operated every day of the week. Approval of this aspect of the proposal should be conditional upon this use being incidental to the predominant church use to prevent the operation of a book shop which is prohibited in the Service Industrial Zone. Accordingly, the sale of books should be limited to members of the congregation and carried out when members are present for church services and meetings.

Given the proposed use is not likely to substantially coincide with the operating hours of uses presently on the site and given that book sales are likely to be incidental, the application is supported subject to a twelve month trial period to ensure that the use does not create a parking problem.

#### RECOMMENDATION:

THAT Council approves the application for a use approval of a church, as submitted by Mr Koert Veld on behalf of Mr Steve Caple on Lot 31 (71) Winton Road, Joondalup, subject to:

44the use being approved for a period of twelve months only, so that Council may determine the impact of the proposed uses on the parking provided on Lot 31;

45sale of religious books and other religious material shall be incidental to the predominant church use,

located in an appropriate area to the satisfaction of the City Planner and shall only serve congregation members attending church services and meetings;

46standard and appropriate conditions.

O G DRESCHER  
City Planner

vc:gm  
pre941232  
5.12.94

I21216

CITY OF WANNEROO REPORT NO: I21216

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/308

WARD: SOUTH-WEST

SUBJECT: ADDITIONS AND ALTERATIONS TO CHURCH, LOT 1025  
(256) CAMBERWARRA DRIVE, CRAIGIE

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METRO SCHEME: Urban  
LOCAL SCHEME: Special Development A  
APPLICANT/OWNER: Roman Catholic Archbishop  
CONSULTANT: John Loreck, Architect  
APPLICATION RECEIVED: 31.10.94  
DAU/SCU: 8.11.94  
APPLICANT CONTACTED: 23.11.94  
ADVICE RECEIVED: 30.11.94  
REPORT WRITTEN: 1.12.94

SUMMARY

An application has been received for additions and alterations to the existing Our Lady of the Mission Church. The applicant advises that the proposal will not increase congregation numbers and will not create a need for additional car parking. Consequently, the application is supported.

BACKGROUND

Council should note that an approval of the parish meeting rooms was granted by Council in December 1990 with a shortfall over the total site of 21 car bays, on the basis that the operating hours of the multiple uses of the site did not substantially coincide. Since then there have not been any problems experienced with car parking in relation to this site.

The subject site is zoned Special Development A and is located on the west side of Camberwarra Drive, south of its intersection with Barradine Way in Craigie. The church is flanked by the presbytery and parish meeting rooms on its south and the frail aged and convent buildings and primary school to its north.

The proposal comprises extensions to the existing church in order to increase the floor area to include priest's and server's sacristies, toilets, storeroom, foyer and reconciliation rooms. Currently, the existing church can accommodate 616 people seated in pews and loose chairs. This proposal aims to reduce the number of seating to 579 and confining it to pews only.

#### ASSESSMENT

The proposal generally complies to Council's development standards for such uses although the applicant seeks a continued dispensation with regard to any additional provision of car parking on the site. The number of car parking bays required for the church use is 145 bays. This is based on the scheme requirement of one bay per four persons accommodated. The site itself provides 150 car parking bays in total which are shared with the other facilities mentioned earlier in the report. Not all parking bays are marked on the site and approval should be conditional upon these being marked. The applicant has provided a schedule of uses and their operating hours over the total site in order to demonstrate that the operating hours of the various other uses will not coincide with those of the church. The uses and car parking requirements are summarised in the table below:

DAY	USE	CAR PARKING REQUIREMENTS
Mon-Fri 8.30am-3.30pm	Primary School 16 class rooms	32
Tues & Thurs 10.30am-12.00pm	Parish Centre 20 people	5
Saturday 8.30am-9.00am	Church 40 people	10
Sunday 8.00am-9.00am	Church 250 people	63
Sunday	Church	88

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9.30am-10.30am      350 people

Sunday                      Church                      75  
 11.00am-12.00pm      300 people

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EVENING	USE	CAR PARKING REQUIREMENT
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Monday 8.00pm-9.30pm	Parish Centre 15 people	4
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Friday 7.00pm-9.00pm	Parish Centre 30 people	8
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Saturday 6.30pm-7.30pm	Church 300 people	75
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The table demonstrates that for a church attendance of 60% capacity the number of car bays required on the site is 88 bays. Further, for the most part, the operating hours of the various functions do not coincide. Only on weekdays the primary school and parish meeting rooms would be used simultaneously. In this instant this would occur for 1.5 hours and would generate a 37 car bay requirement which obviously can be comfortably accommodated.

In total the primary school and meeting rooms combined with the proposed seating capacity of the church would create a requirement of 191 car bays, in total. Therefore, there is a shortfall of 41 car parking bays on the site. It should be noted that as Council has previously approved a shortfall of car bays on this site (in December 1990) and consequently no parking problems have been experienced since, this deficiency is supported.

As the proposed extensions are essentially reducing the capacity of the church and the operating hours of the various uses of the site do not substantially coincide I recommend approval of proposal.

#### RECOMMENDATION:

THAT Council approves the application for addition and alterations for the church, as submitted by John Loreck Architect, on behalf

of the Roman Catholic Archbishop on Lot 1025 (256) Camberwarra Drive, Craigie, subject to:

47the provision and re-marking on site of 150 car parking bays;

48standard and appropriate conditions.

O G DRESCHER  
City Planner

vc:gm  
pre941229  
1.12.94

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**I21217****CITY OF WANNEROO : REPORT NO I21217**

TO: TOWN CLERK  
FROM: CITY PLANNER  
FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 740-1  
SUBJECT: SUBDIVISION CONTROL UNIT FOR MONTH OF  
NOVEMBER 1994

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Overleaf is a resume of the Subdivision Applications processed by the Subdivision Control Unit since my previous report. All applications were dealt with in terms of Council's Subdivision Control Unit Policy adopted at its December 1982 meeting (see below).

- 3.1 Subdivision applications received which are in conformity with an approved Structure Plan by resolution of Council.
- 3.2 Subdivision applications previously supported by Council and approved by the State Planning Commission
- 3.3 Applications for extension of subdivision approval issued by the Department of Planning and Urban Development which were previously supported by Council.
- 3.4 Applications for subdivision which result from conditions of Development Approvals issued by Council
- 3.5 Applications for amalgamation of lots of a non-complex nature which would allow the development of the land for uses permitted in the zone within which that land is situated.
- 3.6 Subdivision applications solely involving excision of land for public purposes such as road widenings, sump sites, school sites and community purpose sites.

RECOMMENDATION:

THAT Council endorses the action taken by the Subdivision Control Unit in relation to the applications described in this Report

O G DRESCHER  
City Planner  
gap:gm  
pat003

I21218

CITY OF WANNEROO REPORT NO: I21218

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-95058, 740-95059

WARD: CENTRAL

SUBJECT: PROPOSED SUBDIVISION, LOTS 3 AND 4 COOGEE ROAD, MARIGINIUP

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METRO SCHEME: Rural  
LOCAL SCHEME: Rural  
APPLICANT/OWNER: M & A S McCaffrey & RH & MC Reeves  
CONSULTANT: Urban Focus  
APPLICATION RECEIVED: 8.8.94  
DAU/SCU: 8.9.94  
ADVICE RECEIVED: 1.9.94  
REPORT WRITTEN: 30.11.94

SUMMARY

Two applications have been received for the subdivision of Lots 3 and 4 Coogee Road, Mariginiup, one seeking the creation of four lots and the other for eight lots. As the proposed lot sizes in both applications do not comply with Council's Rural Subdivision Policy and may be affected by the East Wanneroo District Transport Study, it is recommended that the applications should not be supported.

SITE DESCRIPTION

Lot 3 Coogee Road is 4.4525 hectares in area and has frontage to both Coogee Road and an unconstructed road to the east (see Attachment No 1). It is flat to undulating and contains two dwellings and several associated outbuildings.

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Lot 4 Coogee Road is 4.4776ha in area and gains access to Coogee Road from a battleaxe leg which runs down the western side of Lot 3. It also has a frontage to the unconstructed road to the east.

A dwelling and outbuilding exist on the lot which is flat to undulating.

#### PROPOSAL

The applicant has submitted two separate proposals to subdivide Lots 3 and 4. The first proposes four lots ranging in size from 2ha to around 2.6ha (Attachment No 2). Here, two lots are proposed to directly front Coogee Road and would each contain an existing dwelling. The two proposed rear lots would gain access to Coogee Road via the existing battleaxe leg.

The second application proposes to create eight lots ranging in size from around 1.0ha to 1.8ha (Attachment No 3). Again, two lots would directly front Coogee Road and contain the two existing dwellings. The remaining six lots would have frontage to the unconstructed road to the east.

The State Planning Commission (SPC) has recently sent Council notice of its refusal to the second proposal.

#### ASSESSMENT

Council's Rural Subdivision Policy stipulates a 4ha minimum lot size for rural land in this locality. As such the proposed lot sizes under both applications do not comply with this requirement.

Development approval for the second dwelling on Lot 3 was issued in 1982. Council's current policy in respect of two dwellings on one lot (G3-36) requires a deed to be entered into whereby the landowner agrees not to seek further subdivision of the lot. In this case, however, the second dwelling was approved prior to Council's adoption of this requirement.

The subject land is located within the East Wanneroo District Transport Study area and that study is yet to be finalised. Although under Council's preferred scenario both Coogee Road and Lots 3 and 4 would remain unaffected, if an alternative scenario is endorsed by the SPC then Coogee Road may require widening in this vicinity.

In respect of the first proposal which remains undetermined, Council normally requires a minimum width of 10 metres for rural

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battleaxe legs. In this instance, two adjoining battleaxe legs of 5 metres each are proposed. This situation is only considered acceptable where a single driveway is constructed and a reciprocal access agreement is entered into. Suitable conditions would be required to deal with this issue should Council decide to support this application.

Given the number of existing buildings on the two lots, it is also suggested that should Council support the application, the standard conditions regarding building setbacks to proposed boundaries should be applied.

RECOMMENDATION:

THAT Council does not support the applications submitted by M and A S McCaffrey and R H and M C Reeves for the subdivision of Lots 3 and 4 Coogee Road, Mariginiup for the following reasons:

1. the proposals are inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 4 hectares in area;
2. the East Wanneroo District Transport Study and therefore possible future road widening requirements for Coogee Road have not yet been determined;
3. support for this proposals would establish an undesirable precedent for further subdivision in the locality;
4. the proposals represent fragmentation of the rural area in this locality and would diminish its rural integrity.

O G DRESCHER  
City Planner

sgw:gm  
pre941228  
1.12.94

I21219

CITY OF WANNEROO REPORT NO: I21219

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-95639

WARD: NORTH

SUBJECT: PROPOSED SUBDIVISION, SWAN LOCATION 7637  
PINJAR ROAD, PINJAR

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METRO SCHEME: Rural  
LOCAL SCHEME: Rural  
APPLICANT/OWNER: D H Kelly  
APPLICATION RECEIVED: 27.9.94  
DAU/SCU: 13.10.94  
REPORT WRITTEN: 5.12.94

SUMMARY

This proposal is for the subdivision of Swan Location 7637 Pinjar Road, Pinjar into three lots. As the proposed lot sizes do not comply with Council's Rural Subdivision Policy and are smaller than the Environmental Protection Authority considers environmentally acceptable in this location, it is recommended that the application not be supported.

SITE ASSESSMENT

Location 7637 is 11.1100ha in area and has road frontage to Pinjar, Ziatas and Spence Roads (see Attachment No 1). The site is undulating and mostly cleared, with the exception of some scattered remnant native vegetation. A dwelling and outbuilding exist on the lot fronting Pinjar Road.

PROPOSAL

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The applicant proposes to subdivide the lot into three lots of 7.0558ha, 2.0252ha and 2.0251ha as shown on Attachment No 2. The applicant would retain the 7.0558ha lot which would contain the residence and outbuilding. The other two lots would be sold to settle property matters with the applicant's ex spouse.

#### ASSESSMENT

Council's Rural Subdivision Policy stipulates a minimum lot size of 20ha for rural land in this locality. As such, the proposed lot sizes do not comply with this requirement.

Furthermore, Council is in receipt of correspondence from the Environmental Protection Authority (EPA) to the State Planning Commission advising that in accordance with the EPA Position Statement for Lake Pinjar, the proposed lot sizes are less than that which is considered environmentally acceptable.

Should Council decide to support this application a condition regarding the provision of corner truncations to the Ziatus/Spence Roads and Pinjar/Spence Road intersections should be applied.

#### RECOMMENDATION:

THAT Council does not support the application submitted by D H Kelly for the subdivision of Swan Location 7637 Pinjar Road, Pinjar for the following reasons:

1. the proposal is inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 20 hectares in area;
2. the Environmental Protection Authority has advised that the proposed lot sizes are not considered environmentally acceptable at Lake Pinjar;
3. support for this proposal will establish an undesirable precedent for further subdivision in the locality;
4. the proposal represents fragmentation of the rural area in this locality and would diminish its rural integrity.

O G DRESCHER  
City Planner

sgw:gm  
pre941244  
6.12.94

I21220

CITY OF WANNEROO REPORT NO: I21220

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-94781

WARD: SOUTH-WEST

SUBJECT: PROPOSED SUBDIVISION : LOT 108 (7) COWPER  
ROAD, SORRENTO

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential (R20)  
APPLICANT/OWNER: F V & S A BERNAL  
APPLICATION RECEIVED: 1.8.94  
DAU/SCU: 4.8.94  
ADVICE RECEIVED: 26.10.94  
REPORT WRITTEN: 28.11.94

SUMMARY

This subdivision application proposes to subdivide Lot 108 into two new lots, one of which would be of a battleaxe configuration.

Support for the application is not recommended as it does not comply with the minimum lot area requirements contained under the State Government's Sewerage Policy for the Perth Metropolitan Region and would result in a residential dwelling with inadequate side and rear building setbacks.

SITE ASSESSMENT

The location of Lot 108 Cowper Road, Sorrento is shown on Attachment No 1. It is 1232m<sup>2</sup> in area, rises approximately 2.5 metres to the north and is located within an unsewered section of Sorrento. An existing dwelling, pool and carport are located at the rear portion of the lot and a new dwelling is in the latter stages of construction at the front of the lot.

BACKGROUND

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The existing dwelling was constructed in 1969. The new dwelling was issued conditional planning approval by Council at the November 1993 meeting (H91140).

#### PROPOSAL

The applicant is seeking the subdivision of Lot 108 into two lots, a 501m<sup>2</sup> battleaxe lot at the rear and a 731m<sup>2</sup> lot at the front. The battleaxe leg is proposed to run down the western side of Lot 108 and is shown as extending up to the verandah line at the side of the new dwelling. The carport to the rear lot is located on the proposed dividing boundary and as such, has been constructed with a parapet wall along this boundary.

#### ASSESSMENT

The proposed lots comply with the minimum and average lot size requirements (450m<sup>2</sup> and 500m<sup>2</sup> respectively) specified under the R20 code of the Residential Planning Codes. The State Government's Sewerage Policy for the Perth Metropolitan Region, however, requires a minimum area of 850m<sup>2</sup> per new lot (in this case 1700m<sup>2</sup> total) for subdivision within unsewered areas. The area of Lot 108 does not meet this requirement.

Side and rear setbacks between the dwelling that is currently under construction to the front portion of Lot 108 and the proposed lot boundaries, do not comply with those specified under the Residential Planning Codes.

#### RECOMMENDATION:

THAT Council does not support the application submitted by Mr F V and Mrs S A Bernal for the subdivision of Lot 108 Cowper Road, Sorrento for the following reasons:

49the proposed lot sizes do not comply with a minimum of 850m<sup>2</sup> as specified for unsewered areas under the State Government's Sewerage Policy for the Perth Metropolitan Region;

50side and rear setbacks between the dwelling that is currently under construction to the front portion of Lot 108 and the proposed lot boundaries, do not comply with those specified under the Residential Planning Codes.

O G DRESCHER  
City Planner

sg:gm  
pre941225  
29.11.94

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**I21221****CITY OF WANNEROO REPORT NO: NFP I21221**

TO: TOWN CLERK  
FROM: CITY PLANNER  
FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 30/611, 30/165, 30/626, 30/2363  
WARD: CENTRAL AND NORTH  
SUBJECT: MARKET GARDEN SALES PROSECUTIONS

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**SUMMARY**

Council resolved to prosecute four Market Garden Sales proprietors at its meeting on 14 September 1994 (I20913) because of their failure to comply with Town Planning Scheme provisions.

Since then, the parties concerned have agreed to conform with Town Planning Scheme requirements and it is recommended that legal proceedings be discontinued.

**BACKGROUND**

Council may recall that for many years persons resident within the rural zone and operating as bona fide market gardeners were permitted to sell, on an incidental basis, part of that which was grown or produced on their lots. In those cases Council provided Stallholders Licences to permit such incidental sales which were then practically only vegetables.

Because most Stallholders felt they were being unnecessarily restricted by being permitted to sell only their own produce (and allegedly because of public demand) Council acceded to their wishes enabling them to retail fruit and vegetables obtained elsewhere. In order to legalise the situation, Council initiated Amendment No 368 (11 December 1987) and Amendment No 666 (18 March 1994) to define a new use class "Market Garden Sales" which now reads as follows:

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*"Market Garden Sales" means the sale or offering for sale of fresh fruit and vegetables from a lot which is predominantly used as a market garden and includes as a minor, incidental use, the sale of cool drinks and prepackaged ice cream to visitors to the premises.*

Concern has been expressed for some considerable time since Council, of its own volition, amended the original interpretation of Market Garden Sales to include *"the sale of cool drinks and pre-packaged ice cream to visitors to the premises"*.

This resulted in the rapid escalation of sales of foodstuffs well outside the fresh fruit and vegetables permitted. In order to ensure that Market Garden Sales proprietors did not become "Shops" (prohibited in the Rural zone) a formal letter was sent to all of them on 21 July 1994 requiring them to restrict the sale of goods commensurate with the Town Planning Scheme interpretation.

Four Market Garden Sales proprietors ignored the letter sent to them and continued selling edible goods outside of those authorised. The persons concerned being:

1. Mr G Macri, Lot 32 (10) cnr Menchetti/Wanneroo Roads, Neerabup.
2. Mr M Kapuralic, Lot 41 (1910) Wanneroo Road, Neerabup
3. Mr C Frichot, c/o Mrs Rigali, 1187 Wanneroo Road, Wanneroo
4. Messrs F & A Antulov, Pt Lot 6 (187) Wanneroo Road, Kingsley.

Since becoming aware of Council's resolution and receiving subpoenas requiring them to appear before Joondalup Court of Petty Sessions on 14 December 1994, all four proprietors have indicated their willingness to remove unauthorised food items and welcome a further inspection to satisfy Council that they have done so. Mr Macri, however, has requested that he be granted permission to sell remaining stocks of nuts and dried fruit, having been formally advised by Council's solicitors that he should dispose of them within a "reasonable period". Mr Macri considers that a "reasonable period" be until 31 December 1994.

One cannot say with absolute confidence that all parties will honour their declared intention to permanently discontinue

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selling goods that are unauthorised, especially now that a petition has been submitted whereby numerous petitioners have requested that Council considers expanding the range of "convenience goods" by Market Garden Sales proprietors. To accede to such request would simply mean that such premises would become shops which, I repeat, are not permitted in the Rural zone.

## RECOMMENDATION:

THAT Council instructs its solicitors to withdraw the complaints against Messrs Macri, Kapuralic, Frichot and Antulov and authorises the City Planner to commence immediate legal proceedings against them if they again commence selling goods not covered by the "Market Garden Sales" interpretation of the City of Wanneroo Town Planning Scheme No 1.

O G DRESCHER  
City Planner  
jhw:gm  
pre941212

I21222

CITY OF WANNEROO REPORT NO: I21222

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 790-681

WARD: SOUTH-WEST

SUBJECT: CLOSE OF ADVERTISING : AMENDMENT NO 681 TO TOWN PLANNING SCHEME NO 1 TO REZONE PT LOT 3 (521) BEACH ROAD, DUNCRAIG FROM RESIDENTIAL DEVELOPMENT R20 AND SPECIAL ZONE (ADDITIONAL USE) OFFICES TO RESIDENTIAL DEVELOPMENT R25

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METRO SCHEME: Urban

LOCAL SCHEME: Residential Development and Special Zone (Additional Use) Offices

APPLICANT/OWNER: Caravan Industries Pty Ltd and E G Osboine Pty Ltd

CONSULTANT: Chappell & Lambert

REPORT WRITTEN: 5.12.94

SUMMARY

Advertisement of this amendment to rezone Pt Lot 3 Beach Road, Duncraig (see Attachment No 1) from Residential Development R20 and Special Zone (Additional Use) Offices to Residential Development R25 has now expired. Four submissions were received during the 28 day statutory advertising period. It is recommended that Council now finalises the amendment.

BACKGROUND

Council resolved to initiate Amendment No 681 at its meeting of 13 April 1994 (I20410). It was also resolved at that meeting to seek clarification from the applicants regarding the development of the access leg in the north-western section of the subject lot, and to request that they retain natural bush within each of

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the proposed lots shown on the subdivisional concept plan (see Attachment No 2).

The comment regarding the access leg was made as Council's adjacent kindergarten site, Lot 159, currently has no legal road frontage and only contains two car parking bays (see Attachment No 3). The intention within previous subdivisional designs was that a road would be created through the access leg to the Carine Glades Tavern/Shopping Centre, thereby providing Lot 159 with a legal road frontage.

A subdivision proposal has now been received for the subject land in accordance with the concept plan.

#### ADVERTISING

Advertising of the amendment closed on 19 July 1994 at which time four submissions had been received, one from the Water Authority of WA advising that it has no objection to the proposal but will require a contribution towards drainage headworks at the subdivision stage.

The three remaining submissions were received from local residents and all objected to the proposal. The basis of the objection is summarised below:

1. The land is one of the few pieces of bushland left in the area.
2. The proposed R25 density code is too high.
3. Assurances by Council that the land would not be rezoned.

#### ASSESSMENT

The following comments are made in respect of the submissions:

1. The land is already zoned for Residential Development under Town Planning Scheme No 1 and as such has not been identified for bushland preservation. Council has, however, noted the aesthetic appeal of the remnant native vegetation on the lot, as represented by its previous resolution in respect of this matter. The applicants' planning consultants have been contacted with regard to the resolution and have noted the request although they were sceptical as to the benefit of retaining a bush coverage on 400m<sup>2</sup> lots, as subsequent development is

likely to be quite dense. It is suggested that if Council wishes to proceed with this matter a suitable condition should be included in its support to the subdivision.

2. The submissions did not provide any basis for objecting to the proposed increase in density. This amendment will reduce the potential minimum and average lot sizes for this land from 450m<sup>2</sup> and 500m<sup>2</sup> under the R20 code to 320m<sup>2</sup> and 350m<sup>2</sup> under the R25 code. The concept/subdivision plans show the proposed lots ranging in size from 400-500m<sup>2</sup>.

The site is considered suitable for the increased density, being in close proximity to existing commercial, civic, recreational facilities and public transport links. The proposal is in accordance with the Department of Planning and Urban Development's draft Residential Density and Housing Mix Policy which aims at providing a wider range of housing types.

3. No evidence has been provided to support the claim that the subject land would never be rezoned. The land is still proposed to be used for residential purposes and the difference between the proposed lot sizes and those permitted under the existing R20 code is marginal.

In respect to development intentions for the access leg to the north-west of the subject land. The matter has now been discussed with the applicants who have suggested the most appropriate way of providing road frontage to Lot 159 would be via a 3 metre wide battleaxe leg connected to the proposed subdivisional road linking Sycamore Drive. The balance area of the access leg would then be covered by a reciprocal parking and access agreement in favour of the City. This option is considered acceptable as it would satisfy the City's objective of obtaining road frontage and legal rights to use existing car parking within the access leg for Lot 159. It would also enable the balance land to be amalgamated with one of the adjoining commercial sites for car parking extensions and vehicle access from Sycamore Drive.

RECOMMENDATION:

THAT Council:

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51finally adopts Amendment No 681 to Town Planning Scheme No 1;

52authorises the affixation of the Common Seal to, and endorses the signing of the amending documents;

53supports the subdivision proposal as submitted by Chappell & Lambert Planning Consultants subject to:

- .1 the retention of as much natural vegetation on the proposed residential lots as is practical;
- .2 the provision of a 3 metre wide battleaxe leg to the adjacent Lot 159 linking that lot to the proposed northernmost subdivisional road;
- .3 the provision of an Easement in Gross in favour of, and to the satisfaction of, the City of Wanneroo, over the balance portion of Pt Lot 3 to the north-west of the application area in order to secure public vehicular access and parking;
- .4 conditions deemed appropriate by the City Planner.

O G DRESCHER  
City Planner

sgw:gm  
pre941246

I21223

CITY OF WANNEROO REPORT NO: I21223

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-93063

WARD: CENTRAL

SUBJECT: APPEAL DETERMINATION : LOT 5 COOGEE ROAD,  
MARIGINIUP

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METRO SCHEME: Rural  
LOCAL SCHEME: Rural  
APPLICANT/OWNER: C R Lund and M E Coia  
CONSULTANT: Finlaysons Land Development Consultants  
ADVICE RECEIVED: 7.10.94  
REPORT WRITTEN: 28.10.94

SUMMARY

Correspondence has been received from the Minister for Planning regarding an appeal lodged by Finlaysons Land Development Consultants on behalf of C R Lund and M E Coia against the State Planning Commission's refusal to permit the subdivision of Lot 5 Coogee Road, Mariginiup. The Ministerial decision was to uphold the appeal and as such, Council's comments are now being sought by the State Planning Commission as to the conditions it deems appropriate to the subdivision.

BACKGROUND

Council considered the application at the March 1994 meeting (I20309) where it resolved not to support the proposal. The State Planning Commission also refused the application on the following grounds:

54The proposal does not conform with the Commission's 'Rural Small Holding's Policy Study' (1977) or the Council's 'Rural Subdivision Policy' (1978) which both

designate the land as having a minimum lot size of 4 hectares.

55The Commission is not prepared to support subdivision that could create an undesirable precedent for further fragmentation of rural land in the locality.

56The Commission's Rural Landuse Planning Policy requires Councils to prepare a Local Rural Strategy to comprehensively plan for change and development in rural areas. In the absence of an approved Local Rural Strategy, the Committee is not prepared to approve the subdivision of rural land that would lead to unplanned development and could prejudice the future planning, development and use of the area and/or the rural land resources.

The Minister, in upholding the appeal, noted the applicants' circumstances, the fact that two houses exist on the land, and representations made by various Members of Parliament. Specifically, the applicants' circumstances related to health problems which have rendered them unable to utilise the current lot size.

Council's current policy in respect of Two Dwellings on One Lot (G3-36), requires a deed to be entered into whereby the landowner agrees not to seek further subdivision of the lot. In this case, however, the second dwelling was approved prior to Council's adoption of this requirement.

#### ASSESSMENT

The plan which was the subject of the Minister's approval and with regard to which Council's comments are now sought, is an amended plan known as Sketch 2. This can be seen on Attachment No 2.

The amended Sketch 2 shows the new dividing boundary running through several existing structures on the lot, including a shadehouse and sheds. The standard condition requiring the necessary clearance from this boundary is therefore suggested.

Council's Engineering Department has advised that the lot is within the East Wanneroo District Transport Study area and that the study is yet to be finalised. A footnote is therefore suggested, advising the State Planning Commission that although this lot is not shown to be affected by road widening proposals

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under Council's preferred scenario, if one of the alternate scenarios within the study receives final approval, a road widening proposal may then affect the lot.

The Engineering Department has also suggested that a condition regarding increasing corner truncations be applied. The truncation requirement would apply to the corner of Coogee Road and Pinelake Trail, where this lot is located.

RECOMMENDATION:

THAT Council, in view of the decision of the Minister for Planning to uphold an appeal by Finlaysons Land Development Consultants on behalf of C R Lund and M E Coia in respect of the subdivision of Lot 5 Coogee Road, Mariginiup:

1. requests the State Planning Commission to apply the following conditions:
  - .1 all buildings having the necessary clearance from the new boundaries;
  - .2 the corner of Coogee Road and Pinelake Trail being provided with a 10 metre by 10 metre truncation and the land required for this truncation being shown as "Road Widening" on the Diagram of Survey;
2. advises the State Planning Commission that the subject land is located within the East Wanneroo District Transport Study Area and that while under Council's preferred scenario the land would remain unaffected, Coogee Road may require widening if an alternative scenario is finally endorsed by the Commission.

O G DRESCHER  
City Planner

sgw:gm  
pre941123  
29.11.94

I21224

CITY OF WANNEROO REPORT NO: I21224

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 510-427

WARD: NORTH

SUBJECT: REQUESTED CLOSURE OF PRIVATE ROAD BETWEEN  
STARRS ROAD AND CAMERON STREET, QUINNS ROCKS

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LOCAL SCHEME: Residential Development  
APPLICANT/OWNER: Mr L Garraway/Mr H K Hall  
REPORT WRITTEN: 5 December 1994

SUMMARY

Council, at its meeting on 27 July 1994, resolved to give preliminary approval to the closure of the private road between Starrs Road and Cameron Street, Quinns Rocks subject to the proposal being advertised. At the close of the advertising period no objections were received.

BACKGROUND

The owner of Lot 452 Starrs Road, Quinns Rocks applied to purchase the private road adjoining his property. The applicant proposes to develop his lot and wants to obtain access from Cameron Street. The proposed closure was referred to the service authorities, the Department of Planning and Urban Development and to the owner of the private road, Mr Hall, all of whom had no objections to the closure.

The closure was also referred to the two other adjoining property owners and a portion of the land within the proposed road was offered to each of them. The owners of Lot 451 supported the closure, however they were not interested in acquiring any of the land. The owners of Lot 240 also supported the closure and they were interested in purchasing a portion of the land. The owners of Lots 240 and 452 reached a mutual agreement on the division of

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the land and the proposed subdivision is shown on the attachment plan. The Department of Planning and Urban Development has supported the subdivision of the land in this matter.

#### ADVERTISING

The closure of the private road was advertised in the Wanneroo Times and at the close of the advertising period no objections were received. The private road serves no useful purpose and closure will have minimal impact on movement through the area. The road is unconstructed and as it is privately owned there are no proposals to construct it. The land within the road will be amalgamated with Lots 452 and 240 free of cost and consideration.

#### RECOMMENDATION:

THAT Council agrees to the closure of the private road held in Certificate of Title Volume 1270 Folio 792 between Starrs Road and Cameron Street, Quinns Rocks under Section 297A of the Local Government Act and the subsequent amalgamation of the land with adjoining Lots 452 and 240.

O G DRESCHER  
City Planner

cd:rp  
pre941242  
5.12.94

I21225

CITY OF WANNEROO REPORT NO: I21225

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 12/113/31 510-0018

WARD: SOUTH WEST

SUBJECT: REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY  
BETWEEN CLIFF STREET AND ST PATRICKS ROAD,  
SORRENTO

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LOCAL SCHEME: Residential  
APPLICANT/OWNER: G Ash and G Farquhar/Crown  
ADVICE RECEIVED: 23 June 1994  
REPORT WRITTEN: 28 November 1994

SUMMARY

A laneway that runs behind properties in Sorrento and provides rear access is only partly constructed. The two property owners adjoining the unconstructed portion have applied to purchase the land for amalgamation into their properties. The laneway is part of a large laneway system in the area and closure of a small portion may set an undesirable precedent and limit future options.

APPLICATION

The owners of Lot 113 Marine Terrace and Lot 151 High Street have requested Council to consider closing a portion of the laneway which runs between their properties on the grounds that it is unconstructed.

The laneway is a dedicated public road and provides rear vehicular and pedestrian access for the properties adjoining it. It forms part of a large laneway network in the vicinity. The laneway is constructed up to Lots 112 and 152 and the portion between Lots 113 and 151 is covered in shrubs and cacti. The

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City Engineer has no proposals to construct the portion between Lots 113 and 151 in the near future.

#### EVALUATION

The closure application was referred to the State Planning Commission for its comments. The Commission has advised that it does not support the closure as the land is part of an established laneway system and closure may limit future options to use the land as part of the system.

If the subject portion of the laneway was closed, two issues would need to be addressed. Firstly, pedestrian movement through the laneway system would need to be maintained and secondly, a satisfactory turnaround area would need to be provided.

The closure of a small portion of the laneway will set an undesirable precedent. Closure of part of the laneway system may also restrict any future potential for subdivision for the lots adjoining the laneway system.

#### RECOMMENDATION:

THAT Council does not agree to the closure of the dedicated road between Lot 113 Marine Terrace and Lot 151 High Street, Sorrento.

O G DRESCHER  
City Planner

cd:rp  
pre941248  
6.12.94

I21226

CITY OF WANNEROO REPORT NO: I21226

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 200-0

WARD: N/A

SUBJECT: SHIRE OF CHITTERING : PLANNING AND  
POTENTIALITY STUDY

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SUMMARY

The Shire of Chittering has made a submission to the State Government seeking funding to enable the engaging of a consultant to undertake a 'planning and potentiality study', such a study being essentially a strategic plan to facilitate and integrate development adjacent to the Shire of Chittering's boundaries of the metropolitan zone. The Shire has sought this City's endorsement and support to the submission and consideration to making a contribution of a maximum of \$10,000 to the proposal in its 1995/96 budget.

ASSESSMENT

A copy of the Shire's submission has been placed in the Councillors' Reading Room should Councillors wish to see the submission in detail.

The location of the Shire of Chittering in relation to this City is shown in Attachment No 1. This plan also shows the main land uses in this City adjacent to the common boundary between the two local authorities. These are State Forest, Yeal Nature Reserve and the Commonwealth bombing range land, and these uses extend eastwards into the Shire of Chittering.

The nature of land use in the vicinity of the common boundary is such that any substantial funding contribution by this City to the proposed study does not seem justified. Notwithstanding

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this, the City can still offer support to the Shire in the form of providing whatever information it may seek for its study.

## RECOMMENDATION:

THAT Council:

57does not contribute funds towards the Shire of Chittering's proposed Planning and Potentiality Study due to the nature of the existing and proposed land uses in the vicinity of the two local authorities' common boundary;

58advises the Shire of Chittering that though it does not consider a funding contribution justified, it would be pleased to assist with the proposed study in terms of providing information about this City which the study may require.

O G DRESCHER  
City Planner

pjt:gm  
pre941224  
28.11.94

I21227

CITY OF WANNEROO REPORT NO: I21227

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-61

WARD: CENTRAL AND NORTH

SUBJECT: TAMALA PARK GOLF COURSE

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METRO SCHEME: Rural and Parks and Recreation  
LOCAL SCHEME: Rural and Parks and Recreation  
REPORT WRITTEN: 7.12.94

SUMMARY

The Department of Planning and Urban Development (DPUD) and the Water Authority of WA (WAWA) are currently involved in planning initiatives in the Tamala Park area which require design work to be undertaken in respect of the proposed Tamala Park Golf Course. Appointment of a consultant for this purpose is recommended.

BACKGROUND

The proposal for a public golf course on the Tamala Park land situated between the alignments of the Mitchell Freeway and Connolly Drive has been reflected on City and DPUD plans for many years now.

In August of last year (H20804), Council endorsed a Structure Plan for Lot 17 Mindarie/Clarkson/Tamala Park, insofar as it related to the Mindarie (North), Clarkson (West) and Clarkson (East) cells. The Clarkson (East) cell plan and report includes the golf course proposal (see Attachment No 1).

NEED FOR APPOINTMENT OF CONSULTANT

DPUD has now advised that it is preparing a Major Amendment to the Metropolitan Region Scheme (MRS) to apply to the

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Clarkson-Butler area. It is intended to designate new zones and reserves in the Tamala Park area and for this purpose, it has requested that the City advise as to what boundaries for those zones and reserves it wishes to see applied, noting the golf course proposal.

WAWA has advised that it is undertaking detailed design work in respect of the proposed groundwater treatment plant site at Tamala Park. This site is within the proposed golf course land.

WAWA has similarly requested that the City advise it concerning preferred boundaries between the golf course and the treatment plant site.

To properly respond to the above requests, a golf course designer needs to be engaged to undertake preliminary design work on the golf course to ensure that the boundaries to be established for the MRS amendment and the treatment plant site will be conducive to the proper planning of the golf course.

Council has funds available (\$20,000) for this purpose in its current budget (Account No 31150 - Golf Course Studies). The budget documentation specifically acknowledges against this account: "Tamala Park Golf Course proposals is likely to require Town Planning, Environmental Investigation and Golf Course design".

Due to the timing that DPUD and WAWA are working to, there is now some urgency that this matter be dealt with quickly. It is therefore recommended that authority be delegated to make the appointment and that the Golf Course Occasional Committee subsequently convene to oversee the work of the consultant.

RECOMMENDATION:

THAT Council:

59further to its endorsement in August 1993 of the Clarkson (East) Structure Plan, confirms its agreement to proceed toward the establishment of a public golf course on the portion of Tamala Park situated between the alignments of the Mitchell Freeway and Connolly Drive;

60advertises for registrations of interest from golf course designers to undertake the preparation of a Preliminary Master Plan for the Tamala Park Golf Course;

61delegates authority to the Mayor and Town Clerk to assess the registrations of interest received pursuant to 2. above and determine which applicants to invite to submit detailed proposals and then to assess the detailed proposals and select and appoint the golf course designer for this task;

62approves the use of funds from Account No 31150 (Golf Course Studies) for the engagement of the golf course designer.

O G DRESCHER  
City Planner  
pjt:gm/pre941260  
7.12.94

I21228

CITY OF WANNEROO REPORT NO: I21228

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/1530

WARD: SOUTH-WEST

SUBJECT: PROPOSED USE APPROVAL FOR REAL ESTATE OFFICE  
ON LOT 116 (555) BEACH ROAD, DUNCRAIG

METRO SCHEME: URBAN  
LOCAL SCHEME: RESIDENTIAL DEVELOPMENT  
OWNER: TROSLEY NOMINEES PTY LTD  
CONSULTANT: LAND ADVICE  
APPLICATION RECEIVED: 11 NOVEMBER 1994  
DAU/SCU: 15 NOVEMBER 1994  
REPORT WRITTEN: 6 DECEMBER 1994

SUMMARY

This proposal to convert optician's consulting rooms to a real estate office is not supported because it would represent an intrusion of commercial activity into the residential environment.

BACKGROUND

Lot 116 is 1397m<sup>2</sup> in area and zoned Residential Development. It is located on the corner of Beach Road and the Mitchell Freeway. The Warwick bus transfer station is located opposite on the eastern side of the Freeway. Lot 116 is elevated and the premises overlooks the station.

Optician's consulting rooms were approved in 1984 subject to not more than one practitioner practising at any one time and no more than 20 practitioners in total operating from the premises.

The premises have been used for this purposes from that time.

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The proposal is to establish a real estate office staffed by a maximum of five people.

#### ASSESSMENT

Offices are an "AA" use under the Town Planning Scheme in the Residential Development zone requiring Council's approval but an "X" use (not permitted) in the Residential zone. Council's review of the Town Planning Scheme, yet to be gazetted, will prohibit offices on this lot.

Offices have generally not been permitted in residential areas. Rather they should be established in areas set aside for this purpose such as shopping centres, office or mixed business developments. Consulting rooms have been permitted under Council's Policy (G3-7) in residential areas where it is considered there would not be a significant impact amenity on residential amenity resulting from increased traffic and the obtrusive nature of car parking areas and business signs. Council does not have a policy on offices in residential areas.

Eight parking bays are currently provided at the rear of the premises. Under Council's current Consulting Rooms policy six bays are to be provided per practitioner. Office uses require one bay per 30m<sup>2</sup> floor area; for the premises on Lot 116 at 100m<sup>2</sup> this equates to only three bays but this low number would obviously be insufficient for offices accommodating five members of staff.

It is claimed that traffic generated by a real estate office would be very low in comparison to the existing use as a majority of meetings are held on site and by appointment only. This is questionable since it is common for prospective home buyers or tenants to "shop around" without formal appointments. The actual impact of traffic resulting from this use is therefore uncertain.

Access to the site is limited to a left in-left out system due to the median strip. This will not alter with a change of use.

It is also claimed that both the appearance of the building and the landscaping will be upgraded and therefore greatly improve residential amenity in the area but this could apply equally to the present consulting room use.

In conclusion, Council has not in the past approved offices in residential areas and encourages such development in suitably

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zoned areas such as shopping or commercial centres. To approve this proposal would set an undesirable precedent and is not recommended.

## RECOMMENDATION:

THAT Council refuses the application submitted by Land Advice on behalf of Trosley Nominees Pty Ltd for use approval for a real estate office at Lot 116 (555) Beach Road, Duncraig on the grounds that:

63commercial uses such as offices are not considered acceptable in residential areas and there are adequate alternative locations for the proposed use in appropriately zoned areas;

64it is not prepared to set an undesirable precedent.

O G DRESCHER  
City Planner

hjj:jw pre941256 7.12.94

I21229

CITY OF WANNEROO REPORT NO: I21229

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/4365

WARD: SOUTH-WEST

SUBJECT: ADDITIONAL UNIT, LOT 957 (6) NERIDA PLACE,  
SORRENTO

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential Development  
APPLICANT/OWNER: J & D J Geddes  
CONSULTANT: L Marchesani & Associates  
APPLICATION RECEIVED: 28.9.94  
APPLICANT CONTACTED: 24.10.94  
REPORT WRITTEN: 30.11.94

SUMMARY

An application has been received for an additional unit on this lot. Council has previously refused a similar development on this site and this application attempts to address the shortfalls of the earlier application.

BACKGROUND

The subject site is located on the southern end of Nerida Place and contains a two storey single house. A similar proposal for an additional unit was approved at Council's meeting of 29 April 1988 but that approval expired after two years. Council considered another additional unit application for the site on 25 August 1993. That application required the exercise of discretion to allow the garage to be constructed on the side boundary. Council refused that application for the following reasons:

.1if approved the proposal would adversely affect the existing amenity of the streetscape;

.2the visual impact of the proposed design does not sympathetically address the character of the street;

.3the additional traffic generated by the proposed dwelling would result in a higher level of traffic in the small cul-de-sac;

.4the privacy of adjoining owners is adversely affected by the proposal.

Council was influenced by the strong objections from the adjoining neighbour from Lot 958. The present application does not propose any setback variation.

Owing to the strong opposition of neighbours to the previous application, all neighbours with properties adjoining Lot 957 were invited to view plans and make submissions.

Two neighbours have written to Council objecting to the proposal.

One neighbour is located to the side of the proposed unit at Lot 958. The other neighbour at Lot 965 faces Quay Court but their rear boundary intersects with that of the south-westernmost corner of the subject lot. The neighbours have two main grounds for objection:

1. Ocean views being compromised by the development imposing on the rear setback area.
2. Overlooking caused by the proposed unit, both into rear private yards and into residences.

The adjoining neighbour at Lot 958 would suffer some sort of diminished outlook over the subject lot should the proposed unit be constructed, it should be realised that the proposed unit can be located substantially closer (up to 1.5 metres) to the adjoining owner's boundary. In terms of overlooking, the proposal has been designed to maximise ocean views. Upper floor bedroom and lounge windows directly overlook the abutting drainage sump which adjoins a reserve and although it could be argued (as the neighbour at Lot 965 has) that the adjoining residences as a result would suffer diminished privacy, this cannot be substantiated. These windows have a more generous setback than the minimum normally prescribed. Further, in the case of the adjoining neighbour at Lot 958, particularly the

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proximity of their existing verandah and windows to the side of the proposed unit, would cause a greater loss of privacy for the applicant. In addition the nearest upper floor window to Lot 965 is located more than 8.5 metres to its boundary and at such an extreme angle to that boundary that there is no likelihood of overlooking.

The owner at Lot 965 has suggested that perhaps the proposed unit should be built closer to the existing residence. I do not believe this is a good solution in that it would create a crowding of the two buildings on the lot, which was one of the original reasons of refusal for the previous proposal.

Following Council's refusal of the previous proposal, the owners appealed the decision to the Minister for Planning. The Minister did not support their appeal and his reasons for this are summarised below:

*It seems to me that the plan showing the proposed layout of the appeal site gives cause for concern in that the new grouped dwelling appears as an over-development of the portion of Lot 957 allocated to it. The existing residence is shown as occupying a disproportionately large part of the subject land with the proposed development having the appearance of being squeezed into a very confined remainder. The fact that the additional dwelling could only be approved if normal R Code standards are relaxed stands as testament to the defined site's inability to comfortably accommodate the proposed home.*

This proposal has been re-designed in order to address the issues that have been raised by Council previously, and also resulting from a meeting between Ward Councillors and the applicant. Further, this new proposal addresses the Minister's concerns in that it no longer requires building to the boundary.

#### ASSESSMENT

The proposal comprises a two storey grouped dwelling with a single garage and tandem car bay accessing off the main driveway for the existing house and onto Nerida Place.

The Residential Planning Codes prescribe a rear setback for R20 density coded areas of 6.0 metres. The R Codes also allow for this setback to be 'averaged' and interchanged with a side boundary. In this particular case the rear boundary abuts a drainage sump which runs the full length of the rear boundary.

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The drainage sump is adjoined thereafter by a public open space reserve. The Residential Planning Codes allow that where a lot adjoins a right of way, pedestrian accessway or similar, the required setback may be reduced by up to half of the width of the right of way or accessway.

Therefore, it is at the applicant's discretion to vary the rear boundary setback up to half the width of the rear drainage sump. The proposal complies with the rear setback requirement.

Whereas previously the adjoining owner had expressed concern with side setback variations and the invasion of his privacy as a result of overlooking upper floor windows the proposal now complies with side setback requirements and no windows face the adjoining neighbour's property apart from a "highlight" bathroom window.

The proposal is located on land with a density coding of R20 which permits an additional unit on a site with a minimum lot size of 900 square metres. This particular site has an area of 965 square metres and although the existing house covers almost two-thirds of the site both open space and private open space requirements are more than adequately fulfilled. On average there is at least 200 square metres of private open space where the R Codes prescribe 150 square metres. In addition, the minimum open space required to be provided for such a site is 50% and the site provides 58%.

It should be noted that although the R Codes specify a minimum of 450m<sup>2</sup> per dwelling for this type of development, this is only for the purpose of establishing the development potential of a site, **overall**. Effective strata lot sizes can be much less than the 450m<sup>2</sup> provided they demonstrate compliance to other R Code provisions.

The design of the additional unit has produced a building that is not unlike those in the street and fits well, without looking "cramped", into the streetscape (see Attachment No 3). This proposal has only a single garage, whereas the previous proposal featured a double garage that dominated the streetscape. The design of the present proposal has addressed the streetscape sympathetically.

Council has previously expressed concern regarding the additional traffic generated by the proposed unit. It must be noted that such a proposal would not increase the traffic in the cul-de-sac markedly.

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In conclusion, the proposal before Council has been re-designed in order to blend with the surrounding neighbourhood without imposing on adjoining neighbours privacy. The facade and scale of the building is no more dominant than any others in the street and indeed blends well with adjoining buildings. All of Council's previous reasons relating to the refusal of a similar proposal have been addressed. It is therefore recommended that approval be granted for this application.

**RECOMMENDATION:**

THAT Council approves the application for the proposed additional unit submitted by J and D J Geddes on Lot 957 (6) Nerida Place, Sorrento, subject to standard and appropriate conditions.

O G DRESCHER  
City Planner

vc:gm  
pre941114  
25.10.94

I21230

CITY OF WANNEROO REPORT NO: I21230

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-95381

WARD: CENTRAL

SUBJECT: PROPOSED SUBDIVISION, DAMIAN ROAD (CNR ROSS STREET), JANDABUP

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METRO SCHEME: Rural  
LOCAL SCHEME: Rural  
APPLICANT/OWNER: Newburg Pty Ltd  
CONSULTANT: R G Lester & Associates  
APPLICATION RECEIVED: 13.9.94  
DAU/SCU: 26.9.94  
REPORT WRITTEN: 5.12.94

SUMMARY

This application is for the subdivision of Lot 5 Damian Road, Jandabup into three lots. As the proposed lot sizes do not comply with Council's Rural Subdivision Policy, it is recommended that the application should not be supported.

SITE DESCRIPTION

Lot 5 Damian Road is a corner lot of 4.7728 hectares (see Attachment No 1). It is undulating and contains two residences and an outbuilding. A large area at the rear of the lot is being utilised for turf farming.

PROPOSAL

The proposal would create one lot of 1.0ha on the corner of Damian Road and Ross Street which would contain one residence and the outbuilding, another 1.0ha lot fronting Damian Road which would contain the other residence and a 2.7728ha lot also

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fronting Damian Road which would contain the turf farm operation (see Attachment No 2).

#### BACKGROUND

Development approval for the second dwelling on Lot 5 was issued in 1988. Council's current policy in respect of Two Dwellings on One Lot (G3-36), requires a deed to be entered into whereby the landowner agrees not to seek further subdivision of the lot. In this case, however, the second dwelling was approved prior to Council's adoption of this requirement.

Council is advised that a similar subdivision proposal for the adjacent Lot 37 was approved on appeal to the Minister in 1990. That proposal, which created two lots each of around 1.67ha was not supported by Council (E20627) and was similarly refused by the State Planning Commission.

#### ASSESSMENT

Council's Rural Subdivision Policy stipulates a 4ha minimum lot size for rural land in this locality. As such the proposed lot sizes do not comply with this requirement.

Council's Engineering Department has advised that should Council support the application a 10 metre x 10 metre corner truncation should be sought on the intersection of Damian Road and Ross Street.

A further condition requiring the necessary setbacks from the existing buildings to the proposed dividing boundaries should also be applied if the application is supported.

#### RECOMMENDATION:

THAT Council does not support the application submitted by Newburg Pty Ltd for the subdivision of Lot 5 Damian Road, Jandabup for the following reasons:

1. the proposal is inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 4 hectares in area;
2. support for this proposal will establish an undesirable precedent for further subdivision in the locality;

3. the proposal represents fragmentation of the rural area in this locality and would diminish its rural integrity.

O G DRESCHER  
City Planner

sw:gm  
pre941239  
5.12.94

I21231

CITY OF WANNEROO REPORT NO: I21231

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-94789, 740-89039

WARD: NORTH

SUBJECT: LAKE PINJAR STRATEGY : SUBDIVISION PROPOSALS  
FOR LOTS 1, 2 AND 3 PERRY ROAD, PINJAR (MR  
COX) AND LOC 2703 NISA ROAD (MIRREEN NOMINEES)

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METRO SCHEME: Rural

LOCAL SCHEME: Rural

APPLICANT/OWNER: Mr N Cox; Mirreen Nominees

CONSULTANT: Urban Focus (for Mirreen Nominees)

APPLICATION RECEIVED: 20.7.94 (Cox); 15.2.93 (Mirreen  
Nominees)

REPORT WRITTEN: 7.12.94

SUMMARY

Mr N Cox has applied to the Department of Planning and Urban Development (DPUD) for approval to subdivide Lots 1, 2 and 3 Perry Road, Pinjar into 22 lots of approximately 2ha each, a larger 24ha lot and balance lot of 35ha. DPUD has sought Council's comments. It is recommended that Council does not support the application.

DPUD also seeks Council's comments on an earlier subdivision application for Swan Location 2703 Nisa Road submitted by Mirreen Nominees. It is also recommended that Council does not support this application.

ASSESSMENT

These two subdivision applications have been dealt with in the same report as they raise many common issues, particularly the matter of the EPA's Position Statement for Lake Pinjar.

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COX SUBDIVISION (LOTS 1, 2 AND 3 PERRY ROAD, PINJAR)

Council previously considered Mr Cox's application at its meeting of 24 August 1994 (I20836). It considered the matter in conjunction with a request from the Department of Environmental Protection (DEP) for Council comment on a number of aspects of the EPA's Position Statement for Lake Pinjar contained in its Bulletin No 728 relating to the proposed subdivision of Swan Loc 2703 Nisa Road.

Report I20836 provided the following comments regarding Mr Cox's subdivision application:

The location of Lots 1, 2 and 3 Perry Road in relation to Lake Pinjar as a whole and the Environmental Protection Policy (EPP) and Core Conservation Areas (as identified in the East Wanneroo Wetlands Natural Resource Mapping Study) in particular is shown on Attachment No 1.

The combined area of Lots 1, 2 and 3 is approximately 110ha. The proposed subdivision seeks to create 22 lots of approximately 2ha each and a larger lot of 24ha and a balance title lot of approximately 35ha comprising the designated EPP area at the western extremity of the site. The proposed subdivision plan is shown in Attachment No 2 and an explanation provided by the applicant in respect of his proposal is given in Attachment No 3.

ASSESSMENT OF THE SUBDIVISION APPLICATION:

1. Council's current subdivision policy requires that rural subdivision in this area maintain a minimum lot size of 20ha. This application is inconsistent with this policy.
2. Support for this application will establish an undesirable precedent for further subdivision in this locality.
3. Although Council is still to adopt a final strategy for Lake Pinjar, it has endorsed principles for the preparation of the strategy as referred to in Report I20836. Those principles included supporting lot sizes of 15-20ha. This application is also inconsistent with these principles.
4. The application does give rise to some confusion as:

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- (a) it proposes 2ha lots, despite the applicant's appeal to the Minister for the Environment referred to in Report I20836 which advocated minimum 6ha Special Rural lots.
- (b) it advocates the need for land use management controls to be imposed via Special Rural zoning provisions, however, a subdivision application in respect of Rural zoned land has been submitted rather than a rezoning application (seeking Special Rural zoning).
5. As referred to earlier in Report I20836, WAWA is currently investigating the feasibility of undertaking a major land acquisition programme in the Lake Pinjar area. The success of such a programme would be influenced by the land values in the area which are in turn affected by the development/subdivision potential of land. Consideration of subdivision proposals in this area should therefore have regard to this issue.

At its August meeting, Council resolved to defer consideration of this application. The intention was that it be deferred pending the EPA's reassessment of its lot size criteria for Lake Pinjar as contained in its Position Statement in its Bulletin No 728.

The DEP has now provided the following advice concerning the EPA's reassessment of its recommended lot size criteria:

*"Following a request from the Minister for the Environment in response to an appeal on the Position Statement contained in Bulletin 728, the Environmental Protection Authority (EPA) has met and reconsidered the Position Statement. In exercising due diligence in this matter, the EPA sought advice from the Water Authority of Western Australia, the Department of Planning and Urban Development, the City of Wanneroo and the appellant Mr N Cox. In addition to the EPA receiving a written submission from Mr Cox, he was also invited to present his case at the EPA's meeting of 8 September 1994.*

*As you may be aware, development of the lot sizes has occurred through a long process of discussions and negotiations between the relevant authorities which commenced in early 1992. Initially lot sizes were set having regard to a range of planning and environmental factors including consideration of likely land*

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uses and hence likelihood of groundwater contamination based on lot size.

The general aim has been to maximise lot sizes and control land uses to protect groundwater, lakes and vegetation while addressing the pressure for subdivision, and other planning considerations such as flooding. Most of the Lake is Priority 1 Public Water Supply Source Protection Area in private ownership and bores proposed along the eastern and western sides of Lake Pinjar will ultimately provide the water needs of 50,000 people.

Some of the lake is protected by the Environmental Protection (Swan Coastal Plain Lakes) Policy 1992, and a recent environmental audit has found vegetation of significant conservation value. Following a sequence of wet years about 80% of the private land would be flooded and extensive flooding of large sections of Lake Pinjar occurred during the early 1960s.

The Position Statement, including the proposed lot sizes is strongly supported by the relevant government agencies. In fact, the Water Authority of Western Australia has adopted a stronger position and has advised that as a matter of policy it is opposed to subdivision at Lake Pinjar.

The EPA has stated that it considers the recommended land use controls and lot sizes for Lake Pinjar are essential for the protection of groundwater resources.

Following reconsideration of this matter in accordance with the Minister for Environment's request and in view of the above, the EPA considers it not necessary to change the Position Statement and the proposed lot sizes.

The Minister for the Environment has been informed of the EPA's advice and has written to the appellant noting that the appellant has a right to refer a proposal which meets environmental objectives for the area.

Accordingly, I look forward to your continued co-operation in implementing the position statement."

As the EPA has re-affirmed its recommended lot size criteria, the recommendation put to Council in August is again submitted for Council's consideration.

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This recommendation is also seen to be justified by the recommendations contained in the recently released Select Committee Report on Metropolitan Development and Groundwater Resources, a copy of which was recently forwarded to Councillors (noting that the subject land is within a Priority 1 Groundwater Protection Area).

MIRREEN NOMINEES SUBDIVISION (Swan Location 2703 Nisa Road)

This application seeks to subdivide Swan Loc 2703 into three lots each of approximately 22ha (see Attachment No 4). Council first considered this subdivision application in April of last year (H20422). Council resolved at that time to recommend to DPUD that it defers the application pending the adoption of a strategy for Lake Pinjar and finalisation of a supporting Scheme Amendment to introduce land use and development controls over the area.

The EPA advised that the proposal required formal environmental assessment and that no approvals were therefore allowed to be issued until the assessment outcome was known.

In August of this year (just after Council dealt with Report I20836 referred to earlier), DEP advised the City that the Minister for Environment had issued his Statement authorising implementation of the proposal as far as the environmental assessment procedure was concerned. The main condition imposed in that Statement was that: *"To achieve the environmental objectives through the planning process, the proponent shall fulfil the relevant requirements in Appendix 1 to the satisfaction of the State Planning Commission (SPC)"*

The requirements in Appendix 1 were that:

*"Land use controls are in place to ensure:*

- 1. Minimum lot size range of between 15 to 20 hectares.*
- 2. High nutrient generating land uses are not permitted such as intensive agriculture.*
- 3. Remnant vegetation is protected.*
- 4. The use of modified on-site effluent disposal systems with adequate phosphorus retention capacity are required to the satisfaction of the Health Department of WA.*

5. *Stock numbers are controlled".*

As the Minister's condition stated that the above requirements were to be fulfilled to the satisfaction of the SPC, the subdivider's consultant, Urban Focus, has submitted the following proposal to the SPC setting out how the applicant proposes to fulfil those requirements:

"1. Minimum lot size range of between 15 to 20 hectares

*Our proposed subdivision is for three lots each in excess of 22ha and therefore this condition is complied with.*

2. High nutrient generating land uses are not permitted such as intensive agriculture

*The most effective way of complying with this condition is for the City of Wanneroo to amend its town planning scheme which would restrict the land uses permitted in this locality. It is also the most appropriate way as this restriction in land use applies to a much wider area and is not confined only to Swan Location 2703 (See EPA Bulletin 728).*

*The above cannot, of course, be covered by a condition of subdivision approval but we also do not feel it is fair to the landowner to further delay this subdivision (it has already been outstanding for 20 months) whilst the required amendment to Council's Scheme is prepared and processed.*

*As an interim measure whilst a scheme amendment is being processed the owner could, by way of a condition of approval of subdivision, be required to sign a statutory declaration undertaking to advise prospective purchasers of this land use restriction.*

*An alternative to the above is for restrictive covenants to be placed on the title of the proposed lots. These, however, will only apply to the three lots proposed and not to other land in the Lake Pinjar area and it is for this reason we believe this condition should be effected by a scheme amendment which would apply to the Lake Pinjar area generally and not just Swan Location 3703.*

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On the point of policing covenants on title it is our understanding that these are policed by the beneficiaries of the covenant. Consequently, if the owner of one of the proposed lots breaches the covenant the owner of the other two lots are the parties which could take any legal action for its observance. It is not the Council but as the Minister for the Environment set this condition in the first place presumably he could be classed as a beneficiary of the covenant.

3. Remnant vegetation is protected

There is in fact very little if any remnant vegetation on this land but this too could be covered by controls incorporated in the scheme amendment envisaged for condition 2.

4. The use of modified on site effluent disposal systems with adequate phosphorus retention capacity as required to the satisfaction of the Health Department of WA

Again this would be best covered by controls incorporated in a scheme amendment, but as with condition 2 an interim measure could be that the owner signs a statutory declaration undertaking to advise prospective purchasers of this condition.

5. Stock numbers are controlled

This again is best dealt with by the suggested scheme amendment with the same interim measure outlined for conditions 2 and 4.

Our suggested condition of subdivision approval would read as follows -

"The subdivider signing a statutory declaration that he will advise all prospective purchasers of the lots of the conditions set by the Minister for the Environment and that the conditions are to be complied with."

We would be happy to discuss this matter with you further but as we have indicated earlier the conditions would be best addressed

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*through a scheme amendment but we feel approval of this application should not be further delayed while this amendment is processed. We would therefore recommend the interim measure suggested."*

DPUD has referred the above matters to Council for its comments, advice and conditions.

The subdivision condition suggested by Urban Focus will not work. If it was used, the result would be that the subdivider would provide the statutory declaration and then would presumably advise prospective purchasers of the Minister's conditions. The problem arises in the matter of the conditions then having to be complied with. The statutory declaration and advice given to prospective purchasers will not achieve this. This can only be achieved through legal mechanisms such as:

1. Scheme provisions introduced through an amendment.
2. Restrictive covenants on title.
3. Deeds (supported by caveats) between Council and the lot owners.
4. Mechanisms possible under other legislation such as a Statement of Planning Policy under the Town Planning and Development Act or an Environmental Protection Policy under the Environmental Protection Act.

As acknowledged by Urban Focus, Scheme provisions are the most appropriate mechanism. There are enforcement problems with restrictive covenants. Deeds (with caveats) are administratively cumbersome. Mechanisms possible under other legislation are unlikely to be supported by the State agencies involved with those mechanisms.

Report I20836 showed that a considerable amount of work has been done on the preparation of a strategy for Lake Pinjar and a supporting Scheme amendment. These matters are also referred to in the report being considered at this meeting of Council concerning the Local Rural Strategy.

The proposed Lake Pinjar Land Use Planning and Management Strategy and scheme amendment can be readily progressed subject to Council agreement to do so.

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Council first considered this subdivision application in April of last year and resolved to recommend to DPUD that it be deferred pending adoption of a Lake Pinjar strategy and supporting Scheme amendment. This is still seen to be the most appropriate approach to this application, although a refusal (qualified with advice that approval could be expected once the strategy and scheme provisions are in place) may be better than a deferral, to give the applicant a more definite position on the matter.

## RECOMMENDATION:

THAT Council:

65 does not support the application submitted by Mr N Cox for the subdivision of Lots 1, 2 and 3 Perry Road, Pinjar for the following reasons:

.1 the proposal is inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 20 hectares in area;

.2 support for this proposal will establish an undesirable precedent for further subdivision in the locality;

.3 it is inconsistent with the requirements Council has endorsed for the preparation of a land use planning and management strategy for the Lake Pinjar area;

.4 it is inconsistent with the Environmental Protection Authority's Position Statement relating to Lake Pinjar which Council supports as representing a valid framework for determining proposals affecting Lake Pinjar.

66 does not support the application submitted by Mirreen Nominees for the subdivision of Swan Location 2703 Nisa Road, Pinjar as it considers that the Lake Pinjar Planning and Management Strategy and appropriate provisions under City of Wanneroo Town Planning Scheme No 1 should first be in place to provide effective control of land use and development on the subject land as required by the Mi  
2 be satisfied through the provision of a statutory declaration is not supported as this will not achieve the putting into place of the

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relevant land use controls as required by that condition.

67 agrees to the imposition over the Lake Pinjar area of land use and development controls arising from the Minister for Environment's Statement in respect of Swan Location 2703 and as may arise from finalising of the Lake Pinjar Land Use Planning and Management Strategy, through the inclusion of appropriate provisions into City of Wanneroo Town Planning Scheme No 1 and requires that the preparation of the Strategy and Scheme Amendment be progressed accordingly;

68 advises the Department of Planning and Urban Development that Council has agreed to the imposition of land use and development controls for Lake Pinjar through the inclusion of appropriate provisions into Town Planning Scheme No 1 and that Mirreen Nominees should therefore be advised accordingly, and that once those provisions are in place, the applicant should reapply for subdivision and could reasonably expect that approval will be forthcoming.

O G DRESCHER  
City Planner

pjt:gm  
pre941257  
7.12.94

I21232

CITY OF WANNEROO REPORT NO:

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 790-584

WARD: NORTH

SUBJECT: CLOSE OF ADVERTISING : AMENDMENT NO 584 TO  
TOWN PLANNING SCHEME NO 1 TO REZONE MINDARIE  
NORTH NEIGHBOURHOOD CENTRE

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential Development  
APPLICANT/OWNER: Gumflower Pty Ltd  
CONSULTANT: Russell Taylor & William Burrell  
REPORT WRITTEN: 22.11.94

SUMMARY

The purpose of Amendment No 584 is to rezone a portion of Lot 962 Marmion Avenue, Mindarie from Residential Development to Commercial, Mixed Business, Service Station, Civic, Special Zone (Restricted Use) Fast Food. Advertising closed on 18 November 1994.

Fifteen submissions were received, including a petition with 178 signatures. Twelve submissions were received from shop owners in the Quinns Village Shopping Centre (including the petition). Main objections related to the nearness of the proposed Mindarie North Centre to the existing centre, services, the unexpectedness of the rezoning, given the considerable resources spent to develop the Quinns Centre. A proposed shopping centre has been shown in this general vicinity on adopted and publicly available structure plans since 1985 and its location and size have subsequently been subject to considerable scrutiny and assessed in retail studies for Mindarie. It is now appropriate for Council to consider finally adopting a modified amendment and

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adopting a final Mindarie North Neighbourhood Centre Planning Policy.

#### BACKGROUND

Amendment No 584 has a considerable history. Rather than discuss the background in detail, I briefly summarise the main issues.

69A local retail centre was proposed in approximately the same area as the location of the present proposal in the October 1984 Mindarie Keys Structure Plan included in the Mindarie Keys Project Agreement (see Attachment No 1). Since then, although changes to the structure planning for the area have occurred the proposal for a local centre in this location has remained. The centre is shown at this approximate location on the most recently adopted local structure plan 1989 (Attachment No 2), as well as more recent draft plans for the landholding. The most recent draft proposal for Mindarie Keys is shown in Attachment No 3.

70Both the 1988 'Proposed Retail Structure Plan for the North West Corridor (Clarkson to Alkimos)', and the 1992 'Statement of Retail Floorspace Requirements for Mindarie' recommended the Mindarie North Centre at this locality. The original BSD study in 1988 recommended a centre slightly away from Marmion Avenue with a retail floorspace of about 2700m<sup>2</sup> gross lettable area. The more recent 1992 'Statement of Retail Floorspace' study prepared by Janet Gilchrist only recommended some 500m<sup>2</sup> nett lettable area. The centre's size was reduced to facilitate development of the centre in Quinns Rocks.

The catchment to be served by the Mindarie North Centre was defined by Quinns Road, Marmion Avenue and a band of non-residential uses - public open space and the high school - stretching east-west across the northern portion of the estate. Council resolved to include the recommendations of the Gilchrist Report in the scheme amendment documents at its meeting in June 1994.

71The initial Mindarie North Neighbourhood Centre structure plans submitted by Taylor and Burrell, Planning Consultants on behalf of Gumflower Pty Ltd showed the commercial zone directly abutting the corner of Marmion Avenue and Anchorage Drive. However, both DPUD and Council, in line with local and neighbourhood shopping

centres policy advised the applicant that the amendment should proceed only on the basis that the commercial zone is relocated further within the Mindarie 'urban cell' away from Marmion Avenue. The most recent approved centre structure plan (Plan No 91/08/108 dated September 1993) shows the commercial zone on the corner of Anchorage Drive and Rothesay Heights (see Attachment No 4).

A draft Planning Policy for the centre has also been prepared (as provided for under Clause 5.11 of Council's Scheme) and is seen to provide the appropriate means to achieve a centre design in which complementary uses are co-located, with the various components of the centre relating positively and actively to each other and the town square. This draft Planning Policy was considered by Council in March this year (Item No I20301) and subsequently advertised. This is discussed further as part of this report.

72Council initiated Amendment No 584 in October 1991. At that time, the land uses proposed were a deli/liquor store (commercial), service station, medical centre and garden centre (mixed business) and a community purpose site. The amendment was subject to considerable scrutiny by the Department of Planning and Urban Development (DPUD) and Council officers whereupon Council reconsidered the amendment in March 1992 and requested further modifications to the amendment. This involved an overall retail study justifying floorspace in Mindarie (this led to the Janet Gilchrist study), relocating the commercial zone away from the immediate corner of Marmion Avenue and Anchorage Drive and amending the Mindarie Keys Marina Development zone to limit the type and amount of retail provision at the Mindarie Keys resort site.

Following further discussions with Gumflower Pty Ltd and their town planning consultants, Taylor and Burrell, a revised centre structure plan was submitted (see Attachment No 4). This plan included the commercial zone, civic, medical centre and service station as previously proposed but also included two fast food establishments. Council resolved to modify the amendment to include these uses at the Mindarie North Centre at its meeting of 23 February 1994 (I20253). The amendment documents were then forwarded to DPUD for approval to advertise the amendment.

Prior to advertising, DPUD requested that the amendment be once again modified to include the proposed rezoning of a corner store on Rothesay Heights, Mindarie, with a proposed gross leasable area of 200m<sup>2</sup>. The Corner Store, a Special Zone (Additional Use) Corner Store is proposed to provide a convenient and accessible service for local residents towards the centre of the Mindarie Cell. The proposed 200m<sup>2</sup> of retail floorspace emanates from the 'Statement of Retail Floorspace Requirements for Mindarie' a report prepared prior to Council's adoption of its Corner Store Policy (G3-40). The policy specifies a maximum gross floor area for the store of 100m<sup>2</sup>. The corner store proposed on Rothesay Heights should then reflect Council's policy. This will require a modification to the present amendment documents. DPUD also advised that the scheme amendment documents should be modified to reflect the recommendations contained in the 'Statement of Retail Floorspace Requirements for Mindarie'. Council resolved to include these modifications at its meeting in June 1994.

#### SUBMISSIONS

Advertising closed on 18 November 1994. Fifteen submissions were received. Fourteen objected to the proposal including a 178 signature petition objecting to the proposal. The Education Department has no objection to the amendment.

Of the fourteen objections, twelve were from tenants or the managing agents of the existing Quinns Village Shopping Centre located on the corner of Tapping Way and Quinns Road, Quinns Rocks. This centre is located about 500 metres north from the proposed Mindarie North Neighbourhood Centre. One objection is from the owners of the nearby Caltex Service Station objecting to the service station proposed at Mindarie North. The Water Authority of Western Australia (WAWA) also objects to the amendment unless a commitment is received from the landowner towards a special funding arrangements for headworks. Any finalisation of the amendment should be subject to the Water Authority being satisfied on this matter.

The main objections refer to:

1. The nearness of the proposed Mindarie North Neighbourhood Centre to the existing Quinns Village Shopping Centre and that there is no need for further retail services.

2. The Mindarie North Neighbourhood Centre merely duplicates the retail services of the Quinns Village.
3. Tenants/shopkeepers at the Quinns Village bought businesses under the understanding that a retail centre so near was unexpected and argue that the Mindarie North Centre may well threaten their livelihood. Council should cancel or restrict the size of the centre.
4. The Mindarie North Centre is located on a major arterial road (ie Marmion Avenue) and is in an advantageous position. This goes against Council and DPUD policy.
5. Tenants at Quinns Village have pioneered retailing in the area, invested considerable sums of money and did anticipate a lapse of time to establish their business.

Raine and Horne International, managing agents of the Quinns Village Centre echo the sentiments but also emphasise the locational advantage the Mindarie North Centre would have over Quinns Village. Further, that the Mindarie Centre should be located further west, more central to Mindarie residents.

#### ASSESSMENT OF GROUNDS FOR OBJECTION

1. The Mindarie North Centre is approximately 500 metres south of the Quinns Village Shopping Centre. While quite close, the maximum gross leasable area for retail purposes of the Mindarie North Centre is proposed to be only 500m<sup>2</sup> while the existing built Quinns Village Shopping Centre is presently included in Council's scheme as 2015m<sup>2</sup>.

The figure of 500m<sup>2</sup> was determined by the 'Statement of Retail Floorspace' study discussed previously. This was based on a small retail catchment in the northern part of Mindarie Keys, an area which is largely yet to be developed.

2. In respect to the duplication of retail services, the Quinns Village Centre currently contains a supermarket (pharmacy, a delicatessen, video and music store, fast foods (fish and chips), a newsagent, liquor store, real estate agent, hairdresser, hardware, bakery, Chinese restaurant and service station.

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The Mindarie North Centre's commercial component will be substantially smaller, and may comprise only four to five shops which may include a delicatessen, liquor store, real estate agent and perhaps some other uses. The Neighbourhood Centre as a whole will also comprise a service station, hardware and garden store medical centre and fast food outlets.

3. As described previously, a local shopping centre in the general vicinity of the Mindarie North Shopping Centre has been proposed since Council last adopted the local structure plan for Mindarie Keys in 1989. This plan was advertised for comments and since then has been available to the public to view.
4. The Mindarie North Centre spans from Marmion Avenue to Rothesay Heights, however, as described previously, the initial structure plans for the Mindarie North Centre showed the commercial zone abutting directly on the corner of Marmion Avenue and Anchorage Drive. In line with Council and DPUD policy, the plans were modified to show the commercial zone on the corner of Anchorage Drive and Rothesay Heights away from Marmion Avenue.

A proposed service station and mixed business (local hardware and garden centre) are now shown abutting Marmion Avenue. To some extent though, Mindarie North Centre's exposure to passing traffic on Marmion Avenue is greater than Quinns Village which is located off Marmion Avenue on Quinns Road.

5. Discussed as part of the conclusion.

One matter which also requires consideration is the proposal to locate a service station at this site. An objection was received from the owners of the nearby Caltex Service Station about a service station being located at this site. However, a service station has been proposed at this shopping centre since the initial structure plans for Mindarie Keys during the mid 1980s.

The location of the service station abutting Marmion Avenue has been supported by the Department of Planning and Urban Development, subject to traffic considerations being met to Council's satisfaction. Its location has been considered along with that of the commercial zone, and while the commercial zone was relocated away from Marmion Avenue, the service station is

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seen to be a more appropriate use (as a part of the shopping centre) to be located on Marmion Avenue.

#### FINALISATION OF THE MINDARIE NORTH NEIGHBOURHOOD CENTRE PLANNING POLICY

Advertising of the draft Mindarie North Neighbourhood Centre Planning Policy closed on 12 April 1994. No submissions were received. It is now appropriate for Council to finally adopt the policy. The planning policy has been prepared to establish guidelines for the design and development of Mindarie North Neighbourhood Centre.

#### CONCLUSION

The main opposition to the Mindarie North Centre is from existing tenants at Quinns Village. Their concern about the impact the Mindarie North Centre may have on their livelihood is understandable. The 178 signature petition (156 from local residents) shows support and indicates the strong level of rapport which some tenants have been able to build with their customers over recent years. This augers well for future years for the centre. Retail modelling, however, shows a need for a further 500m<sup>2</sup> of retail floorspace for the northern portion of Mindarie Keys, and it can be argued that more retail floorspace and resultant retail competition which may be generated will benefit the community as a whole, and especially those future residents of the northern part of Mindarie.

It is, however, likely to be some time before the northern part of Mindarie is fully developed. The finalisation of rezoning and subsequent development of the Mindarie North Centre in the short term may well have a significant impact on the Quinns Village Centre. To bring some flexibility into retail planning and to try to overcome these sorts of concerns, the City's Town Planning Scheme allows for specified increases in the size of the shopping centre over specified periods of time. [Schedule 5 of this Scheme pursuant to 3.32(a) and (b)].

As a result, it is suggested that some time restriction be placed on the development of Mindarie North Centre to minimise any impact. In respect to timing, it is envisaged that the area will be developed to an extent that the Mindarie North Centre can be established by 1 January 1998. Until that time, no commercial development at Mindarie North Centre should occur. This restriction refers only to the commercial zone at Mindarie. It does not refer to the other uses such as the service station, the

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garden and hardware store, the fast-foods stores, medical centre and civic zone. The only means to prevent these uses from going ahead would be to not proceed with this amendment as a whole or to modify the amendment to delete certain uses.

Discussions with the proponents suggest that the site itself would probably not be developed for two years given present development conditions. The adoption of this condition by Council would give certainty to the matter for a three year period. I suggest that delaying the development of the commercial component until 1998 is sufficient to minimise the impact of the Mindarie North Centre on the Quinns Village Centre.

The Mindarie North Centre is (by virtue of the proposed location of the service station and hardware and garden centre abutting Marmion Avenue) more exposed to passing traffic than the Quinns Village Centre which is slightly removed from Marmion Avenue. But, on balance, I do not believe that this is so substantial as to require a modification to the amendment for this reason alone. I believe it is appropriate to finalise the amendment, subject to the modification described above.

RECOMMENDATION:

THAT Council:

1. advises the applicant, Gumflower Pty Ltd that final adoption of modified Amendment No 584 is subject to advice being received from the Water Authority of Western Australia that Gumflower Pty Ltd has entered into arrangements to meet its headworks contribution for water and sewerage in line with the North West Corridor Agreement, to the satisfaction of the Water Authority;
2. subject to 1. above, finally adopts modified Amendment No 584 to Town Planning Scheme No 1 to:
  - .1 rezone portions of Lot 962 Marmion Avenue, Mindarie, from Residential Development to Commercial, Civic, Special Zone (Restricted Use) Medical Centre, Special Zone (Restricted Use) Fast Food Outlet, Mixed Business, Service Station, and Special Zone (Additional Use) Corner Store in accordance with the revised centre statement plan (being Plan No 91/08/108 dated September 1993;

- .2 include reference to the Special Zone (Restricted Use) medical Centre and Special Zone (Restricted Use) Fast Food Outlet in Part 2 of Schedule 2 of the Scheme Text;
- .3 include reference to the Special Zone (Additional Use) Corner Store in Section 1 of Schedule 2 of the Scheme Text;
- .4 amend the Fifth Schedule of the Scheme Text to include a figure of 500m<sup>2</sup> being the gross leasable area that will be used for retail purposes on the condition that the retail development shall be staged so that nil retail floor space shall be constructed and commence trading prior to 1 January 1998;
- .5 include the following additional clause to Schedule 7 of the Scheme Text:

*"(j) Department Stores and discount department stores shall not be permitted and only one supermarket of a size that is not greater than 500m<sup>2</sup> net lettable area shall be permitted*

3. forwards the submissions to the Hon Minister for Planning seeking final approval;
4. subject to 3. above, authorises the affixation of the Common Seal to, and endorses the signing of, the amending documents and forwards the documents to the Hon Minister for Planning for gazettal;

73adopts the following Mindarie North Neighbourhood centre Planning Policy:

"MINDARIE NORTH NEIGHBOURHOOD CENTRE PLANNING POLICY

- OBJECTIVES:
1. To ensure that a cohesive, multi-functional and well integrated centre is developed, that interacts well with its local community.
  2. To establish guidelines for the design of Mindarie North Neighbourhood Centre to ensure that its various components

relate positively to the Town Square and each other.

AREA: This Planning Policy applies to the portion of Lot 962 on the intersection of Marmion Avenue and Anchorage Drive, Mindarie as shown on plan No 91/08/108 attached to this Planning Policy.

- GUIDELINES:
1. This Planning Policy shall be applied in conjunction with the objectives contained and design principles in Council's Planning Policy for the Design of Centres.
  2. Mindarie North Neighbourhood Centre should be developed generally in accordance with the approved Centre Structure Plan (being Plan No 91/08/108 dated September 1993).
  3. The following uses are permitted within the Planning Policy area: shops, service station, community centre, fast food outlet, medical centre, child care centre, church, mixed business (nursery and hardware).
  4. Surrounding buildings should address the Town Square to assist in it becoming an attractive, active, and vibrant space.
  5. The design of the centre should promote linkages between its various components to facilitate ease of access between those components.
  6. The buildings comprising the centre should be built in a complimentary style.
  7. Reciprocal access and parking is encouraged throughout the centre and if necessary will be supported by an easement in gross or other suitable arrangement.

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8. Parking will be required in accordance with the following:
- .1 the community purpose building:  
one bay per 30m<sup>2</sup> gross floor area;
  - .2 the shopping centre:  
one bay per 12.5m<sup>2</sup> gross leasable floor area;
  - .3 the fast food outlets:  
one bay per 12.5m<sup>2</sup> gross leasable floor area.
  - .4 the service station:  
Three bays per service bay;  
One bay per employee;  
One bay per 12.5m<sup>2</sup> of sales area (for the purposes of this calculation approved refuelling positions shall be regarded as car bays up to a maximum of eight bays.
  - .5 the mixed business:  
One bay per 25m<sup>2</sup> gross floor area.
  - .6 the medical centre  
Six bays per practitioner.
  - .7 the child care centre:  
One bay per staff member plus one bay per five children for the first thirty children accom-modated and one per eight thereafter.
  - .8 the church:  
One bay per four persons accommodated.

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9. Council will encourage the developer to participate in the development and maintenance of the Town Square. Council sees the Town Square as a public space to be used actively by shop owners, other centre users and the community. Council will encourage interaction between the Town Square, retail and community activities and the general public.
  10. The design of the centre should ensure that it is easily accessible by public and private transport and linked to the surrounding area by pedestrian and cyclist routes.
  11. Landscaping should be complimentary to the centre by creating an attractive environment that enhances the visual amenity of the centre.
  12. The ongoing maintenance of the car parks and landscaping shall be the responsibility of the owners of the centre."

O G DRESCHER  
City Planner

pjn:gm  
pre941210  
7.12.94

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**I21233****CITY OF WANNEROO REPORT NO: I21233**

TO: TOWN CLERK  
FROM: CITY PLANNER  
FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 290-7  
WARD: SOUTH, CENTRAL, NORTH  
SUBJECT: LOCAL RURAL STRATEGY

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**SUMMARY**

In accordance with the State Planning Commission's Rural Land Use Planning Policy, the City of Wanneroo is required to produce a Local Rural Strategy to guide future planning and development within its rural sector. The remaining rural lands within the City are concentrated east of Wanneroo Road. The proposed strategy outlined in this report focuses on that portion of the East Wanneroo rural sector south of Neaves Road and east of the areas that have been committed at the regional scale to non-rural uses. The proposed strategy advocates establishment of a series of Special Rural Development Areas (based on the existing Special Rural Zones), and also of land use planning and development priorities for all other rural lands within the City's municipality that are beyond the suggested Development Areas.

Council's endorsement of the principles of the proposed strategy (as outlined) is recommended. It is also recommended that Council endorses preparation of a "preliminary draft" of the Local Rural Strategy (based on these principles), and refers the draft to relevant State Government agencies and releases it to the community for comment.

**INTRODUCTION**

Under the provisions of the State Planning Commission's (SPC) Rural Land Use Planning Policy, all municipalities containing rural zoned land are required to prepare a Local Rural Strategy

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(LRS). As the City of Wanneroo contains rural zoned land, Council is required to produce a LRS.

In 1988, Council prepared a Draft Rural Strategy Plan, but this was not finalised because of the review of metropolitan planning that was initiated in the late 1980s and had major implications for the City of Wanneroo. However, even with finalisation of the North West Corridor Structure Plan (NWCSP), uncertainty about very long-term regional planning objectives for rural lands within the City to the east of Wanneroo Road remained, and effectively prevented Council from progressing its LRS. More recent indications from the Department of Planning and Urban Development (DPUD) are, however, that it is prepared to accept the notion of permanent Special Rural (SR) subdivision east of the East Wanneroo urban area, thereby ameliorating concern that the Department still envisaged more extensive urban development in East Wanneroo than shown in the NWCSP.

For the purposes of progressing Council's LRS, DPUD's advice is being interpreted as indicating that the NWCSP establishes the regional land use context within which the strategy must fit. That is, it has been assumed that any longer-term aspirations for increased urban development in East Wanneroo beyond the time-frame of the NWCSP will not be used to justify rejection of Council's LRS.

Based on this premise, Council was briefed on preparation of the LRS earlier this year, and endorsed a programme that included release of a discussion paper on the strategy as part of a general invitation for public input, and subsequent release of the strategy (initially in preliminary draft form and then as a final draft) for public review. The discussion paper has been prepared and released, stimulating about one hundred responses (refer to Attachment No 1 for a summary of the responses received). The intention was that the preliminary draft would draw on information derived from the responses to the discussion paper and other available information and establish the principles and directions thought to form an appropriate basis for the LRS.

The objective of this briefing is to seek Council's endorsement of the principles and directions being suggested for the LRS, and for preparation and release of the preliminary draft (in accordance with Council's previous decision).

LRS - RATIONALE

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SPC's guidelines for preparation of a LRS indicate that the following prefatory analyses are required -

- . physical assessment of the municipal district to identify areas unsuitable for development for environmental or other reasons;
- . socio-economic analysis to establish population, economic and land use characteristics, and future land use demand;
- . more detailed assessment of particular areas to select land to meet specific demand;
- . formulation of specific planning and development control strategies for the selected areas.

However, for the following reasons, the level of prefatory analysis normally associated with LRS preparation is considered somewhat excessive -

- . as part of the regional planning process, the North West Corridor has been subjected to a number of planning and related investigations;
- . because of the extent to which lands east of Wanneroo Road have been committed (at the regional scale) to particular uses, options in terms of Council's LRS are limited.

In essence, it is necessary to accept that the City of Wanneroo's LRS will differ from the norm based on SPC's guidelines. Council's LRS will essentially be premised on consideration of planning, policy, logistical and environmental factors within the established regional context. This context, which establishes the framework for the LRS, and the more specific environmental constraints and other objectives that constrain development options within the City's rural sector are canvassed below as a basis for identifying the proposed directions of the strategy.

#### LRS - REGIONAL/ENVIRONMENTAL CONTEXT

Rural and SR zoned lands within the City are shown on Figure 1 (Attachment No 3). This figure also shows areas committed at the regional scale to "non-rural" uses and which are, therefore, effectively excluded from the LRS. Policies addressing interim land use within these areas (ie pending conversion to their

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designated non-rural uses) will nevertheless be a necessary adjunct to the LRS.

Although not specifically committed to such uses, the area north of Wattle Avenue probably also needs to be considered in this context. As indicated on Figure 1, a substantial portion of this area is designated for "Basic Raw Materials" and "Agriculture" under the NWCSP. Although the area designated for agriculture is unlikely to eventuate, because of limitations on groundwater availability and proximity to down-gradient wetlands, the basic raw materials area reflects the existence of high grade limestone resources and the outcome of the SPC's basic raw materials resource protection initiative. Promoting SR development within this area would not be consistent with the objective of protecting its limestone resources for future exploitation.

It is also relevant to note that, in the METROPLAN document, the Nowergup and Carabooda areas have been designated as "Future Urban Growth Option". Based on informal information from DPUD this option is understood to still be regarded favourably. If additional urban development (ie beyond that envisaged under the NWCSP and associated Metropolitan Region Scheme (MRS) amendments) is considered necessary within the City of Wanneroo, from a water resource management perspective, the area north of Wattle Avenue offers advantages (in terms of such development) compared with East Wanneroo (the only apparent alternative).

For instance, the Nowergup/Carabooda localities are beyond proclaimed groundwater area (refer to Figure 2, Attachment No 4) and because of landform, are generally less susceptible to rising groundwater levels. Further, although the Nowergup/Carabooda localities contain some wetlands (as mentioned above) these features and the natural drainage pattern in general are more discretely defined than in East Wanneroo. In the event of surrounding development, protective management would therefore be more readily applied. The environmental significance of the East Wanneroo wetlands can also be regarded as perhaps greater than that of the wetlands north of Wattle Avenue, as evidenced by the relatively greater extent to which the East Wanneroo wetlands are affected by System 6 recommendations and the Environmental Protection (Swan Coastal Plain Lakes) Policy (refer also to Figure 2).

The regional water resource and conservation significance of Lake Pinjar must also receive particular attention in terms of the LRS. Although the lake constitutes a substantial area of privately owned rural land, prevailing environmental conditions

and related considerations (as outlined hereunder) effectively preclude its inclusion (in a conventional sense) within the LRS -

- . the lake is entirely encompassed by System 6 Recommendation M8 (for the Gngara Regional Park);
- . approximately 30% of the lake is affected by the Environmental Protection (Swan Coastal Plain Lakes) Policy;
- . approximately 40% of the lake has been identified as having very high conservation value through the recent East Wanneroo Natural Resource Mapping Study commissioned by DPUD (NB. the areas of Lake Pinjar affected by the Coastal Plain Lakes Policy and high conservation rating are not entirely coincident - the combined area affected approximates about 60% of the lake's total area);
- . the entire lake is within proclaimed groundwater area, mostly Priority 1 Source Protection Area;
- . a very substantial part of the overall lake area is subject to periodic flooding and/or waterlogging.

Councillors would be aware of the attempts to develop a land use planning and management strategy for Lake Pinjar that adequately accommodates the prevailing environmental constraints and values while providing for some limited subdivision opportunity. The Environmental Protection Authority's recent assessment of several subdivision proposals within Lake Pinjar has endorsed the notion of controlled, low-intensity land use and development within the lake, although some related issues still require further attention. Of particular relevance in this context is how best to protect the key water resource, wetland and conservation value areas of the overall lake.

Uncertainty over the location of Perth's second General Aviation Aerodrome (GAA) also militates against proposals for the intensification of human habitation in a number of the City's residual rural areas. The four short-listed sites for the second GAA are shown on Figure 2. As can be seen, three of the four sites have the potential to adversely affect rural lands in the Carramar, Pinjar, Nowergup and Carabooda localities, while the fourth site adjoins the largest of the residual rural areas west of Wanneroo Road (north-east of Two Rocks).

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Until such time as there is a final decision about the location of the second GAA, each of the short-listed sites must be regarded as a constraint upon development opportunity within the surrounding areas.

#### LRS - GENERAL DIRECTIONS/PRINCIPLES

As previously indicated, the establishment of policies relating to interim land uses within the presently rural areas that have been committed (at the regional scale) to future non-rural uses will be a necessary adjunct to the LRS.

In this context, the priority should be to ensure that future options will not be jeopardised in any way. Although adoption of this priority would, virtually as a matter of course, preclude various rural and non-rural activities, a flexible approach towards subdivision and development control within these areas would be considered appropriate. On this basis, the following policy directions are suggested for these areas -

- . maintenance of present subdivision policy;
- . consideration of specific development proposals on their merits, but within the context of preserving options consistent with the designated regional planning strategy and time frame.

As is readily apparent from Figure 1, the residual rural lands within the City of Wanneroo are concentrated east of Wanneroo Road. The remaining rural lands west of Wanneroo Road occur in several disparate parcels and in reality, offer little opportunity in terms of the LRS. From a logistical perspective it is therefore considered appropriate that the LRS should focus on the residual rural areas east of Wanneroo Road and, for the reasons outlined above, concentrate essentially on the general East Wanneroo area.

For the purposes of progressing the LRS, the general East Wanneroo area is defined as that area within the City south of Neaves Road and east of the lands already committed to non-rural uses. However, in advocating that the LRS effectively focus on this area, it is also necessary to establish planning priorities for other residual rural lands within the City. Suggested priorities in this context are as follows - Figure 3A (Attachment 5) identifies the respective areas to which the suggested priorities apply.

Areas west of Wanneroo Road -

North-east of Two Rocks (#1) - these areas are sufficiently removed from other rural areas to be considered in isolation. The NWCSP indicates that these areas will be subjected to further study. The owner of the larger of these areas has initiated structure planning for both cluster ('community title') and SR development options. The disposition and intensity of development within these areas will need to reflect the ultimate decision regarding the GAA site. SR development is, nevertheless, regarded as a potentially appropriate form of land use within these areas.

Pipidinny-Beonaddy Swamps (#2) - these areas have been excluded from the Parks and Recreation Reserve connection between the Neerabup and Yanchep National Parks proposed under the Alkimos-Eglinton major MRS amendment (because of landowner opposition). Although maintenance of the status quo in terms of subdivisional and land use development is an appropriate planning priority within these areas based on land owner aspirations, some form of protective zoning will probably be necessary to prevent the intrusion of inappropriately intense subdivision and land use (rural and/or non-rural) development.

Lakes Joondalup and Goollelal (#3) - these areas have a stronger logical affinity with existing residential areas between Wanneroo Road and the eastern boundary of the Yellagonga Regional Park than with the residual rural sector. Future land use within these areas will need to be determined through more detailed, localised study, taking their proximity to Yellagonga and consequent servicing and management requirements into account. Controlled urban, low-density residential or some alternative form of non-rural land use could be appropriate within these areas.

#### Areas east of Wanneroo Road -

North of Wattle Avenue (#4) - maintain the status quo within this area (in terms of subdivision and land use policy), particularly pending a final decision regarding the location of the second GAA. This will limit the potential for adverse noise impacts in the event that one of the three nearby short-listed sites is selected. Maintenance of the status quo will also maximise future options in terms of very long-term urban growth

strategies and exploitation of the in-situ limestone resources. Implementation of an effective land use planning and development framework to guide extractive industry within this area (consistent with the objectives of SPC's 1992 Basic Raw Materials Policy Statement) should also occur.

Lake Pinjar (#5) - prevailing environmental constraints (including residual water resource and biological conservation values) dictate that only limited subdivision and land use development, and human habitation, are appropriate. Controlled subdivision and land use development (drawing on the essential principles canvassed in the Lake Pinjar Land Use Planning and Management Strategy Discussion Paper) would achieve some degree of direct conservation of the intrinsic environmental values of the area and would help to maintain options for effective, permanent protection of those parts of the lake with key water resource and biological values.

Neerabup (#6) - the elongated configuration of much of this area, confined as it is by Wanneroo Road and Parks and Recreation Reserve (containing Lake Neerabup) poses difficulties in terms of establishing a valid planning priority for this area. In essence, and notwithstanding the extent of land use development that has occurred there, it may have been more appropriate to extend the Parks and Recreation Reserve westwards to Wanneroo Road rather than to retain this area as privately owned land.

Particularly the most southerly of the short-listed GAA sites represents a potential constraint upon development within this area and conceivably, the Flynn Drive industrial complex could also constitute such a constraint. The only approach regarded as valid under the prevailing circumstances is to treat this area as an extension of the Carramar Park SR Zone. This would help limit future human habitation within an area exposed to potentially adverse impacts, and may enable the introduction of more effective management of land use and development within existing relatively small allotments.

The East Wanneroo area upon which it is advocated the LRS should focus is shown in more detail on Figure 3B (Attachment No 6). This figure includes information about prevailing environmental constraints that have been considered in identifying prospective SR Development Areas. It is proposed that, subject to

appropriate planning, SR subdivision would be allowed within these areas. It is also proposed that other forms of land use which could detract from the character and amenity of the SR Development Areas should be specifically excluded. Such uses are shown in Attachment No 2.

The Priority (groundwater) Source Protection Areas have been regarded as an important limit on the eastward extent of SR Development Areas. Limiting extension of the SR Development Areas beyond lands noted as having a high capability in terms of rural-residential development has also been regarded as a priority. Land capability rating is a measure of the intrinsic quality of an area for a particular form of development, based on consideration of a range of factors. The factors considered in respect to capability for rural-residential development are:

- . erosion risk
- . ease of excavation
- . flood and inundation risk
- . foundation soundness
- . capability for on-site effluent disposal
- . slope and stability

In terms of avoiding potential conflict between productive rural activities and (essentially recreational) SR development (an issue that features prominently in submissions received in response to the initial discussion paper on the LRS), practicalities preclude consideration of more general activities such as market gardening. For example, if effective buffers were maintained around operating market gardens, very substantial tracts of the East Wanneroo locality would simply be unavailable for alternative forms of human development. In considering this issue, particularly potentially problematic uses only (viz poultry and mushroom operations, and piggeries) have been addressed. As can be seen from Figure 3B, relatively few of these activities occur within the proposed SR Development Areas. These will, however, have to be specifically accommodated in detailed planning for the development areas.

In seeking to accommodate prevailing environmental constraints, the strategy outlined on Figure 3B concentrates proposed SR Development Areas in the western portion of East Wanneroo. In so doing, the strategy builds on the framework of existing SR zones, thereby maintaining a rural character throughout the remainder of East Wanneroo (a specific objective that Council has previously enunciated).

Although subdivisional development is not being advocated throughout the majority of East Wanneroo under the indicative strategy being suggested, it is necessary to acknowledge that pressure for subdivision is occurring there. For instance, a four hectare subdivision has been approved (on appeal to the Hon Minister for Planning) for a site on Wirrega Road east of Lake Jandabup (refer to Figure 1), and it is understood that a similar intensity of subdivision is also being pursued for a site east of Sydney Road in the vicinity of Stoney Road and Ross Street. Incidentally, both the sites involved were identified (through the previously mentioned DPUD study) as having high conservation value and were originally included in working documents for the proposed East Wanneroo MRS amendment as part of a Parks and Recreation Reserve link between Lakes Gngangara and Jandabup. Application of formal land use planning and development control policies, directed towards maintaining the intrinsic environmental values throughout those parts of East Wanneroo not included within the proposed SR Development Areas, is regarded as a necessary initiative under the LRS. It is envisaged that the broad thrust of such policies would be similar to that advocated for the Lake Pinjar area, including their proactive instigation by Council. Necessarily, these policies would be strongly influenced by water resource management objectives (ie as the areas involved are entirely within Priority (groundwater) Source Protection Areas, and are potentially prone to rising groundwater levels).

The wedge of rural zoned land immediately west of Alexander Drive adjacent to the Overseas Telecommunications Commission/Telstra site (OTC site) is a problematical area. It attracted a number of submissions in response to the discussion paper on the LRS, ranging from strong advocacy for urban development, to similar representation for retention of its rural status (to maintain rural operations that have established therein).

As a whole, the area has limited suitability for SR development and such would constitute a compromise that would satisfy neither those seeking urban development or retention of its rural status.

Had the OTC site not existed, it could logically be assumed that, at the regional scale, this area would have been designated for urban development. It could therefore be regarded as appropriate for this area to be designated for the maximum intensity of subdivisional development consistent with maintaining the operational integrity of the OTC site. A caveat attached to this proposition should, however, be that the existence of such development should not be used to apply pressure for the removal of operations that have legitimately

located within this area because of its rural status. In essence, therefore, at this juncture, this area should be identified as one requiring further investigation, albeit in the direction outlined here.

In terms of subdivisional development within the proposed SR Development Areas, it is suggested that there should be a degree of flexibility regarding lot size. The issue of lot size within SR zones is again one that attracted considerable comment in response to the discussion paper, many respondents arguing that a one hectare (rather than two hectare) standard is appropriate.

The Water Authority's recommendation that one hectare SR allotments should be connected to a reticulated water supply (a requirement normally imposed as a condition of subdivision approval) can be regarded as a constraint upon subdivision opportunity, particularly given the existing allotment configuration and fragmented ownership of properties within the proposed SR Development Areas. The extension of reticulated water supply into East Wanneroo may also have implications in terms of Council's desire to maintain a rural character within the area.

Although a blanket minimum lot size standard of one hectare throughout the proposed Special Rural Development Areas is certainly not being advocated, if one hectare lots could be allowed without a requirement for reticulated water, a greater degree of flexibility would be available to subdividers and accordingly, the LRS could gain an increased level of community support (thereby enhancing its potential effectiveness). The question of reticulated water supply is, therefore, one which should be specifically canvassed in progressing the LRS.

#### CONCLUSIONS

It is proposed that, in terms of its basic direction, the City's LRS should focus on the residual rural lands within the East Wanneroo area and pursue the following initiatives -

- . establish a series of SR Development Areas that build upon the existing SR zones;
- . promote a flexible approach towards SR lot sizes, although such is dependent upon resolution of the requirement for a reticulated water supply for lots of one hectare;

- . (proactively) introduce land use planning and development control policies within areas beyond the designated SR Development Areas directed towards the maintenance of their intrinsic environmental values (eg as an adjunct to the future Gngangara Regional Park, and to the Gngangara Urban Forest concept);
- . enable the maximum intensity of subdivision within the rural wedge west of the OTC site consistent with maintaining the operational integrity of the facility and continued operation of rural activities within the wedge.

In terms of other residual rural areas within the City, it is proposed that the LRS establish the following priorities -

- . North-east of Two Rocks - maintenance of status quo pending finalisation of the second GAA site.
- . Pipidinny-Beonaddy Swamps - maintenance of the status quo, including the option of introducing a protective rural zoning if needed to secure this objective.
- . Lakes Joondalup and Goollelal - maintenance of the status quo pending completion of localised study to establish appropriate land use (probably controlled, urban, low-density residential or alternative non-rural development);
- . North of Wattle Avenue - maintenance of status quo in terms of subdivision and land use policy, and implementation of an effective planning and development control framework to guide extractive operations.
- . Lake Pinjar - proactive introduction of land use planning and development control policies, to limit the intensity of subdivision and development (based on the Lake Pinjar Land Use Planning and Management Strategy Discussion Paper) and maintain options for effective protection of the key water resource management and biological conservation value portions of the lake.
- . Neerabup - inclusion of the area as an extension of the existing Carramar Park SR Zone.

In terms of the presently rural zoned lands within the municipality which have been committed at the regional scale to

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future, non-rural uses, it is proposed that the following priorities be established as an adjunct to the LRS -

- . maintenance of present subdivision policy;
- . consideration of specific development proposals on their merits, within the context of preserving options consistent with the designated regional planning strategy and time frame.

## RECOMMENDATION:

## THAT Council:

74endorses the principles for the City's Local Rural Strategy as presented in City of Wanneroo Report No

75endorses preparation of a document outlining the City's "preliminary draft Local Rural Strategy", to be based on City of Wanneroo Report No

76endorses referral of the preliminary draft Local Rural Strategy to relevant State Government agencies for comment (specifying a deadline for comments);

77endorses release of the preliminary draft Local Rural Strategy to the community for a four week comment period (the same approach used in distributing the initial Local Rural Strategy Discussion Paper to the community to be again employed).

O G DRESCHER  
City Planner  
ph:gm/pre941220

I21234

CITY OF WANNEROO REPORT NO: I21234

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/4979

WARD: SOUTH

SUBJECT: PROPOSED CHILD CARE CENTRE ON LOT 92 BERKLEY ROAD (PROPOSED LOTS 317 AND 318 EVANDALE ROAD) MARANGAROO

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METRO SCHEME: Rural  
LOCAL SCHEME: Residential Development  
APPLICANT/OWNER: I B Gilyead and J McKenna  
APPLICATION RECEIVED: 3.8.94  
DAU/SCU: 9.8.94  
APPLICANT CONTACTED: 11.8.94, 12.8.94, 23.9.94  
ADVICE RECEIVED: 26.9.94, 17.11.94  
REPORT WRITTEN: 2.12.94

SUMMARY

Council considered this proposal at its meeting on 12 October 1994 (I21001) when it resolved to advise the applicant of the content of Council's draft Child Care Policy and advertise the proposal. Two letters of support were received in response to advertising.

The applicants did not submit revised plans demonstrating greater compliance with the draft policy and it remains deficient in car parking provisions and does not propose a desirable system of access with a set-down/pick-up area. The proposal is subsequently not supported unless revised plans addressing the above issues are received and are to Council's satisfaction and the lots are amalgamated.

BACKGROUND

Lot 92 is located on the north-west corner of Berkley and Evandale Roads and is zoned Residential Development. It is the subject of a subdivision approved by the Department of Planning and Urban Development on 31 May 1994 (DPUD Ref 93267) which will create Lots 317 and 318 Evandale Road in time. No titles have yet been issued for these two lots which will be 500m<sup>2</sup> each in area and are located approximately 60 metres from the Berkley Road junction.

Berkley Road is also subject of the Berkley Road Structure Plan which is residential in intent. A road north of Lot 318 was planned to divide residential land use from the adjacent Buddhist Cultural Centre but was not included in the plan of subdivision.

Lot 318 can therefore only be accessed from Evandale Road which will be a major road when the subdivision is developed.

The proposal is to cater for a maximum of 38 children, eight of whom are intended to be 0-2 year olds, ten aged 2-3 year olds and 20 aged 3-6 years. A total of six staff will be required between the hours of 7.00am and 6.00pm Monday to Friday inclusive.

Advertising of the proposal was completed on 26 November and two letters of support were received.

#### ASSESSMENT

Council's draft Child Care Policy recommends :

- lot size 1,200-2,000m<sup>2</sup> (1,500m<sup>2</sup> preferred);
- car parking provided at a ratio of one bay per five children and one per staff;
- 50m<sup>2</sup> frontage to facilitate a flow-through system of access, preferably with a set-down/pick-up area.

Lots 317 and 318 would total 1000m<sup>2</sup> with a lot frontage of 36.4m<sup>2</sup>. The proposed access design is not in line with Council's recommendations and no area is provided for set-downs and pick-ups. In addition the draft policy would require 14 bays for this development only 11 have been provided and not in the most acceptable layout. Clearly, a revised layout of buildings, parking provisions and accessways may enable greater compliance with the recommendations. Fortunately the land is under-developed allowing considerable scope for re-design.

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The applicants request Council to allow additional parking within the 3m require landscape strip. This could be considered appropriate if the road verge is landscaped although not desirable.

The applicant has obtained permission from the owners of the adjacent Buddhist Cultural Centre on Pt Lot 91 to allow the applicants rights to use four parking bays park on their property. While there may be some opportunity to accommodate parking here, the existing parking bays for the Buddhist establishment are located central to the lot and some distance from the boundary to Lot 318 and are unlikely to be fully utilised by child care centre patrons. Every attempt, therefore, should be made to provide the number of car bays on Lots 317 and 318.

It is considered that the applicant should consider the purchase of the adjoining Lot 316 which will then give him an area of 1482m<sup>2</sup> thereby enabling him to meet Council's circulation car parking and landscaping requirements.

There is no concern with the location of this development in relation to Evandale Road becoming a major through road given that there are no road traffic treatments proposed. The only comments received as a result of advertising in fact support the establishment of a centre in the vicinity because they feel there is a need for one in this area as the number of residences is increasing.

In conclusion, the proposal does not provide for the required number of car bays in a configuration satisfactory to Council nor a preferred flow-through system of access with a set-down/pick-up area and the standard of plan submitted does not allow an accurate assessment of the proposal. Council would need to see revised plans of a professional standard demonstrating greater compliance with the draft policy requirements as has been pointed out to the applicants during the assessment of this proposal. Although the total area of Lots 317 and 318 at only 1,000m<sup>2</sup> may prohibit compliance the land has not been developed and has the advantage of being unconstrained from a design point of view.

Council may wish to relax the 3m landscaping buffer requirement along Evandale Road and permit parking in this area in considering revised plans.

Regardless of the above, should Council decide to approve the proposal, the lots would need to be amalgamated prior to

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development and an appropriate condition of approval would state this requirement

## RECOMMENDATION:

THAT Council:

78refuses the application submitted by I B Gilyead and J McKenna for a Child Care centre on Lot 92 (proposed Lots 317 and 318) Evandale Road, Marangaroo on the grounds that the configuration and number of car bays is inadequate and the proposed system of access is not desirable;

79advises the applicants that it is prepared to consider revised plans of professional standard, demonstrating the provision of car bays and accessways, and which illustrate clearly that the proposal can more closely meet Council's draft Child Care Policy;

80advises the applicant that any approval for a child care centre will be subject, amongst other things, to the amalgamation of proposed Lots 317 and 318 Evandale Road, Marangaroo;

81advises the applicant that he ought to consider purchasing the adjoining Lot 316 which will enable him to comply with Council's requirement of setdown areas, circulation car parking and landscaping.

O G DRESCHER  
City Planner

hjc:gm  
pre941254  
7.12.94

I21235

CITY OF WANNEROO REPORT NO: I21235

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 790-682

WARD: NORTH

SUBJECT: DRAFT MERRIWA NORTH CENTRE PLAN AND POLICY

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential Development  
APPLICANT/OWNER: Smith Corporation  
APPLICATION RECEIVED: 11.10.94  
REPORT WRITTEN: 6.12.94

SUMMARY

A draft Centre Plan and Policy which seeks to establish guidelines for the co-ordinated design and development of the Merriwa Local Centre has been submitted by Smith Corporation for Council's adoption.

BACKGROUND

The preparation of a centre plan is a requirement of Amendment No 682 to Town Planning Scheme No 1. This amendment was initiated by Council at its 25 May 1994 meeting (I20512) and seeks to rezone portion of Lot 904 Baltimore Parade, Merriwa, from Residential Development to Commercial and Mixed Business (see Attachment No 1).

For some time Council has been encouraging centre designs which may facilitate the creation of effective community focal points. To achieve this, a draft Planning Policy on the Design of Centres was adopted by Council at its 16 March 1994 meeting (I50310). This policy establishes a range of broad design objectives and intends that each new centre will have its own specific centre plan and policy.

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**ASSESSMENT**

The broad objectives of the draft Planning Policy on the Design of Centres have been taken into consideration in preparing the Merriwa Local Centre Plan and Policy. The draft Merriwa Local Centre Policy is outlined in the recommendation to this report and the centre plan can be seen on Attachment No 2.

Council's particular attention is drawn to the list of permitted land uses for each portion of the policy area. The stated uses are generally more restrictive than the applicant proposed, however are considered to be the most appropriate in the absence of any formal development/use application. The proposed permitted land uses have taken cognisance of the site's relatively small size and close proximity to both residential lots and Marmion Avenue. An attempt has been made to exclude uses that would be likely to substantially affect residential amenity.

The applicant sought to include provision in the policy for a service station on the corner of Marmion Avenue and Baltimore Parade. Service stations are generally considered to be most suitable, centrally located within a neighbourhood in association with a commercial centre. It is, however, recognised that there is a need for a certain number of service stations along major roads to provide for district and/or regional traffic.

Council needs to carefully consider the overall provision of service stations along major roads given the negative impact they have on adjacent residential amenity and the likelihood that future, highly accessible service stations, will seek a convenience store component which may affect the local retail structure. Council's Town Planning Department is currently preparing a policy in respect to this issue. It is not considered appropriate that a service station be listed as a permitted land use in the Merriwa North Local Centre Planning Policy unless and until the overall service station policy identifies this location as suitable.

Several details on the centre plan relating to vehicular access points, median islands, pedestrian linkages and refuges, landscape buffer widths and relative ground levels need to be further discussed or possibly amended to improve the functioning of the centre and to reduce its impact on the surrounding future residential lots. This should be finalised prior to advertising of the Centre Plan and Policy.

## PROCEDURE FOR APPROVAL OF THE PLANNING POLICY

Clause 5.11 of Council's Town Planning Scheme No 1 provides for the following procedure for the approval of Planning Policies:

1. adoption of a draft Policy by Council;
2. advertising for public submissions (minimum period of 21 days);
3. review of draft Policy by Council in light of submissions received and adoption of final Policy (with or without modifications);
4. advertising of notice of final adoption of Policy.

## EFFECT OF PLANNING POLICY

The effect of a Planing Policy adopted under the provisions of Scheme No 1 is described in sub-clause 5.11(f) of the Scheme: "A Policy shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its decision."

## RECOMMENDATION:

THAT Council:

82adopts the following draft Merriwa Local Centre Planning Policy:

## MERRIWA NORTH LOCAL CENTRE PLANNING POLICY

- OBJECTIVES:
1. To ensure that a cohesive, multi-functional and well integrated centre is developed, that interacts well with its local community.
  2. To establish guidelines for the design of the Merriwa North Local Centre to ensure that its various components relate positively to each other.

AREA: This Planning Policy applies to the portion of Lot 904 on the intersection of Marmion

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Avenue and Baltimore Parade, Merriwa as shown on the Merriwa North Local Centre Concept Plan in the Appendix.

- GUIDELINES:
1. This Planning Policy shall be applied in conjunction with the objectives and design principles contained in Council's Planning Policy for the Design of Centres.
  2. Merriwa North Local Centre should be developed generally in accordance with the approved Merriwa North Local Centre Concept Plan.
  3. The following uses are permitted within that portion of the Planning Policy area which is located east of Dalvik Avenue: shops (to a maximum gross leasable floor area of 500m<sup>2</sup>), art studio, consulting rooms, health centre/studio, library, lunch bar, office, professional office, restaurant, retail nursery.
  4. The following uses are permitted within that portion of the Planning Policy area west of Dalvik Avenue, art studio, car park, civic building, clinic (infant health/medical), consulting rooms, funeral parlour, health centre, hospital private (including consulting rooms, warehouse.
  5. The design of the centre should promote linkages between its various components

to facilitate ease of access between those components.

6. The buildings comprising the centre should be built in a complimentary style.
  7. Reciprocal access and parking is necessary throughout the centre and will be supported by an easement in gross in favour of the City of Wanneroo or other suitable arrangement.
  8. Parking will be required in accordance with the following minimum standards:
    - .1 for land zoned "Commercial":
      - . one bay per 12.5m<sup>2</sup> gross leasable floor area
    - .2 for land zoned "Mixed Business":
      - . one bay per 25.0m<sup>2</sup> gross floor area.
  9. The design of the centre should ensure that it is easily accessible by public and private transport and is linked to the surrounding area by pedestrian and cyclist routes.
  10. Landscaping should be complimentary to the centre by creating an attractive environment that enhances the visual amenity of the centre.
  11. The ongoing maintenance of the car parks and landscaping shall be the responsibility of the owners of the centre;
2. adopts the draft Merriwa North Local Centre Concept Plan being Plan No 94/90/1 dated October 1994 prepared by Russell Taylor and William Burrell Consultants subject to modifications being carried out to the satisfaction of

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the City Engineer and City Planner to address the design issues raised in Report I

3. subject to receipt of a modified concept plan referred to in Point 2 of this resolution, authorises the advertising of the draft Merriwa Local Centre Plan and Policy with a public submission period of no less than 21 days;
4. advises the applicant that it may be prepared to reassess the appropriateness of a service station on the corner of Marmion Avenue and Baltimore Parade once it has adopted a policy on the overall provision of service stations on major roads.

O G DRESCHER  
City Planner

rmp:gm  
pre941250  
6.12.94

I21236

CITY OF WANNEROO REPORT NO: I21236

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-91955

WARD: NORTH

SUBJECT: PROPOSED RETAINING WALLS IN EXCESS OF TWO METRES IN HEIGHT, PT LOT 961 MARMION AVENUE, MINDARIE (STAGE B, PHASE 1)

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential Development  
OWNER: Gumflower Pty Ltd  
CONSULTANT: Sinclair Knight Merz  
APPLICATION RECEIVED: 22.11.94  
REPORT WRITTEN: 6.12.94

SUMMARY

Sinclair Knight Merz on behalf of Gumflower Pty Ltd is seeking Council's authorisation to the construction of retaining walls in excess of two metres in height within Lot 961, Stage B, Phase 1 of its Mindarie Estate. The nature of the terrain and the developer's philosophy of providing relatively level building lots necessitate this construction. No objection is raised provided the retaining walls are designed in a structurally sound manner.

ASSESSMENT

A subdivision application for this portion of the Mindarie Estate was approved by the State Planning Commission in March 1994.

The engineering design is now complete and given the nature of the terrain and the developer's design philosophy of providing relatively flat residential lots, in order to minimise further earthworks associated with house construction, retaining walls

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greater than two metres high are now proposed along the rear boundary of approximately nine lots. The maximum height being 2.8 metres.

Council Policy authorises the City Building Surveyor to approve retaining walls up to a maximum of 2.0 metre in height.

Given the location of the subject retaining walls along the rear boundary of lots, they are not seen to be detrimental to the amenity of the area, will not cause over-shadowing problems and are therefore considered acceptable on Town Planning grounds. The retaining wall design will need to be certified as structurally sound by a practising structural engineer.

Council is reminded that similar requests, in relatively isolated broadacre areas, have been approved by Council in the past.

RECOMMENDATION:

THAT Council authorises the construction of retaining walls greater than two metres in height for Pt Lot 961 Marmion Avenue, Mindarie (Stage B, Phase 1) as proposed by Sinclair Knight Merz on behalf of Gumflower Pty Ltd, subject to the detailed design being certified as structurally sound by a practising structural engineer.

O G DRESCHER  
City Planner

rmp:gm  
pre941243

I21237

CITY OF WANNEROO REPORT NO: I21237

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 765-20

WARD: SOUTH WEST

SUBJECT: PETITION : DOG EXERCISE BEACH AT MARMION

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INTRODUCTION

The City of Wanneroo has received a 78 signature petition regarding the establishment of a dog exercise area on the beach between Troy Avenue and Ozone Road at Marmion for a distance of approximately 400 metres.

BACKGROUND

Correspondence was received from Mr & Mrs Brotherson of Marmion in February of this year seeking a Dog Exercise Beach at Marmion between Troy Avenue and Ozone Road (Attachment No 1). Council's Municipal Law and Fire Services Department responded to the letter advising that the Hillarys Animal Exercise Beach was located especially to serve needs for the residents of the southern suburbs of this City. Also, the City of Wanneroo has three established dog exercise beaches and there are no plans for any further animal exercise areas within the southern section of the City area.

Mr and Mrs Brotherson have again written to Council seeking a dog exercise beach at the above location. Their correspondence has been forwarded to the relevant Ward Councillors. Subsequently, a 78 signature petition supporting the establishment of a dog beach at the same location was presented to Council on 9 November 1994.

THE ENVIRONMENT OF THE AREA

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The subject coastal reserve is characterised by a dissected, undulating limestone terrain covered by a thin layer of soil. The limestone terrain along the coast has been eroded to form a narrow beach with some rocky headlands. The beach itself has a limestone bed covered by a thin layer of sand. The sea bed immediately adjoining the beach has bare limestone.

The beach at present is used mainly for sun bathing. Swimming could be dangerous, particularly for children. The natural processes in this section of the coast are characterised by seasonal movement of sand. The sand is generally accumulated on the beach during the summer and washed away during the winter. This makes this beach safer to use by people during the summer. However, it seems to be relatively safe for dogs.

#### DISCUSSION

The subject beach is accessible via an access path opposite Troy Avenue. There is no access from Ozone Road. Also, there is no public car park and there is no vacant land suitable to accommodate any car park. Therefore, if a dog beach is established, it would cater for local residents only. This does not seem to be a socially reasonable and equitable request. At present the closest dog exercise beach is at Hillarys situated approximately 3.5 km to the north, with a good parking facility.

In conclusion, this beach at Marmion is generally unsafe for people during the winter but it may cater for dogs during that period. Council could therefore give consideration to gauging the extent of approval for establishment of a dog beach at this area, possibly for 6 months from May to October, but a wide public support for the proposal is needed.

#### RECOMMENDATION:

THAT Council

83advertises, for a four week public comment period, the possibility of the establishment of a dog exercise area on the beach between Troy Avenue and Ozone Road at Marmion for a distance of approximately 400 metres for a period of 6 months a year from 1 May to 31 October;

84requires a further report on this matter following the above public comment period.

O G DRESCHER  
City Planner

rh:rp  
pre941251  
6.12.94

I21238

CITY OF WANNEROO REPORT NO: I21238

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 790-708

WARD: CENTRAL

SUBJECT: AMENDMENT NO 708 - RECODING FROM R20 TO R40,  
LOT 20 SCAPHELLA AVENUE, MULLALOO

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential Development  
APPLICANT/OWNER: Unitech Australia Pty Ltd  
CONSULTANT: De Leo Architects Pty Ltd  
APPLICATION RECEIVED: 16.11.94  
REPORT WRITTEN: 6.12.94

SUMMARY

An application has been received for the recoding of Lot 20 Scaphella Avenue from R20 to R40. Initiation of an amendment to the City's Town Planning Scheme No 1 to rezone the landholding is supported.

BACKGROUND

De Leo and Associates on behalf of Unitech Australia seek Council's support for their application for recoding of Lot 20, 23 Scaphella Avenue, Mullaloo (see Attachment No 1). Lot 20 overlooks Charonia Park and is located near Mullaloo Neighbourhood Shopping Centre, Church and Squash Courts.

ASSESSMENT

The applicants have prepared a notional master plan for the group housing site (see Attachment No 2). Sixteen units are proposed on this 4318m<sup>2</sup> site. While the design is only conceptual and will

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be properly assessed at the development application stage, the overall proposal for an R40 coding is supported.

Located close to shopping facilities, bus services on Dampier Avenue and with an opportunity for a pleasant outlook overlooking Charonia Park, the site lends itself to group housing. With the exception of existing R20 housing directly opposite Scaphella Avenue, there is no other residential uses abutting.

The City Engineer advises that the impact of the proposed group housing site upon traffic along Scaphella Avenue will be minimal. Parking can be adequately accommodated.

RECOMMENDATION:

THAT Council supports the application by De Leo and Associates on behalf of Unitech Australia to initiate Amendment No 708 to Town Planning Scheme No 1 to recode Lots 20 and 23 Scaphella Avenue, Mullaloo from R20 to R40.

O G DRESCHER  
City Planner

pjn:gm  
pre941247  
6.12.94

I21239

CITY OF WANNEROO REPORT NO: I21239

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-95520

WARD: CENTRAL

SUBJECT: PROPOSED SUBDIVISION, LOT 21 ROUSSET ROAD,  
MARIGINIUP

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METRO SCHEME: Rural  
LOCAL SCHEME: Rural  
APPLICANT/OWNER: P & V Trandos  
CONSULTANT: Urban Focus  
APPLICATION RECEIVED: 19.9.94  
DAU/SCU: 26.9.94  
REPORT WRITTEN: 5.12.94

SUMMARY

This proposal is for the subdivision of Lot 21 Rousset Road, Mariginiup into five lots. As the proposed lot sizes do not comply with Council's Rural Subdivision Policy and the East Wanneroo District Transport Study is yet to be finalised, it is recommended that the application should not be supported.

SITE ASSESSMENT

Lot 21 is 9.0602 hectares in area and has frontage to both Rousset Road and an unconstructed section of Mariginiup Road (see Attachment No 1). The majority of its area is used for market gardening however a dwelling is located in the north-eastern corner of the lot adjacent to Rousset Road. The lot's topography is flat to undulating.

PROPOSAL

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The applicant is seeking the subdivision of Lot 21 into five lots ranging in size from 1.0ha to around 2.07ha. The 1.0ha lot would contain the existing dwelling.

The applicants are seeking the subdivision as they are nearing retirement age and wish to both provide for their retirement and allocate land to their four sons.

#### BACKGROUND

An earlier application for subdivision of Lot 21 Rousset Road into two lots of 4ha and 5ha respectively, was received by Council in June 1994. That application was considered by Council in August 1994 (I20809) where it was resolved to defer consideration of the application pending finalisation of the East Wanneroo District Transport Study and determination of the design details for the future widening and realignment of Rousset Road.

It was further resolved to advise the landowner that it may consider a rezoning of this land to Special Rural subject to certain criteria being met.

Following consideration of Council's resolution with regard to the abovementioned subdivision, the applicants decided that the original proposal did not meet their requirements. Their consultants subsequently submitted this new application on the basis that a Special Rural zoning is an unnecessary prerequisite for subdivision of land into 1ha and 2ha lots. This premise originates from the recent Supreme Court ruling with regard to the F.A.L.C. versus State Planning Commission case where the Court ruled that:

*"... the general policy of the Commission not to permit subdivision into rural smallholdings unless within an area designated Special Rural or similar under the Local Scheme is wrong in law..."*

#### ASSESSMENT

Council's Rural Subdivision Policy stipulates a 4 hectare minimum lot size for rural land in this locality. As such, the proposed lot sizes do not comply with this requirement.

In respect of the Supreme Court ruling outlined above, it is considered that if Council was to adopt this view an ad hoc breakdown of its rural area would result, without the benefit of properly considered land use management controls associated with Special Rural Zones. Furthermore, it would reduce the viability

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of rural pursuits and therefore place increasing pressure on Council to allow non-rural land uses throughout its Rural zones.

This lot is contained within the East Wanneroo District Transport Study Area. That Study is yet to be finalised and it is therefore considered that support for this subdivision would be premature. Council's Engineering Department has also advised that the widening and realignment of Rousset and Mariginiup Roads cannot be considered until the abovementioned study is complete.

Should Council support the application, conditions with regard to the construction of Mariginiup Road adjacent to the proposed lots and with regard to necessary building setbacks should be applied.

RECOMMENDATION:

THAT Council:

85does not support the application submitted by P & V Trandos for the subdivision of Lot 21 Rousset Road, Mariginiup for the following reasons:

- .1 the proposal is inconsistent with Council's Rural Subdivision Policy which specifies a minimum lot size of 4 hectares in area;
- .2 support for this proposal will establish an undesirable precedent for further subdivision in the locality;
- .3 the proposal represents fragmentation of the rural area in this locality and would diminish its rural integrity;
- .4 the East Wanneroo District Transport Study is yet to be finalised and as such requirements with regard to the widening and realignment of Rousset and Mariginiup Roads cannot be determined as yet;

86advises the landowner that it:

- .1 will only support the subdivision of subject land into lots smaller than 4.0 hectares if the land is rezoned to Special Rural under its operative Town Planning Scheme thus allowing

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properly considered landuse arrangement controls to be prepared and implemented;

- .2                    may be prepared to consider a Special Rural zoning for Lot 21 Rousset Road, Mariginiup, provided that such an application is submitted on the basis of multiple adjacent landowners in the area submitting a joint scheme amendment application to rezone their lots to Special Rural and a consultant being engaged to prepare the Scheme Amendment application in the context of an overall detailed structure plan and an interim local rural strategy for the wider locality;

87advises the State Planning Commission of Recommendation 2 above.

O G DRESCHER  
City Planner

sgw:gm  
pre941240  
5.12.94

I21240

CITY OF WANNEROO REPORT NO: I21240

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-94262

WARD: CENTRAL

SUBJECT: PROPOSED SUBDIVISION, LOCATION 3310 HAWKINS  
ROAD, JANDABUP

METRO SCHEME: Rural & Reserve for Parks and Recreation  
LOCAL SCHEME: Rural & Reserve for Parks and Recreation  
APPLICANT/OWNER: N C Hawkins & H M & R F Cowie  
CONSULTANT: John Bullock & Associates  
APPLICATION RECEIVED: 19.5.94  
DAU/SCU: 9.6.94 APPLICANT CONTACTED:  
17.6.94  
ADVICE RECEIVED: 30.11.94  
REPORT WRITTEN: 5.12.94

SUMMARY

This application proposes to subdivide Swan Location 3310 Hawkins Road, Jandabup into three lots. Part of the land is required for a Parks and Recreation Reservation and also for road widening. This would result in lots smaller than the 4.0 hectares minimum specified under Council's Rural Subdivision Policy and the application should therefore not be supported. A modified application creating two lots each with a minimum of 4.0ha could, however, be supported.

SITE ASSESSMENT

Location 3310 is 17.7936ha in area and has frontage to both Hawkins Road and an unconstructed portion of Wirrega Road (see Attachment No 1). The land slopes down from Hawkins Road toward Jandabup Lake and has been substantially cleared of vegetation. There is a limestone weatherboard and asbestos dwelling on the

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lot known as Hawkins House. The homestead was constructed in 1912 and replaced in 1951 and has no heritage significance according to Council's Historic Sites Database.

#### PROPOSAL

The applicant is seeking the subdivision of Location 3310 into three lots ranging in size from 4.0ha to around 9.8ha. The proposed central lot contains Hawkins House (Attachment No 2).

#### ASSESSMENT

Approximately the western 7.6ha of Location 3310 was reserved under the Metropolitan Region Scheme (MRS) as a Parks and Recreation Reservation by the recent East Wanneroo Major MRS Amendment. It is intended that the reserved land will ultimately be acquired by the Government for the purpose for which it is reserved.

Council's Rural Subdivision Policy stipulates a 4ha minimum lot size in this locality. Although the proposed lot sizes currently meet this minimum, the Government's acquisition of the reserved land would result in proposed Lots 1 to 3 being around 2.6ha, 5.6ha and 2.0ha respectively.

Council's Engineering Department has advised that should the application be supported, then conditions relating to the widening and drainage of Hawkins Road should be imposed. Such widening requirements would further reduce the size of proposed Lots 1 to 3 to around 2.5ha, 5.4ha and 1.6ha respectively.

There is no objection in principal to subdividing Location 3310 into two lots, so long as each lot maintained a minimum of 4.0ha and the necessary boundary clearances to buildings were achieved.

#### RECOMMENDATION:

THAT Council:

88does not support the application submitted by N C Hawkins and H M and R F Cowie for the subdivision of Location 3310 Hawkins Road, Jandabup, for the following reasons:

- .1 the land required for a Metropolitan Region Scheme Parks and Recreation Reservation and for road widening would result in lots smaller

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than the 4.0 hectare minimum specified under its Rural Subdivision Policy;

.2 the proposal represents fragmentation of the rural area in this locality and would diminish its rural integrity;

.3 support for the proposal would establish an undesirable precedent for further subdivision in the locality;

89advises the State Planning Commission that it would support a modified application proposing two lots each with an ultimate minimum of 4.0 hectares, subject to:

.1 that portion of Location 3310 shown as Parks and Recreation Reservation under the Metropolitan Region Scheme being created on a separate lot pending Government acquisition;

.2 the land required for the widening of Hawkins Road being shown on the Diagram or Plan of Survey as such and being ceded free of cost to the Crown without any payment of compensation;

.3 provision being made for the drainage of Hawkins Road to the satisfaction of the City Engineer;

.4 access arrangements to each new lot being made to the satisfaction of the City Engineer;

.5 all buildings having the necessary clearance from the new lot boundary.

O G DRESCHER  
City Planner

sgw:gm  
pre941241  
5.12.94

I21241

CITY OF WANNEROO REPORT NO: I21241

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-95382, 790-691

WARD: NORTH

SUBJECT: PROPOSED SUBDIVISION, PT LOCATION 1866 NEAVES ROAD, CORNER MEADOWLANDS DRIVE, MARIGINIUP

METRO SCHEME: Rural

LOCAL SCHEME: Special Rural Zone

APPLICANT/OWNER: W D Duffy

CONSULTANT: R G Lester & Associates

APPLICATION RECEIVED: 13.9.94

DAU/SCU: 26.9.94

REPORT WRITTEN: 5.12.94

SUMMARY

This application is for the subdivision of Pt Location 1866 on the corner of Neaves Road and Meadowlands Drive, Mariginiup into two lots. The proposed corner lot is intended to accommodate a Rural Store proposal under Amendment No 691 to Town Planning Scheme No 1. No objection is raised to the proposal.

SITE DESCRIPTION

The subject portion of Loc 1866 is 2.0047ha in area and is located on the corner of Neaves Road and Meadowlands Drive, Mariginiup within the Meadowlands Special Rural Zone No 15 (see Attachment No 1). The site is flat, cleared of vegetation and vacant.

PROPOSAL

The applicant is seeking to excise a 4000m<sup>2</sup> lot from Loc 1866 on the corner of Neaves Road and Meadowlands Drive (see Attachment

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No 2). The remaining portion of Loc 1866 would be 1.6047ha in area and would retain frontage to both roads.

#### BACKGROUND

In May 1990 (E90585) Council initiated Amendment No 535 to Town Planning Scheme No 1 to rezone a portion of this lot from Special Rural to Special Zone (Restricted Use) Service Station and Local Store.

The Minister for Planning, however, withheld consent for advertisement of the amendment on the grounds that the proposed uses were inappropriate within a Special Rural zoning. Council subsequently discontinued the amendment in February 1992 (G20330).

The applicant submitted a further rezoning request to Council in June 1994 seeking the creation of a zoning which would permit a Rural Store on Location 1866 Neaves Road.

Council supported the request for a rezoning from Special Rural to Special Rural, Special Zone (Additional Use) Rural Store under Amendment No 691 in July 1994 (I90747). As part of the same resolution they advised the applicant that prior to seeking final approval of the amendment it would require the subdivision of a corresponding 4000m<sup>2</sup> area of Loc 1866 at the corner of Meadowlands Drive and Neaves Road, with a pedestrian accessway along the common boundary with Neaves Road and portion of Meadowlands Drive to restrict vehicular access to the satisfaction of the City Engineer.

The applicant has submitted this application on the basis of that request.

The Scheme Amendment documents have been prepared and submitted to the State Planning Commission seeking the Minister's consent to advertise.

The special provision within Town Planning Scheme No 1 requiring a 1.2 metre vertical separation between the base of dwellings and associated effluent disposal chambers and the maximum expected water table level within the Meadowlands Special Rural Zone No 15 is currently being reviewed as further information has been received which indicates that a groundwater level higher than previous estimates exists in this locality.

#### ASSESSMENT

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Under Town Planning Scheme No 1 the subdivision of land within the Meadowlands Special Rural Zone No 15 shall only be carried out in accordance with the Development Guide Map and the minimum lot size shall be no less than 2.0 hectares. Amendment No 691 proposes to modify the scheme text and Development Guide map to accommodate the subdivision now proposed and as such is a necessary prerequisite to the subdivision proceeding.

In accordance with Council's previous resolution, a 0.1 metre wide pedestrian accessway is required along the boundary of the proposed 4000m<sup>2</sup> lot where it abuts Neaves Road and around the intersection of Meadowlands Drive in order to restrict vehicular access.

RECOMMENDATION:

THAT Council supports the application submitted by R G Lester & Associates on behalf of W D Duffy for the subdivision of Pt Location 1866 (530) Neaves Road, corner of Meadowlands Drive, Mariginiup, subject to:

90the finalisation of Amendment No 691 to the City of Wanneroo's Town Planning Scheme No 1;

91the provision of a 0.1 metre wide pedestrian accessway along the boundary of the proposed 4000m<sup>2</sup> lot where it abuts Neaves Road and around the intersection of Meadowlands Drive to the satisfaction of the City of Wanneroo;

92The pedestrian accessway(s) within the subdivision being shown on the Diagram or Plan of Survey as such and vested in the Crown under Section 20A of the Town Planning and Development Act, such land to be ceded to the Crown free of cost and without any payment of compensation by the Crown;

93the building pads being filled and raised to a level determined by the City Engineer.

O G DRESCHER  
City Planner

sgw:gm  
pre941245  
6.12.94

I21242

CITY OF WANNEROO REPORT NO: I21242

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/4928

WARD: NORTH

SUBJECT: PROPOSED CHILD CARE CENTRE, LOT 217 (60) ST  
IVES DRIVE, YANCHEP

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METRO SCHEME:  
LOCAL SCHEME: Residential  
APPLICANT/OWNER: A M Roche  
CONSULTANT: G Grealish  
APPLICATION RECEIVED: 27.9.94  
DAU/SCU: 27.9.94  
APPLICANT CONTACTED: 4.10.94  
ADVICE RECEIVED: 24.10.94  
REPORT WRITTEN: 14.12.94

SUMMARY

An application has been received for a child care centre which is not consistent with certain aspects of the draft Policy for Child Care Centres and has been the subject of neighbourhood objection. Despite these issues the applicant has attempted to conform to Council's requirements and consequently this application is supported.

BACKGROUND

The subject site is located on the south-west corner of St Ives Drive where it intersects with Lagoon Drive in Yanchep and is zoned Residential R20.

The proposal comprises a new child care centre building of 250m<sup>2</sup> floor area, car parking area, a 50m<sup>2</sup> storage area and a 280m<sup>2</sup> outdoor play area. The centre will accommodate 30 children

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between the ages of 3 to 5 years old between 7.00 am and 6.00 pm Monday to Friday and three staff carers.

The child care centre land use is an AA use under Town Planning Scheme No 1 and as a result was the subject of a 30 day advertising period which closed on 11 December 1994. An 81 signature petition and three letters have been received, all items of which oppose the proposal. The nature of the written objections are summarised below:

1. The proposal does not meet the 1200m<sup>2</sup> minimum lot area proposed by the Draft Child Care Policy and as such has resulted in a poorly designed building with regard to its proximity to adjoining property boundaries thus impacting on the amenity of surrounding neighbours.
2. The proposal is located on a busy intersection and likely to be hazardous to children utilising the facility and attending the primary school across the road. This is considered to be a danger to young children who may wish to make their own way across this intersection.
3. The location of a car park on a lot that is situated in such a busy intersection could increase the incidence of accidents, traffic problems and unauthorised parking of vehicles on neighbouring street verges. Further, the lack of an adequate set-down/pick-up area for children is believed will exacerbate the potential traffic and parking problems.
4. The facility's location in the vicinity of a predominantly residential area could possibly devalue surrounding residential properties and should be relocated next to more compatible uses such as the primary school, community centre or church.

Although the objectors envisage traffic and parking problems with the site, Council's Engineering Department has not considered this an issue in commenting on this proposal. Further, the proposal complies with normal setback requirements and is a use which is normally located in areas of residential development and it can not be argued that such a facility would devalue surrounding properties.

Further, in reference to the 81 signature petition, a total of 50 residences were petitioned in the vicinity of the subject site.

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(Refer Attachment No 4). The petitioners' objections are summarised below:

1. Given the intersection that the subject lot is located on is a busy road and likely to become more so because of neighbouring future land releases, the proposed child care centre will create traffic congestion and endanger children walking to the neighbouring school.
2. The lot area is neither large enough to cater to Council's requirements under the draft policy nor large enough to cater for such a large group of children.
3. This neighbourhood has been purchased by residents intending to reside in a peaceful area where residential amenity is maintained and who do not want it substantially degraded by an obtrusive child care centre.

In response to the petitioners' concerns, it should be noted that an ample car parking area has been proposed on the site with an entry and exit facility to encourage traffic associated with the child care centre onto the site. Further, given the location of the child care centre's play area is proposed to be adjoining street frontages, there should be little disturbance to adjoining neighbours.

#### ASSESSMENT

The proposal has certain deficiencies including deficient car bay widths, a lack of landscaping between the car park to the street verge and the need to incorporate a disabled car bay in the present car park layout.

It should be noted that the draft Child Care Centres Policy has recently been the subject of advertising for public submissions and yet to be adopted. This proposal was submitted to Council prior to the draft policy being formulated and was initially designed in accordance to Council's working practise with regard to such premises. The proposal is deficient with regard to lot size and street frontage according to the draft policy, which advocates a minimum lot size of 1200m<sup>2</sup> and a lot frontage of 50 metres. Despite this, the lot area provided, 884m<sup>2</sup>, has accommodated the car parking ratios that are prescribed by the draft policy. A total of 9 car parking bays have been provided, based on one bay per 5 children and one bay per staff member. The owner of the property intends to commute to the business with his wife, who will be working with him and requests of Council to

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exempt one car bay from the site on the basis that the car bay will always be vacant owing to this arrangement. This situation is likely to change should the property ever be sold and therefore dispensation should not be considered.

Although the proposal does not offer a 3.0 metre wide landscaping strip on all street frontages, it is noteworthy that the applicant proposes to landscape and irrigate all street verges in lieu of the landscape strip. In addition the proposal does not incorporate an adequate set-down/pick-up area separate to the car park area. Although an area parallel to the car park has been nominated as such, this will be required to be deleted as a condition of development approval to ensure an adequate reversing area be maintained to the car park. This feature, although advocated by Council's Engineering and Planning Departments, is not an outright requirement in either the draft policy or in working practise.

Despite certain deficiencies and objections from neighbours, the applicant has provided the required car parking and is proposing to construct a building which conforms to normal residential requirements. Council should note that although this particular lot does not satisfy the minimum area and frontage as specified by the Draft Child Care Policy, those minimum standards have been suggested for lots already accommodating existing buildings. It is considered in such circumstances that the 1200m<sup>2</sup> minimum and the 50 metre lot frontage would normally be required to achieve the minimum car parking requirements. Further, this purpose-built site has been specifically designed to encourage through-flow of traffic in and out of the site and to keep outdoor play areas away from the outdoor entertainment areas of adjoining neighbours. Therefore this proposal is supported.

#### RECOMMENDATION:

THAT Council approves the application for a child care centre on Lot 217 (60) St Ives Drive, Yanchep, submitted by G Grealish on behalf of A M Roche, subject to:

94the street verges abutting the lot being landscaped and reticulated to the satisfaction of the City Parks Manager;

95the provision of nine car parking bays, including one disabled car bay, the layout and design of which shall be in accordance with AS2890.1-1993 and constructed to the satisfaction of the City Engineer;

96standard and appropriate conditions.

O G DRESCHER  
City Planner

vc:gm  
pre941237

I21243

CITY OF WANNEROO REPORT NO: I21243

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/2579

WARD: SOUTH

SUBJECT: SECOND DWELLING ON RURAL LOT, LOT 50 (101)  
GOLFVIEW PLACE, GNANGARA

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METRO SCHEME: Rural  
LOCAL SCHEME: Rural  
OWNER: M & R Tapley  
CONSULTANT: Kestral Homes  
APPLICATION RECEIVED: 17.11.94  
REPORT WRITTEN: 29.11.94

SUMMARY

A letter of intent for a second dwelling on a single rural lot has been received on a site that does not meet Council's requirements. Council approval is sought on compassionate grounds and therefore Council determination is required.

BACKGROUND

Golfview Place has been the subject of a number of subdivision applications. In the past these applications have been recommended for refusal by Council on the basis that proposed lot sizes of under 2 hectares are considered too small for the Rural zoning. Lots of less than 2ha are normally zoned Special Rural.

The Special Rural zoning precludes two houses from being built on the one lot. Appeals have been upheld by the Minister to create the undersized lots in Garfield Place. The precedent could be followed by other lots.

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Under the present zoning of Rural, Lot 50 is subject to Council's Two Houses on One Lot Policy and lot sizes must be a minimum of 2ha before consideration can be given to a second dwelling.

Lot 50 is 1.9394ha which does not meet this requirement. Council should be conscious that 14 other blocks are of similar size within Golfview Place alone.

Council's discretion is sought however, on compassionate grounds. Following are points raised in a letter in support of the proposed application.

1. Block is 0.0604 ha under the minimum 2ha requirement.
2. Two proposed house extensions have been refused by Council on the basis that one was considered a second house, the other failed to meet requirements.

#### ASSESSMENT OF APPLICATION

The proposal fails to comply with Council's current Two Houses on One Lot Policy and Council approval would provide the precedent for surrounding properties to seek similar increased residential densities on Rural zoned land.

Although the lot is only marginally undersize, Council may wish to vary its policy and grant its approval for a second dwelling subject to building setbacks and other standard conditions.

#### RECOMMENDATION:

THAT Council

97refuses the application by Kestral Homes on behalf of Mr and Mrs Tapley for a second dwelling to be established on Lot 50 Golfview Place, Gngangara, on the grounds that:

- .1 the proposal does not comply with the minimum requirements of Council's Policy;
- .2 approval for the proposal would create an undesirable precedent for other proposals;

98advises the applicant to consider other means of household extensions that do not result in two separate dwellings.

O G DRESCHER  
City Planner

rb:gm  
pre941226  
30.11.94

I21244

CITY OF WANNEROO REPORT NO: I21244

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/62

WARD: NORTH

SUBJECT: SECWA INSULATOR POLLUTION MONITOR ON COUNCIL  
LAND - LOT 211 QUINNS ROAD, QUINNS ROCKS

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METRO SCHEME: Parks and Recreation  
LOCAL SCHEME: Parks and Recreation  
APPLICANT: SECWA  
APPLICATION RECEIVED: 1 December 1994

SUMMARY

SECWA is seeking Council permission to erect an Electricity Insulator Pollution Monitor on Council's land at Lot 211 Quinns Road, Quinns Rocks.

BACKGROUND

As a result of the statewide power failure that followed severe winter storms in June 1994, SECWA intends to carry out a series of tests on its power insulation equipment. The covering of exposed insulators with dust, smoke, salt and other airborne pollutants was the prime cause of the failure of the power supply at the time of the storms. SECWA has identified Council's land at Quinns as being well suited as a monitor station site.

Lot 211 Quinns Road was acquired by Council in 1961 for recreation purposes. It contains an area of 11.0937 hectares and is unimproved except for about 1.5 hectares that has been developed for a caravan park. Council currently allows the Environmental Protection Agency to occupy about 75m<sup>2</sup> near the northern boundary opposite McPharlin Avenue as shown on Attachment 1 for an Air Pollution Monitoring Station and SECWA

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requests that it be allowed to use about 120m<sup>2</sup> in the same vicinity for its monitoring purposes. That location is not critical however and SECWA would accept whatever location the City directs.

The proposed station consists of three power poles and two water tanks situated within a link mesh boundary fence as shown on Attachment 2. SECWA estimates that the station may be required for up to five years.

The City does not have any plans that would preclude SECWA from using it for up to five years. The EPA use is scheduled to terminate in December 1995. EPA occupies the site rent free and it is suggested that the same concession should apply to SECWA.

RECOMMENDATION:

THAT Council permits SECWA to occupy an area of about 120m<sup>2</sup> within Part Lot 211 off Quinns Road, Quinns Rocks for a period of up to five years free of consideration for the purpose of an electricity insulator pollution monitor station.

O G DRESCHER  
City Planner

twm:rp  
pre941236

I21245

CITY OF WANNEROO REPORT NO: I21245

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-61

WARD: CENTRAL

SUBJECT: LOCAL STRUCTURE PLAN - LOT 2 BURNS BEACH

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METRO SCHEME: Rural

LOCAL SCHEME: Rural

APPLICANT/OWNER: Burns Beach property Trust

CONSULTANT: Russell Taylor and William Burrell

APPLICATION RECEIVED:

DAU/SCU:

APPLICANT CONTACTED:

ADVICE RECEIVED:

REPORT WRITTEN: 7 December 1994

SUMMARY

The Department of Planning and Urban Development (DPUD) has written to the Council requesting comments in relation to a local structure plan for Lot 2 Burns Beach. The local structure plan prepared by Russell Taylor and William Burrell provides details of the proposed residential development of the western cell of Lot 2, Burns Beach.

BACKGROUND/DETAILS

The Structure Plan area consists of Rural zoned land bounded by Burns Beach Road, Marmion Avenue, the proposed Tamala Regional Open Space and the Indian Ocean (see Attachment 1). The site adjoins existing residential development at Kinross.

The Structure Plan has been prepared to facilitate a rezoning of the subject land to Urban under the Metropolitan Region Scheme

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(MRS) and to Residential Development Zone in the City of Wanneroo Town Planning Scheme No 1. The applicant has submitted the proposal to DPUD with a request for the MRS Amendment to be initiated. A formal request to the City for a rezoning under Scheme No 1 is yet to be received. A key issue for these amendments will be the definition of the boundary between the Urban zone and the Parks and Recreation reserve in the north-west corner of the subject land. This north-west portion of the structure plan area is affected by Environmental Protection Authority (EPA) System 6 Reserves M2 and M6 (see Attachment No 2). These System 6 Reserves have been identified for the purpose of providing an east west conservation corridor between the coast and Neerabup National Park and to conserve a variety of coastal landform features, as well as conservation of flora and fauna habitats. Approximately one third of the structure plan area is affected by these System 6 Reserves.

The Structure Plan proposes residential development over much of the System 6 area. Already the EPA has expressed concern over this aspect of the Structure Plan and has advised the consultants that consideration of the proposal will be likely to require formal environmental assessment. At this stage it is anticipated that this formal environmental assessment will require the consultants to undertake a CER (Consultative Environmental Review).

Importantly, it should be noted that the boundary between the residential areas and the regional open space currently shown on the structure plan may need to be changed as a result of the formal environmental assessment. Any change to this boundary which may be required by the EPA would have a significant effect on the contents of the Structure Plan. Accordingly it is considered appropriate that the Council await the results of the environmental assessment before providing detailed comments on the Structure Plan. Similarly, it is suggested that at this stage the Council should await the preparation of the CER before commenting on the environmental aspects of the structure plan.

It is expected that the CER report will be prepared in the coming months. The EPA will then place notices in the newspaper inviting public comment on the CER.

This report has been prepared to provide the Council with background information on the status of the Burns Beach Structure Plan and to inform Council of the impending formal environmental assessment.

RECOMMENDATION:

THAT Council awaits the preparation of a Consultative Environmental Review for Lot 2 Burns Beach before commenting on the structure plan.

O G DRESCHER  
City Planner

gpp:jw  
pre941258  
7.12.94

I21246

CITY OF WANNEROO REPORT NO: I21246

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 765-20 308-2

WARD: SOUTH WEST, CENTRAL, NORTH

SUBJECT: THE MARITIME LEGISLATION OF THE FUTURE

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SUMMARY

The Council, at its meeting held on 9 November 1994 (I21109), considered advice received from the Department of Transport regarding a review it is undertaking of maritime legislation. Council concluded that the matter holds significant implications for this City and therefore required detailed investigations into the matter before final comments are made to the Department.

BACKGROUND

The Department of Transport has requested Council to assist it with comments regarding a review it is undertaking of its maritime legislation. The maritime legislation is considered by the Department to be outdated, clumsy, unnecessarily complex and inconsistent or unclear in parts. It also considers that it does not adequately serve the existing maritime functions and does not support some future directions being considered.

The Department of Transport suggests that in general the new legislation should be concise, less descriptive than at present and above all, easy to understand. It also would like to eliminate duplication, simplify regulation, and avoid overlapping between State and Commonwealth legislation with a view to the development of a more uniform approach on a national basis.

RELATIVE RESPONSIBILITIES BETWEEN THE DEPARTMENT OF TRANSPORT AND LOCAL GOVERNMENT AUTHORITIES

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On 1 January 1994 the Department of Marine and Harbours was officially amalgamated with the Department of Transport. The new Department of Transport is now also responsible for marine safety and the management of the maritime facilities inherited from the Department of Marine and Harbours.

The Department of Transport sees that the possibilities for a new role consists of five possible levels at which the Department could participate in marine affairs to meet community needs. These are as follows:

- 1.providing advice and influence only,
- 2.providing incentives and subsidies only,
- 3.intervening directly by regulation,
- 4.providing services and facilities itself, and
- 5.a combination of all of these.

Option 5 above is seen as the option which the City should promote to the Department of Transport.

The question has now arisen as to how the responsibility for care, control, management and maintenance between the Department of Transport and the City of Wanneroo (and other local authorities) be delineated in regards to coastal structures, particularly such as jetties, groynes, boat harbours and marinas.

Investigations now completed by this office show that the abovementioned structures (artificially built and now above the high water mark) were attached to the municipal area of the City of Wanneroo by formal Annexation Of Adjoining Outlying Land and published in the Government Gazette. However, they are generally vested in different authorities. This information has been drawn from research of the Government Gazette, Titles Office, existing maps and other available information.

The following comments on the subject of relative responsibilities are suggested for submission to the Department:

1. Coastal Management

The territorial boundary between coastal Local Authorities and State Government is generally the high water mark. Therefore the responsibility for coastal reserves management should lie with the relevant local government authority while responsibility for management of coastal waters should lie with the Department of Transport.

## 2. Jetties

Explanatory papers provided by the Department suggest that regulatory functions associated with jetties are essentially planning functions and therefore should be handled by local government or by some other planning agency. However, jetties are engineering structures situated generally outside the local authority's municipal area. However, a large jetty at Sorrento Quay was annexed by the City of Wanneroo in 1993, but it is vested in the Minister for Transport.

## 3. Marinas and Boat Harbours

The City of Wanneroo has four facilities of this type. These are: Hillarys Boat Harbour, Ocean Reef Boat Harbour, Mindarie Keys Marina and Two Rocks Marina. (Attachments Nos 1, 2, 3 and 4). The breakwaters of these structures above the high water mark are within the municipal area. Also, the internal waters area at Mindarie Keys, east from the line showing the original high water shoreline is within the municipal area. However, the internal waters created by breakwaters are outside the municipal boundary.

The abovementioned structures are generally vested in different authorities. The breakwaters and Reserve 39197 within the Hillarys Boat Harbour are vested in the Minister for Transport. Also, the breakwaters at Ocean Reef Boat Harbour are vested in the Minister for Transport except the southern part of the southern breakwater which is vested in the Water Authority. The breakwaters at Two Rocks Marina and the section of coastal Reserve 20561 between these breakwaters are Crown land leased by the State to Yanchep Sun City. The only breakwaters vested in the City of Wanneroo are those at Mindarie Keys Marina. Under the Mindarie Keys Project Agreement, responsibility for maintenance of these breakwaters currently lies with the operator of the marina.

Furthermore, legal advice was obtained from McLeod & Co regarding the issue as to which agency is responsible for care, control and management of structures annexed in recent years by the City of Wanneroo. This particularly refers to the cases whose land is under the care, control and management of Council pursuant to the

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annexation gazettal, and at the same time is under the care, control and management of another agency pursuant to the vesting of the land.

Council's responsibilities would be those conferred under the Local Government Act 1960 and other relevant legislation, and would include the administration of the health and safety requirements, rubbish collection, planning control and development, building by-laws and associated control such street lighting, parking access roads and control of other matters of that kind.

By comparison the responsibilities of the Minister and the Department of Transport are clearly related to the functioning of the maritime facilities. It is also pointed out that they are able to collect revenue associated with the performance of the function and provide that monies required for the capital purposes included work required for maintenance of these facilities (under its present Marine and Harbours Act 1981). Any repairing works of breakwaters vested in the State, if damaged by storm or any other disaster, should therefore fall upon the Minister for Transport rather than upon Council.

The solicitor's advise that there does not seem to be any power under the Local Government Act for a local authority to undertake dredging works. This is of particular note, bearing in mind the recent moves by the State to have this City undertake dredging works at the Ocean Reef Boat Harbour.

#### RECOMMENDATION:

THAT Council provides the Department of Transport with the following comments:

1. the Department of Transport's new responsibilities should consist of a combination of all four possible levels of marine affairs to meet community needs; that is:
  - (i) providing advice and influence,
  - (ii) providing incentives and subsidies,
  - (iii) intervening directly by regulation,
  - (iv) providing services and facilities itself.
2. the responsibility for coastal reserves management should lie with the relevant local government authority while responsibility for management of coastal waters should be maintained by the Department of Transport;

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3. jetties are engineering structures situated below high water mark and therefore they are generally outside the local authority's municipal area, they should therefore remain a Department of Transport responsibility;

.1 the maintenance of marinas and boat harbour's breakwaters, and other permanent structures above high water mark (including the Sorrento keys jetty) should remain responsibility of the Department of Transport; the internal waters created by these breakwaters should also be the responsibility of the Department of Transport;

.2the responsibilities of local authorities in relation to structures listed in point 4(a) above should relate to those responsibilities conferred by the Local Government Act and other relevant legislation; this would therefore include the administration of the health and safety requirements, rubbish collection, planning control and development, building by-laws and associated control such street lighting, parking, access roads and control other matters of that kind.

O G DRESCHER  
City Planner

rh:rp  
pre941253  
6.12.94

I21247

CITY OF WANNEROO REPORT NO: I21247

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/3240

WARD: NORTH

SUBJECT: PROPOSED CHILD CARE CENTRE ON LOTS 166 AND 167  
LAGOON DRIVE, YANCHEP

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential  
OWNER: Freehold Enterprise Pty Ltd  
CONSULTANT: R Boshart  
APPLICATION RECEIVED: 28.10.94  
DAU : 8.11.94  
APPLICANT CONTACTED: 10.11.94, 14.12.94  
REPORT WRITTEN: 14.12.94

SUMMARY

This proposal for a Child Care Centre complies with the requirements of Council's draft Child Care Policy and is supported subject to no objections being received from advertising, minor amendments to the car parking layout, accessways and verandah setback and amalgamation of Lots 166 and 167.

BACKGROUND

Lots 166 and 167 are adjacent to a primary school and are zoned Residential. They total 1751m<sup>2</sup> and two grouped dwellings (a duplex) exist on Lot 166 which will be converted for use as the child care centre. The proposal is to cater for 30 children of which eight will be 0-2 years of age and the remainder to six years old. Four staff will be employed and the centre will operate between 7.00am and 6.00pm.

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This use is an AA use under the Town Planning Scheme, requiring Council's decision and Council's practice has been to advertise the proposal for public comment for 30 days.

The advertising period had not closed at the time of report (due to close 16 December 1994) but no comments had been received to date. In view of the fact that Council recesses in January and the lack of opposition to the proposal, a report has been prepared. Should any objections be received after close of advertising, Council will be advised by way of a memorandum to the meeting of 21 December 1994.

#### ASSESSMENT

Council's draft Child Care centres Policy recommends lot sizes 1200-2000m<sup>2</sup>, a frontage of 50m<sup>2</sup> to facilitate desirable levels of access and parking and the provision of one car bay per five children and one bay per staff.

Amalgamation of the lots would result in a lot of 1751m<sup>2</sup> with a frontage of 59.32 metres.

A total of ten bays would be required for this development. These have been provided in a suitable access arrangement with an existing driveway to service as a set-down/pick-up area. Minor amendments only need to be made to the car parking layout and accessways and are shown on the appended plan (Attachment No 4).

The verandah setback to the boundary with the site will also need to be increased to 1.5m as indicated.

In view of the above compliance with Council's draft policy and no objections being received from the matter's advertising, the proposal is supported subject to amendments noted on the plan and amalgamation of the lots.

#### RECOMMENDATION:

THAT Council:

99approves the application for a Child Care Centre on Lots 166 and 167 Lagoon Drive, Yanchep, submitted by R Boshart on behalf of Freehold Enterprise Pty Ltd, subject to:

- .1 no objections being received from the matter's advertising;

- 
- .2 the car parking layout, accessways and the verandah setback being modified, as indicated on the approved plan;
  - .3 amalgamation of the lots;
  - .4 standard and appropriate development conditions.

100advises the applicant that should any objections be received from the matter's advertising, the proposal will need to be reassessed by Council.

O G DRESCHER  
City Planner

hjj:gm  
pre941266  
14.12.94

I21248

CITY OF WANNEROO REPORT NO: I21248

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 727-0

WARD: NORTH

SUBJECT: PROPOSED LOCALITY NAME CHANGE - PORTION OF  
MERRIWA

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Feilman Planning Consultants, on behalf of the Town and Country Bank and Quinns Developments Pty Ltd have submitted an application to rename the eastern portion of Merriwa to the new locality of Carnegie.

The suggested boundaries of the new locality are Hester Avenue in the south, Lukin Drive in the north, Connolly Drive in the west and the freeway reserve to the east. The land area comprises approximately 156 hectares.

The applicant advises that the proposed locality comprises about 155 hectares yielding in excess of 1500 lots and 4500 residents and with its own school and shopping centre. The proposed size complies with policy guidelines set down by the Geographic Names Committee for Locality Names and Boundaries (see attachment).

BACKGROUND

Currently the area is being marketed under the name "Carnegie Private Estate" after the early explorer of Western Australia, David Carnegie.

The applicant summarised the reasons for a change of locality name with the following points:

- . The existing locality of Merriwa is excessive in size comprising over 350 hectares and containing two primary schools and shopping centres. Both the new locality of

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Carnegie and the remaining locality of Merriwa are of a size to justify their own separate localities. In addition, the new locality compares favourably in size with many other existing approved localities and complies with minimum area requirements for localities.

The proposed locality of Carnegie being 155 hectares in area and containing in excess of 1500 lots is of a size that justifies its own separate identity. It contains its own separate primary school, shopping centre, community facility site and major sporting facility.

It is clearly physically and visually defined by major regional roadways (note the remaining balance of the existing Merriwa locality marketed as "Merriwa" will also be visually and physically defined by major regional roadways).

The locality of Carnegie would also tie in and directly relate to the current estate name "Carnegie Private Estate".

The locality is successfully being marketed as the "Carnegie Private Estate", with the name "Carnegie" receiving extremely favourable resident support.

The endeavours of the early Western Australian explorer, David Carnegie, are worthy of recognition, by bestowing his name to the locality.

A survey of residents carried out by independent consultants, ERM Mitchell McCotter, indicated there is overwhelming support to the name change.

To support the request for a change, ERM Mitchell McCotter, on behalf of the applicants, prepared a survey of the areas surrounding the subject area.

Results from the doorknock survey indicate 97% of surveyed residents were in favour of a suburb name change while a telephone survey found 92.7% of residents had no objection to a change.

Locality names from the North West Corridor were gazetted officially in the early eighties with the intention of advertising by early publication in directories etc, the

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localities of the municipality. These names were known well in advance of development in the corridor.

#### ISSUES

The issue of renaming of localities arises on a regular basis and can create some controversy and local resentments as residents are often motivated by the various development groups marketing strategies and advertising. The advertising is proving effective in giving people the wrong impression of where they live and is a concern of the Geographic Names Committee.

The excision of portion of Merriwa is by a similar process to recent requested name changes and is drawn to Council's attention as to how a pressure for name change occurs.

1. develop land under a marketing strategy;
2. advertise land in papers, brochures, signs etc. This often occurs with minimal or no use of locality name;
3. create, intentionally or not, over time, an impression with the general public and immediate residents that the estate is really a locality;
4. developers and/or residents request a change of locality name based on public support (normally only immediate residents) and the success of the estate name.

Feilman Planning Consultants note in their application *"Currently the Estate is being successfully marketed under the name 'Carnegie Private Estate' and thus the creation of the locality of Carnegie is deemed as being very appropriate."* The ERM Mitchell McCotter survey also notes in Chapter 4 results that *"... most respondents felt that the Carnegie Estate was separate from the rest of Merriwa and should have its own suburb name. Surprisingly, some residents already thought that the suburb name was Carnegie. Similarly, most residents refer to the area as Carnegie and not Merriwa. Some people also felt that when the estate name was changed from Merriwa Heights to Carnegie Estate, that the suburb name had changed as well. ..."*

Developers show a general reluctance to include the locality name in advertising. In May 1994 the City wrote to Satterley Real Estate asking that the locality name Merriwa be inserted into Carnegie Private Estate advertising and advising *"It is incumbent on land development groups to advertise the locality in which their development is located. Residents should be continually*

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*made aware of the locality in which they reside so they have no doubts as to their correct address."*

Newspaper advertising was eventually changed but much other advertising and signage was not.

One of the criteria for approval of new locality names is that there should be no duplication of the name in Australia. This is mainly to satisfy Australian Post and the need for unique addresses. Carnegie (Postcode 3163) is an existing locality in Victoria. The Geographic Names Committee is therefore unlikely to support the name Carnegie in Western Australia.

Aside from the pressure exerted by marketing processes, some of the reasons for excising a portion of Merriwa to a new locality have merit and a case for creation of a new locality could be made to the Geographic Names Committee.

The area is bounded by four major roads which help give the area its own identity and also will have its own school and shopping centre which help build this identity.

The cell size, together with its ultimate lot numbers and population do comply with the Geographic Names Committee Policy guidelines although they tend to be in the lower end of the preferred range.

RECOMMENDATION:

THAT Council:

101 does not support changing a portion of Merriwa to the locality of Carnegie due to:

- .1 duplication of the locality name;
- .2 Council not wishing to support changes which are the result of

102 supports the excision of a portion of Merriwa to a new locality with the name to be determined at a later time.

gjm:gm  
pre941252  
6.12.94

I21249

CITY OF WANNEROO REPORT NO: I21249

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 510-372

WARD: SOUTH WEST

SUBJECT: REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY  
BETWEEN OLEANDER WAY AND BRIDGEWATER DRIVE,  
KALLAROO

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LOCAL SCHEME: SPECIAL DEVELOPMENT "A"  
APPLICANT/OWNER: T & J PAICE/CROWN  
REPORT WRITTEN: 6 DECEMBER 1994

SUMMARY

Council, at its meeting on 26 October 1994 (Item I21024), resolved to initiate preliminary closure procedures by advertising the proposed closure of an accessway in Kallaroo. At the close of the thirty day advertising period two objections were received. Both objectors live a fair distance from the accessway and have alternative routes available to them.

BACKGROUND

The owners of Lot 71 Oleander Way requested Council to consider closing the accessway between Oleander Way and Bridgewater Drive. The applicants believe the accessway constitutes a security risk. The owners of Lots 59 and 71 have been broken into and access was gained into their backyards from the accessway. The residents adjoining the accessway have all had problems with people throwing bottles and cans into their back gardens.

EVALUATION

The accessway is part of a network that provides access from Bridgewater Drive to the corner of Whitfords and Marmion Avenues.

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It also provides convenient access to the Whitford City Shopping Centre and a school site on Bridgewater Drive.

If the accessway was closed, alternative access to the main roads, shopping centre and school are available.

The proposed closure was advertised in the Wanneroo Times and signs were erected at either end of the accessway. At the close of the 30 day advertising period, two letters objecting to the closure were received.

The owner of Lot 174 Koombana Way objects to the closure on the grounds that his family and friends use the accessway frequently.

He believes that as the accessway is part of a network that links the Whitford City Shopping Centre, local primary school and the local shopping centre on Lots 19 and pt Lot 319 Adalia Street it should not be closed.

The other objector lives at the northern end of Bridgewater Drive at Lot 434 and it is highly unlikely that she would be affected by the closure due to the distance between her property and the accessway.

Both objectors could use alternative routes to the Whitfords City Shopping Centre and the intersection of Whitfords and Marmion Avenues if the accessway was closed. It is acknowledged that the accessway is part of a network, however sufficient alternative routes exist and pedestrian movement through the locality will not be affected.

The owners of Lots 60, 71 and 72 have agreed to purchase the land within the accessway and meet all of the associated costs.

#### RECOMMENDATION:

THAT Council agrees to the closure of the pedestrian accessway between Oleander Way and Bridgewater Drive, Kallaroo subject to the benefiting landowners meeting all of the associated costs.

O G DRESCHER  
City Planner

cd:rp  
pre941263

I21250

CITY OF WANNEROO REPORT NO: I21250

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 790-657

WARD: SOUTH

SUBJECT: CLOSE OF ADVERTISING - AMENDMENT NO 657 TO TOWN PLANNING SCHEME NO 1 AND DRAFT SOUTH WANGARA LOCAL STRUCTURE PLAN

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SUMMARY

Advertising of the amendment and Draft South Wangara Local Structure Plan, concluded on 2 September 1994 and 28 October 1994 respectively. Due to the number of concerns raised by local landowners in relation to the amendment, a public meeting was conducted to discuss the issues relating to the subject area further with the landowners. Following the meeting, a questionnaire was then circulated amongst all of the landowners within the South Wangara area to gain a more accurate reflection of the landowners' views.

At the conclusion of the questionnaire comment period, 82% of the landowners had responded. Of the responses received, 55.2% supported the current application and the future rezoning of the subject area for industrial purposes, whilst only 14.5% did not support the application nor the similar future rezoning of the area.

BACKGROUND

Council considered this rezoning application together with the preparation of the South Wangara Local Structure Plan (LSP) at its December Special Council Meeting (H81203). Council will recall, that various landowners within the area of South Wangara engaged Wright Development, Property Consultants and Chapman Glendinning Planning Consultants to submit an application to

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rezone their landholdings to "Light Industrial" and "Mixed Business". In support of their application, the consultants also submitted a draft local structure plan for the area, for the Council's consideration.

The advertising period for the rezoning concluded on 2 September 1994 following which a report on this matter was presented to the Council for its consideration. A total of 24 submissions were received in opposition to the rezoning (refer Attachment No 1). Consequently, Council resolved to defer consideration of this application so that a public meeting could be arranged with the landowners of the area so that they could have the opportunity to discuss the issues affecting this area further.

The public meeting was subsequently held on 21 November 1994 with approximately 80 members of the public, who were predominantly land owners, in attendance. A detailed history of the subject area was provided together with specific information in relation to the subject rezoning application. Following a questioning period by the landowners, the meeting was concluded on the basis that a short questionnaire would be circulated amongst all of the landowners within the South Wangara area to specifically determine how the landowners felt about the current application and the longer term development of the area (Attachment No 2).

#### ADVERTISING OF THE LOCAL STRUCTURE PLAN

The Council will note that the advertising period for the Draft South Wangara LSP (being for the area bounded by Wanneroo Road, Wangara Industrial area, Hartman Drive and the realigned Gngangara Road) concluded on 28 October 1994, where a total of 11 submissions were received. It should be noted that whilst nine of these submissions were from objectors, the reasons given for their opposition were only related to the rezoning of the area and did not represent concerns with the LSP. Another of the submissions was undecided on the issue of rezoning however, again did not comment directly on the LSP.

The final submission received was from Modular Metals who expressed support for the rezoning and LSP, however, were concerned with the configuration of the local road system proposed over their properties (ie, Lot 3 Wanneroo Road and Lot 33 Lancaster Road). As a consequence, they have requested that the LSP be modified slightly by removing the road proposed to be located between their two lots to enable the future joint development of these sites.

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In response, it is considered that such a modification is very minor and can easily be accommodated in the LSP. The consultants will therefore need to be advised to make the necessary modifications to accommodate the above.

#### QUESTIONNAIRE ANALYSIS

Questionnaires were delivered to all of the landowners within the South Wangara area (a copy of the questionnaire is included in Attachment No 2). At the completion of the comment period, a total of 41 responses had been received. It should be noted however, that in many instances landowners owned more than one lot within the South Wangara area, consequently, only 10 lots within the area were recorded as not having responded (refer Attachment No 3).

Of the submissions received, the owners of 32 lots indicated their support to the current application for rezoning and the future rezoning of the whole area. Only eight however, expressed that they did not support the proposals for the area and would like to see it remain zoned "Rural" or be rezoned to "Special Rural" or "Residential". This represents a proportion of 55.2% in favour and 14.5% against.

Of the remaining respondents, two indicated that they supported the rezoning of the Wanneroo Road frontage for industrial purposes, even though they didn't support rezoning of the balance of the area. Two respondents were not supportive of the current application however did support the future rezoning of the area to "Light Industrial" and "Mixed Business" when landowners in the area wanted rezoning to proceed. Finally, one respondent was undecided and a further submission received was anonymous (and consequently was not recorded).

It would appear from the survey that the vast majority of lot owners within the South Wangara area are supportive of the current application for rezoning and are also supportive of the whole of the South Wangara area being similarly rezoned in the future. On this basis, it is believed that Council should resolve to proceed with the amendment in its current form, as was advertised.

Finally, Council will recall that when the application was previously considered in October (Report I21021) three of the landowners involved in the subject rezoning application had rescinded their support and requested deletion from the amendment. Council are now advised that the owners of Lots 34

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and 35 Lancaster Road have again changed their position and are now requesting to remain in the amendment as originally submitted.

## RECOMMENDATION:

THAT Council

1. modifies Amendment No 657 by deleting Lot 337 Parri Road from the rezoning;
2. finally adopts amendment No 657 to Town Planning Scheme No 1, as modified, subject to the satisfactory resolution of the following:
  - .1a local structure plan which has been modified to accommodate
  - .2 the receipt of a letter of undertaking from each respective Commission letter of 3 May 1994 prior to subdivisional clearances being issued.
3. authorises affixation of the Common Seal to, and endorses the modified amending documents;
4. forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 657 as modified.

O G DRESCHER  
City Planner

rwz:rp  
pre941261

I21251

CITY OF WANNEROO REPORT NO: I21251

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/3989

WARD: CENTRAL

SUBJECT: PROPOSED PERIMETER SIGNAGE - JOONDALUP ARENA -  
WEST PERTH FOOTBALL CLUB

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METRO SCHEME: Central City Area  
LOCAL SCHEME: Joondalup City Centre  
APPLICANT/OWNER: West Perth Football Club (Inc)  
APPLICATION RECEIVED: 2.9.94  
REPORT WRITTEN: 14.12.94

Council's approval has been requested for the display of advertising on the back of the perimeter signs at the Joondalup Arena oval. The request is not supported as it is considered out of character with the area.

The West Perth Football Club (Inc) has written to Council requesting permission to display advertising signs on the backs of the existing signs around the perimeter of the Arena oval. The Club and its sponsors wish to take advantage of the prominent location of these signs with respect to Joondalup Drive and Moore Drive.

The draft Joondalup City Centre Development Plan and Manual requires signage in the Central Business District to be integrated with the building design in character and detail. It is proposed that the Western Business District between Joondalup Drive and the railway line will not allow pylon signs and suitable provisions covering signage will be incorporated in the Manual when the relevant sections are prepared.

This matter was discussed with LandCorp officers and representatives of the Arena Management and it was decided that

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the request should not be supported as the signage would be inconsistent with the character intended for the area with its extensive landscaping and proximity to residential areas.

Consideration of this matter has revealed that the existing signage has not received planning or building approval and this matter is being pursued.

RECOMMENDATION:

THAT Council advises West Perth Football Club (Inc) that it does not approve the display of advertising signs on the back of the existing perimeter signs because it would be contrary to the intended character of the area and detrimental to the amenity of the adjacent residential areas.

O G DRESCHER  
City Planner

db:gm  
pre941268  
15.12.94

I21252

CITY OF WANNEROO REPORT NO: I21252

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-84130, 444/612/87

WARD: NORTH

SUBJECT: SALE OF MUNICIPAL LAND, PART OF LOT 612  
BRAZIER ROAD, YANCHEP

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METRO SCHEME: Urban  
LOCAL SCHEME: Residential Development  
OWNER: City of Wanneroo  
CONSULTANT: Peet & Co  
APPLICATION RECEIVED: 16.11.94  
REPORT WRITTEN: 13.12.94

SUMMARY

The Yanchep Ocean Front Trust, as the owner of Lot 614 Lagoon Drive, Yanchep, has offered to purchase a portion of Council's adjoining Lot 612 for incorporation into a proposed residential subdivision.

The sale of the land by private treaty without first offering it on the open market by other public auction or public tender is dependent on Council applying for and receiving the approval of the Minister for Local Government under the provisions of Section 266(2) of the Local Government Act.

BACKGROUND

Lot 612 is an irregular shaped strip containing 3.2527 hectares situated generally between Brazier Road, Compass Circle and the coastal foreshore in the position shown on Attachment No 1. It was acquired by Council in August 1983 from the Bond Corporation for the price of \$439.49 as part of a municipal rates settlement arrangement. The major part which fronts the foreshore is zoned

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for Recreation under both the Metropolitan Region Scheme and the City's Town Planning Scheme No 1. The narrow arm which extends eastwards is zoned for Residential purposes under both schemes and it is this portion that is the subject of the offer to purchase.

The narrowness of the subject portion renders it impracticable for subdivision by Council in isolation and the amalgamation of it into the proposed Yanchep Ocean Front Trust subdivision is the most satisfactory treatment of it.

A price of \$70,000 has been offered for the 6919 square metres involved but that price must be evaluated by qualified valuers to be appointed by the City before a request for approval to sell is put before the Minister. An experienced independent valuation consultant has been appointed and his recommendation will be reported to Council before any further action is taken.

RECOMMENDATION:

THAT Council seeks the approval of the Minister for Local Government to the sale by private treaty of a part of its landholding at Lot 612 Brazier Road, Yanchep to Yanchep Ocean Front Trust, subject to a qualified valuation to determine the sale price first being obtained.

O G DRESCHER  
City Planner

twn:gm  
pre941265  
13.12.94

I21253

CITY OF WANNEROO REPORT NO: I21253

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/3989, 730-8-1

WARD: CENTRAL

SUBJECT: PROPOSED ADVERTISING BILLBOARDS - LOCATION  
9974 JOONDALUP DRIVE, JOONDALUP ARENA -  
NETTLEFOLD OUTDOOR ADVERTISING PTY LTD

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METRO SCHEME: Central City Area  
LOCAL SCHEME: Joondalup City Centre  
APPLICANT/OWNER: Nettlefold Outdoor Advertising Pty Ltd  
APPLICATION RECEIVED: 23.9.94  
REPORT WRITTEN: 14.12.94

SUMMARY

It is proposed to develop two outdoor advertising billboards on the Joondalup Arena. The proposal is not supported as it is considered out of character with the area.

Nettlefold Outdoor Advertising Pty Ltd has presented a proposal to Council for the development of two advertising billboards on the Joondalup Arena at the corners of Joondalup Drive and Moore Drive, and Joondalup Drive and Kennedy Drive. The proposed billboards are 4.5 metres high by 6 metres and 4.8 metres high by 12.6 metres. They would be illuminated and have a rendered limestone base.

The company had assumed that the land in question was under Council control and set out a possible income stream arising from the two proposed billboards. This matter was discussed with LandCorp officers and representatives of the Arena Management and

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it was decided that advertising billboards should not be supported in the Joondalup City Centre as they would detract from the amenity and streetscape of the area.

## RECOMMENDATION:

THAT Council advises Nettlefold Outdoor Advertising Pty Ltd that it does not approve the development of outdoor advertising billboards on Location 9974 Joondalup Drive (Joondalup Arena) as they would be contrary to the intended character of the area, detrimental to the amenity of the adjacent residential areas and detract from the streetscape.

O G DRESCHER  
City Planner

db:gm  
pre941269  
16.12.94

I21254

CITY OF WANNEROO REPORT NO: I21254

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 319-7, 730-5-1

WARD: NORTH

SUBJECT: DISTRICT STRUCTURE PLANS - YANCHEP-TWO ROCKS  
METROPOLITAN REGION SCHEME AMENDMENT

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METRO SCHEME: Various  
LOCAL SCHEME: Various

SUMMARY

In August 1993 the Department of Planning and Urban Development (DPUD) invited the Council to comment on a proposed major Metropolitan Region Scheme (MRS) Amendment for the Yanchep/Two Rocks area. The Council responded to this request in December 1993 and resolved to advise DPUD of its general support for the amendment subject to a number of concerns raised in Report H81201 being addressed. DPUD has now written to the Council inviting comments in relation to three district structure plans prepared in support of the proposed MRS Amendment.

BACKGROUND

The State Government has been undertaking a programme of major MRS amendments for various areas around Perth. This programme has seen the recent gazettal of major MRS amendments in East Wanneroo and the Alkimos-Eglinton area.

The proposed Yanchep-Two Rocks MRS Amendment will rezone substantial areas of land from its present mainly Rural classification to various zones which would enable future urban development.

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The purpose of the MRS amendment is to give statutory effect to recent strategic planning proposals for the Yanchep-Two Rocks area. In this regard the amendment generally follows the proposals put forward by DPUD in the Yanchep Structure Plan (1993). In turn DPUD's Yanchep Structure Plan largely adopted the proposals contained in an earlier structure plan prepared by consultants for Tokyu Corporation which owns the land.

Details of the proposed MRS amendment are shown on Attachment No 1. The main elements of the proposal are:

103Rezoning of various portions of land to Urban and Urban Deferred to accommodate a future population of about 148,000 people.

104Development of a strategic regional centre at Yanchep catering for major retail, commercial, civic, educational, residential and recreational uses.

105Major Parks and Recreation Reserves including the coastal foreshore reserve, and east-west lateral wedge between Eglinton and Yanchep and a prominent north-south open space link between Wilbinga and Yanchep National Park.

106A transport network consisting of a central rail line and a system of regional roads.

107Creation of an industrial area located east of Two Rocks.

At its meeting on 20 December 1993, the Council resolved to advise DPUD of its support for the initiation of the MRS amendment. This support was, however, subject to a number of matters being addressed, in particular:

.1The need for the amendment document to address in detail Council's concerns with Regional Roadways to ensure that formal arrangements for the dedication and construction of these roadways are put in place prior to finalisation of the Yanchep/Two Rocks Amendment.

.2The need to fully resolve a range of environmental issues relating to the coastal foreshore reserve, the freeway alignment, possible airport sites, loss of native vegetation and conservation values, Parks and Recreation

Reserves, and modifications to System 6 M1, M2 and M3 areas.

.3Assurance that the Wilbinga/Caraban Open Space areas as identified in the North West Corridor Structure Plan (October 1992) will be reserved for the purposes of Parks and Recreation.

#### DISTRICT STRUCTURE PLANS

Tokyu Corporation, the major landowner in the Yanchep-Two Rocks area have prepared district structure plans for various portions of their landholding. DPUD is now seeking the Council's comments in relation to any fundamental aspects of the structure plan which may affect the proposed MRS amendment.

Three district structure plans have been prepared, one relating to a rural community north-east of Two Rocks, the other two relating to proposed residential areas north and south of Yanchep Beach Road. The location of the structure plans are shown on Attachment No 2. Prepared at 'district' level the structure plans identify all significant land uses and their spatial and locational requirements to ensure future and existing communities are provided for in terms of schools, shops, open space, housing and transportation. Details of each of the District Structure Plans are summarised below and shown on Attachments 3, 4 and 5.

Copies of the structure plans have been placed in the Councillors' Reading Room.

#### 1. DISTRICT STRUCTURE PLAN NO 1

District Structure Plan No 1 relates to an area of approximately 1100 hectares north-east of Two Rocks. Approximately half this area has been identified as regional open space with the remaining 502 hectares being proposed for a rural community. Two subdivision options have been put forward for the rural community. The first represents a conventional special rural subdivision yielding approximately 200 lots with an average area of 2 hectares. The second option involves a 'community title' subdivision whereby lots of approximately 2,000 square metres are grouped into four villages surrounded by large areas of open rural 'community' land. This option would also result in a yield of approximately 200 lots.

Access to the proposed rural community is intended to be provided by Caves Road which will connect with Wanneroo Road in the east and Two Rocks (via the future regional road network) in the west.

## 2. DISTRICT STRUCTURE PLAN NO 2

District Structure Plan No 2 relates to an area of approximately 733.5 hectares located to the south of Yanchep Beach Road and to the east of the existing Yanchep community. The structure plan identifies a district centre surrounded by residential areas intended to cater for approximately 8000 people. The main elements of the structure plan include:

.1 extension of the northern suburbs railway, Mitchell Freeway and Marmion Avenue;

.2a district centre on the south-east corner of Yanchep Beach Road and Marmion Avenue incorporating a rail station, district shopping, commercial uses, residential and education facilities including a TAFE;

.3a residential precinct west of Marmion Avenue including neighbourhood shopping facilities, primary school and public open space (POS);

.4a residential precinct east of the proposed railway including medium density housing adjacent to the rail station, neighbourhood shopping facilities, primary school and POS;

.5a 420 hectare allocation of regional open space forming a lateral wedge between Yanchep National Park and the coast.

## 3. DISTRICT STRUCTURE PLAN NO 3

District Structure Plan No 3 covers approximately 732 hectares of land surrounding the existing St Andrews estate north of Yanchep Beach Road. The structure plan is based on an urban village concept and identifies a number of residential neighbourhoods focused on a village centre. The future population within the structure plan area is estimated at 20,600 people. The principal elements of the structure plan include:

- (a) construction of northern suburbs rail extension, Marmion Avenue, Mitchell Freeway and Two Rocks Road;
- (b) development of six residential neighbourhoods focused on a village centre consisting of a high school, shopping facilities and commercial activities;

- (c) provision of a lateral open space corridor in the form of an 18 hole golf course linking the coast and the existing St Andrews Golf Course.

#### COMMENTS ON DISTRICT STRUCTURE PLANS

The following concerns are raised in relation to each of the District Structure Plans.

#### DISTRICT STRUCTURE PLAN NO 1.

##### 1. Airport

The location of the Rural Community is one of four areas identified as possible sites for a northern suburbs aerodrome. The structure plan does not include the possibility of the aerodrome being located in this area.

Any decision to locate an aerodrome at or near this location would clearly have a significant effect on the structure plan and subsequently the MRS Amendment. Accordingly, it is believed appropriate that consideration of the subject land for special rural purposes should be held in abeyance until the issue of the location of the northern suburbs aerodrome is finalised.

Should it be determined that the proposed rural community will not be affected by a new aerodrome then the following additional concerns will also be applicable.

##### 2. Access

The proposed rural community is isolated from any existing road network. District Structure Plan No 1 indicates that access to the rural community will be provided in the short to medium term via Caves Road. It is intended that Caves Road would connect with Wanneroo Road in the east and a distributor road network serving Two Rocks to the west. Importantly, it will be necessary to ensure that formal arrangements are put in place requiring the land owners to acquire and construct the proposed road linking the community with Wanneroo Road and Two Rocks. This link would include Caves Road and portions of Sunset Drive and Wilbinga Drive (Marmion Avenue).

### 3. Alignment of Caves Road

District Structure Plan No 1 shows Caves Road running east-west through the centre of the rural community. To the east of the Freeway Reserve, Caves Road is shown traversing an area of State Forest following the alignment of an existing forestry track. This alignment is further south than that shown on DPUD's Yanchep Structure Plan and may not be supported by the Department of Conservation and Land Management (CALM). It is believed appropriate that the suitability of the proposed alignment of Caves Road be determined early in the amendment process. In this regard the Council has invited CALM to comment on the proposed Caves road alignment.

### 4. Subdivision Type

District Structure Plan No 1 includes concept plans for both a 'conventional' subdivision and a 'community title' based subdivision. The possibility of a subdivision based on a community title concept raises a number of issues. The community title proposal would necessitate amendments to existing land administration legislation and revisions to regional and local planning controls.

The implications of such changes would need to be carefully considered in a local and metropolitan context.

In the case of the subject land the community title proposal also raises concerns in relation to:

.2 the ability of the land to support smaller lot sizes given the possibility of some ground instability due to the geological characteristics of the land (karstic phenomena);

.3 possible problems with septic tank sewerage disposal given the smaller lot sizes in the proposed villages.

### 5. POS Provisions

The indicative subdivision plans included in the structure plan do not include any provision for POS. Whilst the 'community title' subdivision option may not necessitate a POS requirement it is believed that the

conventional subdivision should include a POS provision. Consideration should therefore be given to the identification of open space areas. Possible sites could include:

- (i) an area adjoining the proposed corner store;
- (ii) a wider buffer surrounding the aboriginal heritage special site.

## 6. Corner Store

District Structure Plan No 1 indicates the need for a corner store located at the junction of Caves Road and the proposed regional open space. The location of the corner store is not however indicated on the structure plan map. It is therefore recommended that the corner store be identified on the structure plan map.

## DISTRICT STRUCTURE PLAN NO 2

### 1. District Sports Facility

District Structure Plan No 2 identifies an area of approximately 4 hectares within the Eglinton Regional Open Space for a district sports facility. This allocation is considered insufficient to meet the requirements of this region. It is envisaged that a sports facility similar in size and range of uses to the Kingsway complex could in the future be required on this site. Such a facility would require an area of between 60 and 70 hectares. It is considered appropriate that the structure plan reflect this type of use. A 60-70 hectare portion of the Eglinton Regional Open Space should therefore be designated for district sport facilities on the structure plan.

### 2. Urban/Regional Open space Interface

The boundary between the Eglinton Regional Open space and the proposed residential areas is defined by the base of a large dunal ridge which runs from the west generally eastwards and then curving southwards. The dune rises steeply on the open space side of this boundary. This boundary is considered to be particularly sensitive and care needs to be taken to ensure that urban development

does not encroach into or damage the dune system. It is noted also that this regional open space boundary is delineated by an access road for its entire length with the exception of a residential area at the south-eastern extremity of the structure plan. The access road shown in this area of the structure plan should be realigned to mark the boundary between the residential area and the regional open space.

3. Location of Neighbourhood Centre/Primary School

The proposed residential area in the south-western corner of the structure plan includes an area designated for a primary school, neighbourhood shopping centre and POS. These facilities are shown on the eastern boundary of this residential cell. The catchment area for these neighbourhood facilities includes proposed residential areas within the Lot 614 subdivision and the Eglinton Structure Plan. It is believed that this catchment area could be better served by relocating the neighbourhood shopping area and primary school into a position more central to the residential cell. This could be achieved by relocating these neighbourhood facilities approximately 400 metres to the south-west.

4. Foreshore Reserve Boundary

The boundary of the foreshore reserve shown on the structure plan does not follow the foreshore reserve boundary intended as part of the proposed MRS Amendment. The proposed MRS Amendment adopts the foreshore boundary determined in the Yanchep Coastal Planning Strategy. It is considered essential that the structure plan be amended to show the correct foreshore reserve boundary.

5. District Centre

District Structure Plan No 2 provides details of a district centre on the south-east corner of Yanchep Beach Road and Marmion Avenue. The district centre includes a district shopping centre, offices, TAFE community facilities and schools. It is believed that the layout of these uses within the district centre requires more detailed examination. In particular, it is suggested that:

- .1 the existing sports facility on the corner of Yanchep Beach Road and Marmion Avenue should be supplemented with an area of POS approximately 4 hectares in size;
- .2 the educational establishments within the district centre be arranged so that they make better use of these open space facilities.

## 6. Public Open Space

The structure plan identifies neighbourhood parks and pedestrian-cycle links. These areas of POS are representative only and do not make up the required 10% provision. It is considered appropriate that the full POS network including links to primary schools, be shown on the structure plan. Further the Parks Department has advised that reticulation will only be approved for parks larger than 4ha in area. Accordingly, where possible, areas of 4 hectares or greater should be provided for neighbourhood parks.

## 7. Retention of Trees

A significant grove of tuart trees exists within the coastal precinct of the structure plan. The area has been identified as POS within the structure plan and adjoins an area of open space contained within the proposed subdivision of Lot 614. A detailed tree survey will be required to ensure that the tuarts are not affected by future earthworks within the POS. This is particularly important given that development of Lot 614 is expected to be undertaken in the short term.

## DISTRICT STRUCTURE PLAN NO 3

### 1. Neighbourhood Design

District Structure Plan No 3 adopts an urban village concept as the basis for the neighbourhood layout. The urban village concept represents an amalgamation of four traditional primary school based neighbourhood units. These four neighbourhoods are then focused around a village centre. The village centre includes a rail station, high school, retail component (5,000m<sup>2</sup>-8,000m<sup>2</sup>) and some limited service commercial and office uses.

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The urban village concept represents a major departure from the neighbourhood planning principles used in determining the layout of recent residential subdivisions. The following concerns are raised in relation to the urban village configuration shown on the structure plan:

#### A. Retail Hierarchy

The structure plan does not include the provision of neighbourhood shopping centres within each of the six identified neighbourhoods. Instead, residents are required to travel comparatively larger distances to the village centre for their day to day and weekly shopping requirements. This situation is not considered desirable. The function of the village centre itself within the retail hierarchy is also questionable. Under the interpretation of the retail hierarchy the proposed village centre would fall between the classification of a neighbourhood centre and a district centre. It is believed a centre of this size would conflict with the proposed strategic regional centre directly to the north and the district centre proposed south of Yanchep Beach Road.

#### B. Road Layout

The urban village concept creates an exceptionally large residential cell bounded by the regional roads of the Freeway, Yanchep Beach Road, Marmion Avenue and Two rocks Road. Access to the residential area is to be achieved through a network of local access roads. Due to the excessive size of the residential cell many of these local access roads are expected to carry well in excess of 5,000 vehicles per day. It is believed that such traffic conditions would be likely to have a detrimental effect on the amenity, safety and convenience of residents. Importantly, it is also noted that many of these busy local access roads run through the centre of the proposed neighbourhoods presenting a significant barrier to neighbourhood facilities such as primary schools and POS.

### 2. Location of Primary Schools

District Structure Plan No 3 identifies the location of six primary schools. It is believed that the proposed

sites for three of these primary schools could be relocated to enable them to serve their respective catchment areas more safely and efficiently.

North-west neighbourhood - Consideration should be given to relocating the primary school and POS to the southern side of the neighbourhood's east-west local distributor road. This location would provide a more central position for the school and POS

South-west neighbourhood - Consideration should be given to relocating the primary school and associated POS approximately 200 metres further to the west into a more central position within the neighbourhood.

In this location the primary school and POS could also form a north-south link between the neighbourhood and the widened foreshore reserve to the south-west.

south-east neighbourhood - Consideration should be given to relocating the primary school and POS approximately 300 metres further to the north-west and into a position more central to the catchment.

### 3. Corner Stores

The areas requiring a corner store should be identified on the structure plan. It would be appropriate for the location of these corner stores to be considered as part of the overall re-evaluation of the village centre proposal referred to in 1. above.

### 4. Station Locations

District Structure Plan No 3 includes an extension to the northern suburbs railway with stations provided at approximately one kilometre intervals. This configuration is different to the operating pattern for the railway south of Alkimos where station intervals are approximately three kilometres. Whilst it is agreed that the principles behind the proposed close spacing of stations have merit, it is considered that further examination of station sites is required. The need for two stations between Two Rocks Road and Yanchep Beach Road, in particular, is thought to be questionable.

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The location of stations has a significant effect on the surrounding land uses shown on the structure plan. Accordingly, it is believed that station locations should be determined prior to initiation of the MRS Amendment.

5. Foreshore Reserve Boundary

As with District Structure Plan No 2 the foreshore reserve shown on District Structure Plan No 3 does not coincide with the boundary intended as part of the proposed MRS Amendment. It is considered essential that the structure plan be amended to show the correct foreshore reserve boundary as determined in the Yanchep Coastal Planning Strategy.

6. Foreshore Access Roads

The south-west neighbourhood on the structure plan does not have a foreshore access road identified. A foreshore access road needs to be provided in this area to delineate the boundary between private land and regional open space. A road providing access to the foreshore in the vicinity of the proposed golf course and Club Capricorn should also be identified.

7. Road Layout

The following aspects of the road layout shown on the structure plan require attention:

- A. The four-way intersection between Marmion Avenue and a local distributor road approximately 800 metres south of Two Rocks road is considered unacceptable from a traffic viewpoint. The intersection should be modified into a staggered 'T' configuration.
- B. The spacing of two 'T' intersections on Two Rocks Road, east of the railway line is considered unacceptable. The intersection between Two Rocks Road and the proposed north-south local distributor road needs to be relocated to avoid possible conflict with the Marmion Avenue (north)-Two Rocks Road intersection.

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DPUD has referred the district structure plans to various other government authorities. The key issues raised by these authorities to date are summarised below.

#### WATER AUTHORITY OF WESTERN AUSTRALIA

##### District Structure Plan No 1

The Water Authority has raised concerns in relation to possible problems with sewerage disposal for the community titles - special rural proposal. These concerns concur with those raised in the comments section above. In addition the Water Authority has indicated that the community titles proposal may cause undesirable demands on local groundwater resources.

#### TRANSPERTH

##### District Structure Plan No 2

Transperth has pointed out that the eastern residential cell in being narrow and long as well as its having a low density coding would mean that it would be difficult to service with public transport. Given this situation, Transperth has suggested that a higher residential density coding be considered for the area as well as the possibility of a distributor road through the centre of the cell.

##### District Structure Plan No 3

Transperth has indicated that the proposed station spacings (approximately one kilometre) would conflict with their preferred spacing of 3.5 to 5.0 kilometres. These concerns concur with those raised in the comments section above. Accordingly, Transperth has suggested that both stations shown between Two Rocks Road and Yanchep Beach Road could be deleted.

Transperth has also suggested that residential densities in the eastern cells of the structure plan should be revised from R20 to R20/40 to provide for higher populations along bus routes.

#### MINISTRY OF EDUCATION

##### District Structure Plan No 3

The Ministry of Education has suggested that the primary schools located in the north-west and south-east residential cells should be relocated to positions that are more central to their

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respective catchments. These concerns concur with those raised in the comments section above. The Education Ministry has also indicated that the proposed primary school and high school shown abutting the railway line should be relocated to avoid problems with noise and safety.

#### CONCLUSION

The development options contained within the district structure plans are generally in accordance with the intentions of the proposed MRS Amendment. A number of concerns have, however, been identified in relation to the contents of the structure plans. It is considered appropriate that DPUD be advised of these concerns so that these issues can be addressed prior to the initiation of the MRS Amendment.

#### RECOMMENDATION:

THAT Council advises the Department of Planning and Urban Development of the comments and concerns in relation to the District Structure Plans for the Yanchep Metropolitan Region Scheme Amendment as raised in Report No

O G DRESCHER  
City Planner  
gp:gm/pre941205  
21.11.94

I21255

CITY OF WANNEROO REPORT NO: I21255

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 426-3

WARD: SOUTH-WEST

SUBJECT: EXTENSION OF T S MARMION NAVAL RESERVE CADET HEADQUARTERS, HILLARYS

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METRO SCHEME: Parks and Recreation  
LOCAL SCHEME: Public Recreation  
APPLICANT: T S Marmion Naval Cadet Unit  
APPLICATION RECEIVED: 25.11.94  
REPORT WRITTEN: 14.12.94

SUMMARY

The Commanding Officer of the T S Marmion Naval Reserve Cadet Unit has requested that Council agrees to transfer control of about thirty-five square metres of Recreation Reserve 40802 to the Minister for Transport in order that the cadet headquarters building may be extended to accommodate a boat shed.

BACKGROUND

Reserve 40802 being the central Whitfords Node is vested in the City for Parks and Recreation with power to lease the whole or any portion for that purpose for up to twenty one years. It adjoins the northern boundary of Reserve 39197 which is vested in the Minister for Transport for the purpose of Hillarys Boat Harbour.

In October 1992, an area of 286m<sup>2</sup> was excised from the Recreation Reserve with the Council's consent and incorporated into the Boat Harbour Reserve. The Department of Transport then permitted the naval cadet unit to construct a headquarters building and parade ground on the Boat Harbour Reserve.

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The further area to be excised from the Recreation Reserve to accommodate the proposed boat shed adjoins the eastern boundary of the headquarters building. It has been cleared, levelled and grassed and a post and wire fence separates it from the vegetation covered sand dunes. The boat shed will take up about only a third of the cleared land that is available and its presence would not detract from the public enjoyment of the main body of the Recreation Reserve nor would it impinge on the sand dunes.

## RECOMMENDATION:

THAT Council agrees to the excision of approximately thirty five square metres from Reserve 40802 to be incorporated into Reserve 39197 for the purpose of extending the T S Marmion Naval Cadet Unit Headquarters.

O G DRESCHER  
City Planner

twm:gm  
pre129467  
14.12.94

I21256

CITY OF WANNEROO REPORT NO: I21256

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 290-7

WARD: ALL

SUBJECT: PARLIAMENTARY SELECT COMMITTEE REPORT ON  
METROPOLITAN DEVELOPMENT AND GROUNDWATER  
SUPPLIES

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SUMMARY

The Parliamentary Select Committee Report on Metropolitan Development and Groundwater Supplies has now been completed and presented to Parliament. Its findings and recommendations are still to be fully assessed particularly insofar as they may have implications for this City. However, it is evident that many government agencies will now be looking closely at the report's recommendations and it would be desirable for this City to promptly initiate approaches to those agencies, through their respective Ministers, with a view to aiming toward a dove-tailing of the plans, roles, functions etc of this City and those agencies.

DISCUSSION

Though the Parliamentary Select Committee Report was presented to Parliament a week or so ago, copies of the full report are only expected to be available shortly due to printing requirements. A copy of the recommendations has, however, been obtained and a copy of this has been forwarded to all Councillors. A detailed report on the subject will be presented to Council in February of next year when it has been possible to properly assess the full report of the Select Committee.

In the meantime, it has become evident that it would be desirable for Council to take some quick action on the matter. The Select

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Committee, under Standing Order 378, has directed that "... the Ministers for Water, Environment, Planning, Lands, Housing, Transport and Local Government be required within not more than three months, or at the earliest opportunity after that time if Parliament is in adjournment or recess, to report to the House as to the action, if any, proposed to be taken by the Government with respect to any recommendations of the Committee which fall within their jurisdictions".

The above direction will necessitate investigations by various Government agencies on a range of matters and it would be desirable for this City to be involved in this process to ensure integration of the plans, roles, functions etc of this City and those agencies.

A whole (State and Local) Government approach is particularly required in relation to the following matters:

108The City's Local Rural Strategy.

109The Water Authority of WA's Priority Groundwater Protection Areas, in particular the review of boundaries, land acquisition proposals and land use controls.

110Metropolitan Region Scheme Amendments being undertaken by the State Planning Commission, particularly an "Omnibus" amendment which is expected to be gazetted shortly, and especially the Parks and Recreation reserves components of those amendments.

111A draft Metropolitan Rural Policy recently released for comment by the Department of Planning and Urban Development (DPUD). A report on this matter will be presented to Council in February of next year.

112Review of statutory policies by the Environmental Protection Authority and DPUD relating to the Gngara Mound.

RECOMMENDATION:

THAT Council writes to the Ministers for Water, Environment, Planning, Lands, Housing, Transport and Local Government, advising that Council is keen to be involved in deliberations concerning the recommendations of the Parliamentary Select Committee Report on Metropolitan Development and Groundwater Supplies, particularly with a view to integrating the plans,

roles, functions etc of this City and the various relevant State agencies which are overseen by those Ministers.

O G DRESCHER  
City Planner

pjt:gm  
pre941262  
13.12.94

I21257

CITY OF WANNEROO REPORT NO: I21257

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/207

WARD: NORTH, SOUTH AND CENTRAL

SUBJECT: PETITION RELATING TO MARKET GARDEN SALES  
PERMITS

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SUMMARY

A 996 signature petition was tabled at Council's meeting on 23 November 1993. It requests Council to consider expanding the range of convenience goods allowed to be sold by holders of market garden sales permits. The petition was received and referred to the Town Planning Department for a report to Council (I91133).

BACKGROUND

Councillors will recall that the Market Garden Sales Use Class and more recent Rural Stores Policy is the result of persistent pressure from several market gardeners for rezoning of their rural properties to permit what may be regarded as green grocers shops or delicatessens (shops by definition in the Town Planning Scheme). Shops are prohibited in the Rural zone and the Minister has consistently refused to allow the Council to pursue ad hoc Commercial rezonings, particularly along the arterial road network where exposure to passing trade is obviously a tremendous stimulant to rural landowners.

Historically the Council has permitted market gardeners to sell the produce grown on their properties by issuing Stallholders Licenses under the Health Act. This is a "Rural Use" by classification (a use class that is now permitted in the Rural zone by an amendment to the Scheme in 1983).

**"RURAL USE"** 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.

Several market gardeners illegally supplemented their retail produce sales by importing goods (mainly fresh fruit and vegetables). They argued that this was necessary for the viability of their produce stalls because customers wanted a wider choice of fresh produce than market gardeners were able to grow in their gardens. The town planning argument opposed any change that would intensify the retail stalls activity. I have always believed that the ability of a rural property to grow fresh produce should be the factor limiting what should be allowed to be sold from it. The main reason for this is to prevent a proliferation of sales outlets, particularly along main roads. The Council did not heed this advice and instructed that a new use class "Market Garden Sales" be introduced into the Scheme in 1987.

Market Garden Sales originally limited selling to fresh fruit and vegetables only. However, pressure continued to allow other goods to be sold for the convenience of customers and in July 1993 Council resolved of its own volition to expand the definition (H20706).

**"MARKET GARDEN SALES"** means the sale or offering for sale of fresh fruit and vegetables from a lot which is predominantly used as a market garden and includes as a minor, incidental use, the sale of cool drinks and pre-packaged ice cream to visitors to the premises

The Council has limited control over market garden sales because the use class is a discretionary one in the Scheme (an AA use class). This means it is neither permitted nor prohibited in the Rural zone but each application must be determined by the Council on its merits, and applicants have appeal rights against the Council's determination. The market garden sales outlets approved to date are illustrated on a plan which I will table at the Committee meeting.

To date the concessions which the Council has given to market gardeners have not satisfy everyone. Pressure continued for the rezonings necessary to accommodate further increases in the retail sales activities at rural properties. These sales (convenience goods) change land use by introducing "shops" which are prohibited in the Rural zone.

Rezoning was therefore required through amendments of the Scheme. Although several such amendments were attempted by the Council the Minister for Planning would not allow the rezonings proposed because of their ad hoc nature. The Minister was insistent that the only rezonings that would be supported would be those which could be justified by the Council on the basis of an overall rural strategy plan. The rural strategy plan is a long term project and the Council was able to persuade the Minister to consider rezoning on the basis of a logical rural stores policy.

In March 1992 the Council adopted the Rural Stores Policy. In doing so it considered numerous retail outlets providing convenience goods to the local community and the market garden sales outlets that had been approved. The Council carefully considered submissions from market gardeners who had been sent copies of the Proposed Draft Policy for comment, before determining where additional rural stores should be allowed. The five locations that resulted are considered adequate to meet the convenience shopping needs of the local communities and form a logical planning basis on which the Council has promoted rezoning.

To include more rural store locations to satisfy landowners will destroy the credibility of the Council's policy and will take the process back to being an ad hoc one which experience has proved to be unsuccessful as a basis for rezoning because it is not based on sound Town Planning principles.

#### ASSESSMENT

Signatories to the petition to expand the range of goods which market gardeners may sell come from a wide area. The majority will live in close proximity to shopping centres where a full range of commodities, including convenience goods are available. These centres are strategically located and provide the high levels of parking and access to meet the demands of public safety.

The Rural Zone is not intended for commercialisation, especially along the important road network (Wanneroo Road in particular). Council has considered numerous requests in the past and as a consequence prepared its Rural Stores Policy to meet the convenience needs of the rural community.

The petitioners' request cannot be justified on town planning grounds. Whilst many of the signatories may well be happy to see

market gardeners selling a wider range of goods, I submit that the general public is not disadvantaged by the restrictions to Market Garden Sales.

RECOMMENDATION:

THAT Council does not expand the range of goods allowed to be sold at Market Garden Sales premises.

O G DRESCHER  
City Planner  
acs:gm  
pre941227/1.12.94

I21259

CITY OF WANNEROO REPORT NO: I21259

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/1733

WARD: SOUTH-WEST

SUBJECT: APPLICATION FOR EXTENDED TRADING PERMIT -  
BREAKWATER TAVERN, RESERVE 39197 (255) WEST  
COAST DRIVE, HILLARYS

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SUMMARY

A request has been received from the Director of Liquor Licensing for Council's comments regarding an application for an extended trading permit for the Breakwater Tavern situated at the Hillarys Boat Harbour, West Coast Drive, Hillarys.

PROPOSAL

The applicant is seeking to extend trade hours between 9.00pm and 10.30pm on Sunday evenings in that part of the premises known as the Lounge Bar Restaurant and Public Bar areas, between 7.00am and 12.00 midday on Sunday mornings in that part of the premises known as the Restaurant Area and between 11.00am and 12.00 midday on Sunday mornings in the whole of the licensed premises.

ASSESSMENT

The subject area is zoned Regional Reservation - Parks and Recreation under Town Planning Scheme No 1 and the Metropolitan Region Scheme. Considering the nature of the uses in proximity to the Breakwater Tavern and the Hillarys Boat Harbour in general, the proposed extended trading hours would not affect the amenity of the area.

RECOMMENDATION:

THAT Council informs the Office of Racing & Gaming, Liquor Licensing Division, that it has no objection to the Extended Trading Permit for the Breakwater Tavern Reserve 39197 (255) West Coast Drive, Hillarys, as outlined in their correspondence.

O G DRESCHER  
City Planner

gap:gm  
pre941264  
13.12.94

**CITY OF WANNEROO REPORT NO:**

TO: TOWN CLERK  
FROM: CITY PLANNER  
FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 790-577, 790-595  
WARD: SOUTH  
SUBJECT: SOUTH WANNEROO LOCAL STRUCTURE PLAN

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**SUMMARY**

The South Wanneroo Local Structure Plan (LSP) has now been revised following detailed discussion with the relevant government agencies and significant public liaison. This plan represents a considerable level of work that has been undertaken over the last three years and should be adopted as the guide for the future subdivision and development of the South Wanneroo area.

**BACKGROUND**

Council last considered this matter at its June Policy and Special Purposes Committee (Report No I50612) where it was resolved to defer consideration of the South Wanneroo LSP. This LSP had previously been considered by the Council on several occasions. I have therefore attached the previous report to provide further background to this item (refer Attachment No 1).

Whilst there has been significant public involvement in the preparation of the LSP, the main issue that affected its progress was the proposed location of substantial infrastructure (ie public open space and public primary school site) on the landholdings owned by the Crisafulli and Delaurentis families within the area. The subject landowners raised considerable concern with this aspect of the plan and consequently, requested it be re-examined to endeavour to minimise the impact of such infrastructure on these properties.

Normally, such a request would not necessarily be accommodated without sound reasons and rationale being provided, because in

most instances, the majority of landowners would similarly dislike their property being affected by the location of public infrastructure. In this case, however, whilst no sound reasons were provided, pressure was applied through other avenues including the office of the Minister for Planning, to have the plan re-examined to accommodate the families concerns.

#### THE REVISED LOCAL STRUCTURE PLAN

Although the previous LSP was prepared on the basis of sound planning principles and was believed to be a good plan for the future development of the South Wanneroo area, the area of the plan affecting the two familys' landholdings was re-examined. Detailed discussions were conducted between the Education Department of Western Australia (EDWA), Building Management Authority (BMA), the Department of Planning and Urban Development (DPUD) and Council officers in an effort to resolve this matter.

Following these discussions, it was resolved that the location of the subject (northern) government primary school site was the most appropriate location as it was central to its catchment, had very good vehicular access and provided good opportunities for the joint sharing of facilities with adjacent land uses. Any substantial relocation of this site to another location (as proposed by the affected landowners) would have compromised the above advantages. A minor relocation of this site in an eastern direction was acceptable however, and was subsequently supported by the various agencies mentioned above (refer Attachment No 2).

In addition, the public open space (POS) requirements were also examined to reduce the impact on the subject landholdings. Due to the number of existing dwellings within the area, it was very difficult to achieve a reduction in the size of POS, whilst still maintaining the minimum size and configuration necessary to provide for the future requirements of the area. With the BMA and EDWA's support to the future joint sharing of the development of this POS, the size was subsequently reduced to 3.6 hectares.

In addition, another alteration was also made to the LSP by relocating the community purpose site which was shown originally located over a portion of Lot 23 Nicholas Road (owned by Mr P Crisafulli). The site has now been incorporated within the adjacent neighbourhood centre site thereby making this portion of Lot 23 free of any public infrastructure.

The above modifications have been accommodated on the revised LSP to take account of the previous concerns raised by the subject

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landowners. As a consequence, the modifications have removed a significant amount of infrastructure from their landholdings thereby providing them with substantially more land (ie approximately 200% more than shown on the previous LSP) that is now capable of being developed for residential purposes.

To maintain an overall provision of 10% POS within the South Wanneroo area, the POS removed from the Crisafulli and Delaurentis properties has been relocated and added to a smaller area of POS previously shown on the properties located directly south of the proposed Catholic school sites. This location is considered the most appropriate given the reduction of the larger area that was previously proposed to the north. Whilst some opposition is anticipated from the landowners now affected, it is understood that a single developer is intending the acquisition of those lots affected. As a consequence, this area of POS will comprise part of this developer's 10% contribution for POS in the area. In any case, should there be any over provision (ie more than 10%) of POS, it is still intended that landowners will be compensated accordingly.

The Council is advised that an additional modification has been made to the LSP as a result of advice received from the Education Department who indicated that they no longer require the special school site that was proposed for the south-eastern area of the LSP. Council will note, however, that this site has been retained on the LSP as a private school site following a request from Kingsway Christian College for the use of this site.

Finally, it is not believed that this LSP should be re-advertised again as public comment has already been sought for this plan on several occasions. In addition, the only substantial modification which has occurred has been the relocation of POS south of its previous location, in which case those affected will be adequately compensated if the POS shown exceeds their 10% contribution.

#### CONCLUSION

The current local structure plan represents a considerable amount of work that has been carried over recent years to achieve a plan to guide the future development of the South Wanneroo area. Whilst it is appreciated and accepted that not all of the current landowners concerns can be accommodated, it is believed that the primary consideration is to establish a plan that will create the best environment for those future residents who will live there.

It is therefore believed that the LSP in its current form should be adopted by the Council to provide the necessary direction for the development of this urban cell.

RECOMMENDATION:

THAT Council endorses the revised South Wanneroo Local Structure Plan and forwards it to the Department of Planning and Urban Development for its final adoption as the approved local structure plan.

O G DRESCHER  
City Planner

rwz:gm  
pre941270  
15.12.94

I21260

CITY OF WANNEROO REPORT NO: I21260

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 290-7, 319-7-1

WARD: CENTRAL AND SOUTH

SUBJECT: EAST WANNEROO METROPOLITAN REGION SCHEME  
AMENDMENT

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SUMMARY

The East Wanneroo Metropolitan Region Scheme (MRS) Amendment took effect on 2 November 1994. This means that the proposals contained within this amendment for the reservation and rezoning of land for various purposes, are now finalised. This occurred following a lengthy debate in Parliament where members of the opposition questioned the Government on the various aspects of the amendment. The Minister for Planning responded with several statements in relation to the amendment, some of which were not inaccurate. The City of Wanneroo have faced the brunt of many of these comments.

BACKGROUND

The East Wanneroo MRS Amendment was released on 14 January 1994 for a three month public comment period finishing on 22 April 1994. Hearings were subsequently held where those people who objected were invited to attend and present their concerns. A total of 126 submissions were received and a total of 74 elected to be heard.

The State Planning Commission (SPC) then considered the various views received and resolved that the proposed amendment should proceed in a slightly modified form. The modified amendment was subsequently endorsed by the Governor, and published in the Government Gazette on 9 August 1994.

In accordance with the provisions of the Metropolitan Region Town Planning Scheme Act, the amendment was forwarded to both Houses of Parliament where it was to remain for twelve sitting days during which time either House may have, by resolution, disallowed the amendment. The twelfth sitting day was on 28 September 1994.

On 15 September 1994, a notice of a motion was filed in relation to this matter by Mr J Kobelke MLA. Consequently, this matter was tabled for debate in the Legislative Assembly. This debate subsequently took place on Wednesday 2 November 1994 where the motion was lost.

The MRS Amendment therefore came into effect from that date.  
MINISTER'S COMMENTS IN PARLIAMENT

During the debate in Parliament, the Opposition questioned the Government on various aspects of the MRS Amendment. Particular attention was given to issues pertaining to the level of Important Regional Roads that were proposed for reservation and the elements of the Parks and Recreation Reserves that were included. The Minister for Planning was the main respondent to many of the issues that were raised.

A copy of the Hansard Minutes of the Legislative Assembly for 2 November 1994 has been received and is shown in Attachment No 1 for Council's information. Council will note that during this debate, the Minister for Planning incorrectly represented the Council's position on this matter on numerous occasions. The Minister stated (Pg. 6703 - Hansard) that:

*"The Sinclair Knight Study was predicated on the future intentions of the City of Wanneroo and how it saw the urbanisation of the area. It outlined extensive further urbanisation which was more than that contained in this recommendation. It recommended that roads be reserved predicated on the density of urbanisation far in excess of the amendment before the House ..... I accept that if the whole of East Wanneroo were to be urbanised in the future, those roads would probably be necessary, but I was not prepared to allow Important Regional Roads to be put in that would service populations for which we had not planned and that currently do not exist."*

In the first instance, it should be noted that the Sinclair Knight Traffic Study for the East Wanneroo area was commissioned and jointly funded between DPUD, Main Roads Western Australia and

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Transperth, and not by the Council. The scenario recommended by the Sinclair Knight Traffic Study and subsequently supported by the Council (ie Scenario 2) was based entirely on the extent of urbanisation south of Flynn Drive proposed in the final North West Corridor Structure Plan (NWCSP), ie the same level of Urban land south of Flynn Drive that has now been rezoned in the MRS within East Wanneroo. This point is made very clear in the report that was produced by Sinclair Knight. It was this report for Government, commissioned by them, which recommended the arterial road structure for East Wanneroo based on the North West Corridor Structure Plan as it has been adopted by Government and this Council.

The lot yield assumptions that were used for this study were on the basis of residential densities that were provided by DPUD ie 12-15 lots per hectare. These are considered typical densities that are being created elsewhere within the north-west corridor. Density assumptions that were used for the balance of the East Wanneroo area (ie the remaining rural area) were on the basis of the area being subdivided into 2 hectare lots with an average of 1-2 dwellings per lot, ie only Rural/Special Rural densities. (Anyway, where the Minister has referred to 'density' above, he most likely actually means 'extent').

The Minister's comments regarding the recommendations contained in the traffic study being based on the future intentions of the Council for a far greater level of urbanisation than was being proposed for East Wanneroo are incorrect. The Council in July 1991, made it very clear to Government that its support for the East Wanneroo component of the NWCSP was on the basis that it would like to see Special Rural or a Landscape Protection Zone being created east of the proposed Urban area to restrict any further urbanisation of East Wanneroo, and Council's position of containing the urbanisation to the limits as set by the NWCSP has never altered.

The Minister has also criticised that the Council (Pge 6704 - Hansard) *"has not got off its backside and got on with the job of bringing down local district scheme amendments that will accommodate the needs of the community"*. The Council has, in fact, initiated some 15 amendments within East Wanneroo to accommodate the future development proposals for the area. All but one of these have not been finalised due to outstanding issues; eg lack of approved local structure plans, conflicts with existing poultry farms, etc. In the meantime, subdivision has still proceeded in the area without an approved structure plan or, in fact, zoning under the Council's Town Planning Scheme.

It should be noted that Council is trying to resolve the various matters that are holding up the progress of these amendments. The Minister, however, insists on supporting subdivision and development by ignoring the fundamental principles of planning that have been used successfully in the past (by approving subdivisions without planning issues such as structure plans being satisfactorily resolved) thereby making the Council's, as well as DPUD's, task of adequately planning the development of the area increasingly difficult.

It is the Minister's inconsistency in his approach which jeopardises effective planning. By comparison, at a recent Minister's Forum held on 6 October 1994 at the offices of the Western Australian Municipal Association, the Minister was asked by Shire of Swan representatives as to whether a requirement for the preparation of local structure plans under a Council scheme, prior to development proceeding, was viewed by the Minister as impeding development, (given that the proposed legislation requiring Councils to bring their schemes into conformity with the MRS) and thereby lead to the possibility of Ministerial intervention. The Minister's response was that it was accepted that more detailed planning procedures had to be undertaken as a prerequisite to the subdivision and development being allowed to proceed and therefore state intervention would not occur. He appears to be saying one thing but doing another in the case of Wanneroo.

This statement made to a forum of Local Government Planners is contrary to what has been happening in East Wanneroo where development is being supported without the planning prerequisites, such as structure planning, being completed.

On another occasion, the Minister repeated that (Page 6704 - Hansard) *"the Sinclair Knight analysis was done on the basis of urbanising all of East Wanneroo .... I believe that the majority of the people of East Wanneroo did not want complete urbanisation and that there was a good reason why we should retain that land in its current rural category .... and the Councillors with whom I was sitting at that forum agreed with me. I do not know what they said at the Council, but they told me that what I said had merit. For that reason, it is stupid to provide roads in a plan that does not have the urban catchment that would provide the need for those roads."*

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As outlined previously, the Minister's comment about the roads is completely incorrect. The roads proposed were based on the current extent of urbanisation within East Wanneroo, south of Flynn Drive. Furthermore, it is not surprising that the Councillors would have agreed with the Minister about retaining rural land within East Wanneroo, as this has been the Council's formal position since urbanisation was first proposed within this area as early as July 1991 some eighteen months before he became the Minister for Planning. In fact, the roads that the Minister is talking about were designed to connect the proposed urban areas as shown on the approved NWCSP and not to accommodate other future urban areas.

SUBMITTED FOR COUNCIL'S INFORMATION AND DIRECTION.

O G DRESCHER  
City Planner

rwz:gm  
pre941223  
28.11.94

I31200A

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CITY OF WANNEROO

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FINANCE AND ADMINISTRATIVE RESOURCES SECTION

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REPORTS FOR COUNCIL

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21 DECEMBER 1994

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**I31206**

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**CITY OF WANNEROO REPORT NO: I31206**

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TO: TOWN CLERK

FROM: CITY TREASURER

FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE RESOURCES

MEETING DATE: 21 DECEMBER 1994

FILE REF: 740-86238

WARD: SOUTH

SUBJECT: BERKLEY ROAD LOCAL STRUCTURE PLAN AREA  
(FORMERLY PROPOSED TOWN PLANNING SCHEME 22)

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The Berkley Road Local Structure Plan (formerly proposed Town Planning Scheme No 22) rationalises the drainage sumps, road system and the open space requirements for the residential development of the Berkley Road area. All subdividing landowners in the area pay a development headworks levy to the City and those funds are used to compensate those owners who actually provide the drainage, regional road and open space sites.

Funds associated with this scheme are currently held in Council's Trust Fund as "Town Planning Scheme 22".

As a consequence of the introduction of AAS 27 monies held in Trust Fund are restricted to those over which Council has no authority e.g. Unclaimed Monies. Recent Reports (I21112, I21113) have highlighted the fact that Council has control over the expenditure of the Berkley Road Local Structure Plan compensation. Thus the associated transactions should be reflected within Council's consolidated accounts and not within Trust Fund.

Therefore, it is proposed that Council establishes, in accordance with Section 528 (3) (a) of the Local Government Act a Particular Reserve Account for the purpose of the Berkley Road Local Structure Plan. It is further proposed that the balance of the funds held in Trust Fund as Town Planning Scheme 22 as at 1 July 1994 be transferred to the Reserve Account and that the necessary

budget and journal adjustments be made to reflect 1994/95 transactions within the Reserve Account.

RECOMMENDATION

That Council -

1. establishes, in accordance with Section 528 (3) (a) of the Local Government Act, a Particular Reserve Account for the purpose of the Berkley Road Local Structure Plan;
2. transfers funds held in Trust Fund as Town Planning Scheme 22 as
3. authorises, **BY ABSOLUTE MAJORITY**, in accordance with Section 547 (12) of the Local Government Act the necessary adjustments to the 1994/95 Budget to reflect the above transactions.

J B TURKINGTON  
City Treasurer

TO:JW  
29 November 1994

tre0280

I31207

CITY OF WANNEROO : REPORT NO I31207

TO: TOWN CLERK  
FROM: CITY TREASURER  
FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE  
RESOURCES  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 020-0  
WARD: ALL  
SUBJECT: OUTSTANDING GENERAL DEBTORS - NOVEMBER 1994

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Detailed below is a summary of the outstanding general debtors at the end of November together with comments on the action being taken with long outstanding accounts.

The overall debtors' position at 30 November 1994 is summarised as follows:-

	<u>Total Outstanding</u>	
	\$	
Current	229,514.21	32%
30 Days	68,168.28	10%
60 Days	19,934.59	3%
90 Days	99,993.27	14%
Deferred Debtors	5,314.48	1%
Deferred Sporting Club Debtors	284,814.62	40%
	<hr/>	<hr/>
	\$707,739.45	100%
	<hr/>	<hr/>

Deferred Debtors are represented by:-

Floreat Plumbing Pty Ltd	\$ 406.29
Waldecks Nursery Wanneroo Road	\$ 530.59
Waldecks Nursery Russell Road	\$ 117.00
Supa Valu Marmion	\$ 293.00

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Nortis Pty Ltd	\$ 2,951.00
Wildflower Nursery	\$ 489.60
Supa Valu Kingsley	\$ 527.00
	<hr/>
	\$ 5,314.48
	<hr/>

Deferred Sporting Club Debtors are represented by:-

Quinns Rocks Bowling Club A/C No 1 \$ 23,500.00

Balance of \$30,000 Council grant funds expended by Club, being repaid by annual instalments of \$6,500.

Wanneroo Districts Rugby Union Football Club \$ 52,464.95

Principal and interest on self supporting loan as at 01/07/94. Loan matures 15/01/2008.

Wanneroo Trotting and Training Club \$ 2,592.15

Principal on self supporting loan as at 01/07/94. Loan matures 30/07/96.

WA Sporting Car Club \$ 1,484.61

Principal on self supporting loan as at 01/07/94. Loan matured 01/12/95.

Quinns Rocks Bowling Club A/C No. 2 \$ 1,678.58

Principal on self supporting loan as at 01/07/94. Loan matures 17/09/94.

Wanneroo Districts Basketball Association \$203,094.33

Variance as at 01/07/94 between principal and interest paid on self supporting loan and payments made by the Association under lease agreement. Principal on self supporting loan as at 01/07/94 was \$150,979. Loan matures 01/10/98. Lease agreement matures 30/06/2007.

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\$284,814.62

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Details of accounts which are outstanding in excess of 90 days are shown on Attachment A.

Analysis of the 90 Day accounts is as follows:-

	\$
Sorrento Soccer Club	10,816.85
Wanneroo British Soccer Club	2,236.33
Wanneroo Districts Basketball Association	5,000.00
Wanneroo Football Club	17,187.66
S.G.I.O.	7,087.37
Eating House Licences and Registrations 1993/94	300.00
Eating House Licences and Registrations 1994/95	1,950.00
Sporting Clubs Clubrooms Facilities	24,197.71
Contributions	
Sundry	31,217.35
	<u>\$99,993.27</u>

SORRENTO SOCCER CLUB - \$10,816.85

The Club's **total** outstanding debt is \$11,207.64 dissected as follows:

Loan Repayments	\$ 2,299.37
Property Rental	\$ 4,025.00
Commercial Refuse Charges	\$ 357.80
Utility Charges	\$ 914.68
Interest on Debt	\$ 3,610.79
	<hr style="width: 10%; margin-left: auto; margin-right: 0;"/>
	\$11,207.64
	<hr style="width: 10%; margin-left: auto; margin-right: 0;"/>

In April 1992 Council approved a payment programme of \$500.00 per month for this account. The Club has honoured the payment programme, however on a number of occasions the payments have fallen well in arrears. The Club's outstanding account has been reduced from \$18,204.02 in April 1993 to \$11,207.64 in November 1994. The Club paid \$500.00 on 10 October 1994.

WANNEROO BRITISH SOCCER CLUB - \$2,236.33

The Club's **total** outstanding debt is \$3,924.87 dissected as follows:-

Lease Fees	\$1,666.65
Property Rental	\$1,826.97
Commercial Refuse Charges	\$ 257.00
Utility Charges	\$ 174.25
	\$3,924.87

A new Committee was elected on 6 October 1994 and it will work towards clearing this account within two months. The Club paid \$666.66 on 1 November 1994.

WANNEROO DISTRICTS BASKETBALL ASSOCIATION - \$5,000.00

Lease fee for the year 1 July 1993 to 30 June 1994 (\$30,000 less paid \$22,500). The Association made monthly payments of \$3,625.00 up to February 1994 to clear account.

The Association stopped making regular monthly payments in February 1994. These monthly payments have since resumed with \$5,000 being paid in August 1994 and \$2,500 in September and \$5,000 in October 1994.

A letter was sent to the Association on 14 September 1994 requesting an increase in the monthly payments to address the outstanding balance. Association paid \$2,500 in November 1994.

WANNEROO FOOTBALL CLUB - \$17,187.66

The **total** amount outstanding on this account is \$22,460.62 dissected as follows:-

	\$
Lease Fees	18,390.44
Commercial Refuse Charges	1,061.15
Utility Charges	388.77
Interest on Debt	1,832.26
Property Rental	788.00
	\$22,460.62

\$22,460.62

Council accepted the Club's proposal in relation to the payment of its account i.e. maintain the \$500.00 weekly payments and pay 50% of the debt by 31 May 1994 with the balance to be paid by approximately 30 September 1994. The Club paid the \$500.00 weekly payments for May and July 1994 and a lump sum payment of \$10,000.00 in June 1994. No payments have been received since July 1994.

Club representatives met with the Town Clerk, City Treasurer and Revenue Accountant on 8 June 1994 to discuss the outstanding amount and current lease arrangements.

The Club advised that it was experiencing extreme difficulty in maintaining the current lease payments (\$18,272.00 per annum).

A deputation from the Club addressed the Policy and Special Purposes Committee at its meeting on 5 October 1994. Report I refers. This matter is the subject of a further report to Council in due course.

S.G.I.O. - \$7,087.37

General Claims - \$7,087.37

2 claims being processed for payment.

EATING HOUSE LICENCES AND REGISTRATIONS - \$2,250.00

1993/94 - \$300.00

1 account of \$300.00 outstanding:-

Pizza To Go	\$300.00
	=====

Account to be written off.

1994/95 - \$1,950.00

15 of the 321 licences issued in June 1994 for the 1994/95 year remain unpaid. Reminder letters were forwarded on 14 October 1994 and again on 14 November 1994.

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SPORTING CLUBS CLUBROOM FACILITIES CONTRIBUTIONS - \$24,197.71

Contributions by various sporting clubs towards the use of clubrooms for 1991/92, 1992/93 and 1993/94 years. Accounts raised totalled \$57,059.59. An amount of \$20,196.38 was written off and \$12,665.50 paid to date.

The new annual licences to cover sporting clubs which occupy Council clubrooms, introduced by Council at its September 1993 meeting, have been forwarded and meetings with the various clubs are continuing with Council's Recreation and Cultural Services Department.

When meeting with these clubs arrangements are being made for the payment of the clubs' contribution towards clubroom operating and maintenance costs for the 1991/92, 1992/93 and 1993/94 years.

SUNDRY - \$31,217.35

Other Recoupables - \$551.50

Road and footpath repairs, other works.

Commercial Refuse - \$7,404.65

Payments being pursued.

Licences/Fines and Penalties - \$16,006.00

Dog registration fines and costs, food prosecutions and parking infringements and fish shop/offensive trade licence renewals.

Income from Property - \$3,362.15

Hire of various reserves and buildings.

Subsidies - \$115.70

Family day care fees and after school care fees.

General - \$3,116.55

Legal costs relating to summonses and Warrants of Execution issued, fire hazard reduction work, wages overpayment recoverable, development/building licence fee, child care fee relief overpayment recoverable, meals on wheels charges,

after school care fees, account enquiry fees and  
subdivisional legal costs recoverable.

Utilities - \$660.80

Electricity charges recoverable.

An amount of \$373.00 is considered irrecoverable and in need of Council write off approval. Details are listed on Attachment B to this report.

RECOMMENDATION

That Council writes out of its general debtors ledger an amount of \$373.00 representing debts considered irrecoverable as detailed in Attachment B to this report.

J B TURKINGTON  
City Treasurer

HK:JW  
2 December 1994

tre0239

I31208

C I T Y O F W A N N E R O O R E P O R T N O : I31208

TO: TOWN CLERK  
FROM: CITY TREASURER  
FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE RESOURCES  
DATE: 21 DECEMBER 1994  
FILE REF: 021-1  
WARD: ALL  
SUBJECT: WARRANT OF PAYMENTS FOR THE PERIOD ENDING  
30 NOVEMBER 1994

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WARRANT OF PAYMENTS TO COUNCIL ON 21 DECEMBER 1994  
INCORPORATING PAYMENTS TO 30 NOVEMBER 1994

FUNDS	VOUCHERS	AMOUNT
Treasurer's Advance Account No 1	005273 - 006608	\$ 5,382,500.35
Municipal	000049 - 000060	\$ 8,790,914.09
Trust	000008 - 000011	\$ 76,850.66
		<hr/>
		\$14,250,265.10

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NOTICE OF PECUNIARY INTEREST

Councillors are reminded of their responsibility to give notice of any pecuniary interest or disclose the fact of that interest as soon as practicable after the commencement of the meeting.

For the purpose of determining an interest Section 174 of the Local Government Act applies.

The responsibility to declare an interest rests entirely with individual Councillors.

CHECKING AND CERTIFICATION REQUIRED IN ACCORDANCE WITH CLAUSE NO 17 ACCOUNTING DIRECTIONS.

CERTIFICATE OF CITY TREASURER

This warrant of accounts to be passed for payment, covering vouchers numbered as indicated and totalling \$14,250,265.10 which was submitted to each member of Council on 21 December 1994 has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations and casting and the amounts shown are due for payment.

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CITY TREASURER

CERTIFICATE OF MAYOR

I hereby certify that this warrant of payments covering vouchers numbered as indicated and totalling \$14,250,265.10 as submitted on 21 December 1994 is recommended to Council for payment.

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MAYOR

RC:JW  
tre0010

I31209

CITY OF WANNEROO : REPORT NO I31209

TO: TOWN CLERK  
FROM: CITY TREASURER  
FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE  
RESOURCES  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 006-2  
SUBJECT: AUTHORISATION OF REALLOCATION OF FUNDS

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Various requests have been received for authorisation to reallocate funds within the 1994/95 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.

Items approved by Council but not previously listed in the schedule are also included for consistency and to facilitate presentation of an accumulated balance.

The net result of these reallocations and adjustments is a budget surplus of \$5,524.

RECOMMENDATION

That Council authorises, **BY ABSOLUTE MAJORITY**, in accordance with Section 547 (12) of the Local Government Act, amendments to the adopted 1994/95 Budget as detailed in the Schedule of Budget Reallocations Requests - 21 December 1994.

J B TURKINGTON  
City Treasurer

TO:JW  
7 December 1994

tre0008

I31210

CITY OF WANNEROO REPORT NO: I31210

TO: TOWN CLERK

FROM: CITY TREASURER

FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE RESOURCES

MEETING DATE: 21 DECEMBER 1994

FILE REF: 009-1

WARD: SOUTH WEST, SOUTH, NORTH AND CENTRAL

SUBJECT: DONATIONS

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Requests for financial assistance have been received from the following:-

1. Miss Rebekah Poole, 10 Manly Vale, Kallaroo 6025.

Rebekah is seeking sponsorship to enter the 28th National Flying Ant Sailing Championships, which will be held at Cockburn Sound from 29 December 1994 to 7 January 1995. The event is expected to attract approximately 80 boats from all over Australia.

The entrance fee is \$50.00 per boat.

Rebekah is 14 years of age and her crew person is aged 10 years.

2. Miss Kristy Bennett, 10 Diploma Rise, Marangaroo 6064.  
Miss Sarah Lockett, 21 Reflection Close, Edgewater 6027.

Kristy and Sarah have been selected to represent Western Australia in the U/16's National Softball Championships to be held in Sydney during January 1995.

3. Mr Ryan Oud, 1 Sandstone Place, Marmion 6020.

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Ryan has been selected to represent Western Australia in the U/16's National Baseball Championships to be held in Melbourne during January 1995.

4. Mr Andrew Murray, 4 Perry Place, Quinns Rock 6030.

Andrew has been selected to represent Western Australia in the Australian All Schools Track and Field Championships to be held in Brisbane on 9 - 11 December 1994.

The current status of each sundry donation account is appended as Attachment 'A'.

#### RECOMMENDATION

That Council donates \$50.00 to the following:-

Rebekah Poole  
Kristy Bennett  
Sarah Lockett  
Ryan Oud  
Andrew Murray

to assist with costs to participate in their respective sports. Such donation to be from Account No 29470 - Sundry Donations - Recreation Control.

J B TURKINGTON  
City Treasurer

JW  
30 November 1994

tre0281

I31211

CITY OF WANNEROO REPORT NO: I31211

TO: TOWN CLERK  
FROM: CITY TREASURER  
FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE RESOURCES  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 1358/ /159; 460-1  
SUBJECT: DONATION - WANNEROO HORSE AND PONY CLUB (INC)

---

Council is in receipt of correspondence from the Wanneroo Horse and Pony Club (Inc) requesting consideration of a donation to partially offset the rates levied on the club premises which are leased from Council.

The lease agreement provides for the lessee to pay the rates.

The rates levied for 1994/95 were \$1,559.52.

Council will recall that Report G30819 in August 1992 referred to the rating of sporting organisations generally. At that time consideration was given to formulating a policy to grant a non statutory donation to organisations which:-

1. do not have the capacity or the ability to generate funds to meet more than the minimum rate in each particular year (i.e. in 1992/93 that would mean \$348); and
2. had not approached Council for financial assistance towards improvements for leased land or property.

As it was noted that the only organisation to which this policy would apply would be the Wanneroo Horse and Pony Club Inc, the proposal was not proceeded with. However, it was understood that a specific request from the Club would be considered.

In accordance with this Council did grant a non statutory donation of \$1,171.94 being the rates levied for 1993/94 of \$1,534.94 less the then minimum rate of \$363.00. Using the same formula the 1994/95 donation would be \$1,185.52 calculated as follows:-

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1994/95 Rates	\$1,559.52
Less 1994/95 Minimum Rate	\$ 374.00
	<hr/>
	\$1,185.52
	<hr/>

## RECOMMENDATION

That Council makes a non statutory donation of \$1,185.52 to the Wanneroo Horse and Pony Club (Inc). Budget item 29470 Sundry Donations - Recreation Control.

J B TURKINGTON  
City Treasurer

JW  
5 December 1994

tre0152

I31212

CITY OF WANNEROO REPORT NO: I31212

TO: TOWN CLERK

FROM: CITY TREASURER

FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE RESOURCES

MEETING DATE: 21 DECEMBER 1994

FILE REF: 702-3-2

WARD: ALL

SUBJECT: DONATION - UNICEF

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UNICEF has written to Council requesting financial assistance.

In the villages of Vietnam, Bangladesh, India, Malaysia, Papua New Guinea, Nepal and Burma and other countries throughout the developing world children are suffering with an iodine deficiency which can cause mental retardation.

Women with iodine deficiency suffer high rates of miscarriage and stillbirths. Many of their babies are disabled, are of low birth weight or die young. The most severe effects result in neonatal cretinism.

Other children suffer from mental retardation, deaf mutism, problems with co-ordination, squint, paralysis of the lower limbs, dwarfism, brain damage and impaired learning.

With financial assistance many of these conditions can be reversed or eased. Iodine can reduce the size of most goitres. While cretinism cannot be reversed, the less severe disorders, particularly learning difficulties, can be totally eliminated with the right amount of iodine each day.

UNICEF with the assistance of the Australian International Development Assistance Bureau and the Vietnamese Government is aiming to eliminate iodine deficiency in Vietnam by the year 2000. UNICEF is part of a three year program to supply iodised salt to all the affected areas in Vietnam - more than 16 million people.

The Projects Director of UNICEF Australia advises that a \$300 donation would buy 150 kits for checking the level of iodine in the iodised salt produced by small saltworks.

RECOMMENDATION

That Council donates \$300.00 to UNICEF to assist with the iodine deficiency program in Vietnam. Such donation to be from Account Number 26531 Other Welfare Services - Sundry Donations.

J B TURKINGTON  
City Treasurer

JW  
7 December 1994

tre0284

I31213

CITY OF WANNEROO REPORT NO: I31213

TO: TOWN CLERK

FROM: CITY TREASURER

FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE RESOURCES

MEETING DATE: 21 DECEMBER 1994

FILE REF: 009-1

WARD: ALL

SUBJECT: FINANCIAL ASSISTANCE - AUSTRALIAN CRIME  
PREVENTION COUNCIL

The Australian Crime Prevention Council has written to Council seeking financial assistance.

In 1995 the Crime Prevention Council of Western Australia plans to hold a two day statewide conference on Crime Prevention in Western Australia.

The conference is planned to cover the following areas:-

- ° What does the future hold for crime prevention in Western Australia?
  - °How is crime prevention currently structured, managed and financed
- ° Who are the stakeholders, whose business is it, who should "own it"?
  - °What is the real level of resources that should be put into crime
- ° Models of best practice. What is, can, or should be done?
- ° Conceptual models of crime prevention.
  - ° Research on crime prevention.

---

The Crime Prevention Council has been in existence in Western Australia for 20 years and recently was instrumental in suggesting to the Government the development of a statewide crime prevention strategy, which will be launched in 1995.

The Crime Prevention Council is a community based non profit organisation whose members come from many sectors of the community, State and Local Government and who represent a wide cross section of the needs and issues presently in crime prevention in Western Australia.

It is suggested that Council -

1. donates \$1,500 to the Australian Crime Prevention Council to assist
2. In recognition of this contribution seeks six (6) free registrations to attend the Crime Prevention conference.

The 1994/95 Budget does not provide funds for this donation, and as such should Council consider it worthwhile to support this cause, it will be necessary to authorise the over expenditure by absolute majority vote in accordance with the provision of Section 547 (12) of the Local Government Act.

#### RECOMMENDATION

That Council -

1. authorises, **BY ABSOLUTE MAJORITY**, in accordance with the provisions of the Local Government Act, to contribute to the Crime Prevention Conference in 1995; and
2. in recognition of this contribution seeks six (6) free registrations to attend the Conference.

J B TURKINGTON  
City Treasurer

JW  
30 November 1994

tre0282

I31214

CITY OF WANNEROO : REPORT NO I31214

TO: TOWN CLERK  
FROM: CITY TREASURER  
FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE  
RESOURCES  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 413/ /35  
WARD: NORTH  
SUBJECT: RATE EXEMPTION - TRUSTEES OF THE DAUGHTERS  
OF CHARITY

---

Council has received an application for rate exemption detailed below:-

OWNER: Trustees of the Daughters of Charity  
ASSESSMENT NO: 2/22123434/8  
PROPERTY: 35 Hazel Avenue, Quinns Rocks  
1992/93 RATES: \$374.00  
CURRENT USE: Holiday House for families and groups  
assisted by the Daughters of Charity

Section 532 (3) (c) of the Local Government Act states:-

*"that land is not rateable property if it is land used  
and occupied exclusively for charitable purposes".*

The property detailed above falls within this provision and the application is supported by a statutory declaration.

RECOMMENDATION

That Council -

1. grants rate exemption pursuant to Section 532 (3) (c) of the Local Government Act on 35 Hazel Avenue, Quinns Rocks, effective 1 July 1994; and
2. amends the rate book accordingly.

J B TURKINGTON  
City Treasurer

VS:JW  
7 December 1994

tre0014

I31215

CITY OF WANNEROO REPORT NO: I31215

TO: TOWN CLERK

FROM: CITY TREASURER

FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE RESOURCES

MEETING DATE: 21 DECEMBER 1994

FILE REF: 280-0

WARD: ALL

SUBJECT: AMENDMENT TO ANNUAL RESOLUTION - ACCOUNTING  
DIRECTIONS 1985

---

In June of each year a report is submitted to Council requesting an annual resolution of Council formalising certain delegations of authority for the forthcoming financial year as required by the Local Government Accounting Directions 1985.

An amendment to Item 5 "Advance Account" is submitted requesting approval for the Deputy Town Clerk's signature to be included to sign Treasurer's Advance Account cheques:

5. Advance Account

A/D 20 1. Where a Council has established an advance account under Section 626 (5)(c) of the Act the resolution required under the section shall be made at least once in every year and shall specify the financial year to which the authorisation applies.

2. All expenditure from the advance account shall be allocated to the respective ledger accounts at the time of disbursement and a bank reconciliation of the advance account shall be prepared at least monthly.

Section 626 (5)(c)(ii) of the Local Government Act provides for a Council to entrust to its Clerk or Treasurer a sum of money to be used

as a petty cash or other advance account, to be placed to the credit of a bank account to be operated upon the Clerk or Treasurer alone.

The account to be used on the imprest system and applied to such uses as the Council, by resolution, may direct. Variations to this system are possible subject to Ministerial approval as provided for in Section 626 (5)(d).

Currently the direction by Council authorises the City Treasurer/Deputy City Treasurer/Senior Accountant to operate the Treasurer's Advance Account No 1 for the following purposes:-

(a) Treasurer's Advance Account No 1

1. Wages and salaries of all Council staff and payments related to wages and salaries.
2. Payment of progress claims or for goods supplied under contract approved or accepted by the Council and where the time for payment is limited.
3. Loan repayments.
4. Invoices attracting a discount for prompt payment.
5. Refunds of deposits paid to the Council in respect of equipment or property hire.
6. Petty cash recoups.
7. Payments specifically authorised by Council resolution.
8. Refunds of expenses (eg travelling allowance or telephone accounts).
9. Payments considered urgent by Department Heads.

The strict interpretation of this clause suggests that an advance of say \$1 million be placed into a separate bank account. This creates some difficulty in that the investment of those funds becomes complicated. It is more desirable to have an advance of approximately \$1 million and obtain Ministerial approval to recoup these payments at regular intervals (weekly), upon the signature of the Mayor and City Treasurer. These payments are deemed to fall within the category of emergency payments, when authorised in writing by the Mayor, as permitted by Accounting Direction 18 (4).

It will be remembered that Council several years of \$9,999.99. Cheques of \$10,000 or greater require the City Treasurer and Deputy City Treasurer to sign. In their absence the Town Clerk and Senior Accountant are authorised to sign cheques.

Approval is now requested for the Deputy Town Clerk to sign cheques in the absence of either the City Treasurer, Deputy City Treasurer and Senior Accountant.

#### RECOMMENDATION

That Council -

1. entrusts to the City Treasurer the sum of \$1 million as an advance for Treasurer's Advance Account No 1, this account to operate by the City Treasurer/Deputy City Treasurer and Senior Accountant during the 1994/95 financial year. Cheques in excess of \$10,000 to be signed jointly by the City Treasurer and Deputy City Treasurer. In the absence of either, by the Town Clerk, Deputy Town Clerk or Senior Accountant.

2.directs that the Advance Account No 1 be applied to the following

Wages and Salaries

Contract Payments  
Loan Repayments  
Other Sundry Creditors  
Refunds of Deposits  
Petty Cash Recoups

Payments specifically authorised by Council  
resolution:-

Refunds of Expenses (eg travelling allowance or  
telephone accounts)

Payments on behalf of Welfare organisations required  
urgently.

3.obtains Ministerial approval in accordance with Section 626  
signature of Mayor and City Treasurer prior to the  
authorisation by Council.

J B TURKINGTON  
City Treasurer

DKB:JW  
8 December 1994

tre0285

I41200A

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CITY OF WANNEROO

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COMMUNITY SERVICES SECTION

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REPORTS FOR COUNCIL

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21 DECEMBER 1994

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**I41209**

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**CITY OF WANNEROO REPORT NO: I41209**

TO: TOWN CLERK

FROM: CITY ENVIRONMENTAL HEALTH MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/811-9 c851-7

WARD: ALL

SUBJECT: FOOD COMPLAINT NO 34

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Council is advised of a complaint regarding a blowfly which was allegedly found at the bottom of a takeaway container of Singapore Noodles purchased from "Ho Mei Chinese Restaurant and Takeaway", Koorana Road, Mullaloo.

Council's Analysts Inman & Farrell have reported that examination indicated the blowfly was in the meal while it was being prepared. This is supported by the complainant's statement of evidence.

Section 246 of the health Act states that 'a person who either prepares for sale or sells food that is:

- a) unfit for consumption by man;
- b) adulterated; or
- c) damaged, deteriorated or perished;

commits an offence.'

**RECOMMENDATION**

That Council, in accordance with the provisions of the health Act 1911 instigates legal proceedings against the proprietors of Ho Mei Chinese Restaurant and Takeaway, Lot 22 (19) Koorana Road, Mullaloo WA 6027.

G A FLORANCE  
City Environmental Health Manager

hrel2004  
mcp:rej

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**I41210**

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**CITY OF WANNEROO REPORT NO: I41210**

TO: TOWN CLERK  
FROM: CITY ENVIRONMENTAL HEALTH MANAGER  
FOR MEETING OF: COUNCIL  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 2094/222/25  
WARD: CENTRAL  
SUBJECT: POLLUTION ABATEMENT NOTICE

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Council is advised that on 11 August 1994 a Pollution Abatement Notice was served on the occupier of Lot 222 (25) St Clair Circle, Edgewater regarding music emanating from the premises. This followed a letter dated 5 May 1994 advising of a complaint received by this local authority and subsequent sound level measurements on 25 July 1994 which verified a noise nuisance was occurring.

On 2 December 1994 a complaint to Council's after hours service resulted in further noise measurements being taken from within the complainant's home. These readings again revealed that the music level exceeded the provisions of the Environmental Protection Act, 1986.

## RECOMMENDATION

That Council:

- 1 endorses the issue of the Pollution Abatement Notice of 11 August 1994 on Ms Julia Kaye Tweed of Lot 222 (25) St Clair Circle, Edgewater; and
- 2 authorises legal action under the provisions of the Environmental Protection Act, 1986 against Ms Julia Kaye Tweed for breach of the Pollution Abatement Notice issued on 11 August 1994.

G A FLORANCE  
City Environmental Health Manager

hre12009  
gaf:rej

I41211

CITY OF WANNEROO REPORT NO: I41211

TO: TOWN CLERK

FROM: CITY ENVIRONMENTAL HEALTH MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/148

WARD: SOUTH

SUBJECT: APPLICATION - CARPORT

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Council is advised of the application from Westral Outdoor on behalf of Mrs A Peucker of Bay 30 Cherokee Village Caravan Park to erect a carport. The carport will be of metal construction.

The application is in accordance with Council's By-laws Relating to Caravan Parks.

RECOMMENDATION

That Council approves the application from Westral Outdoor of 2 Bell Street, Canning Vale to erect a carport on behalf of Mrs Peucker at Bay 30 Cherokee Village Caravan Park subject to the issue of an appropriate building licence.

G A FLORANCE  
City Environmental Health Manager

hrel2005  
ae:rej

I41212

CITY OF WANNEROO REPORT NO: I41212

TO: TOWN CLERK  
FROM: MANAGER WELFARE SERVICES  
FOR MEETING OF: COUNCIL  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 862-1  
WARD: ALL  
SUBJECT: EVALUATION OF PILOT MEALS ON WHEELS SERVICE

In May 1994 Council received additional funding from the Home and Community Care Programme to operate an alternative delivered meals service for 50 aged clients on a pilot basis for twelve months.

The pilot service was contracted to Home Chef which is a private catering firm. Part of the HACC grant covered an evaluation of the pilot to determine possible future operating and funding structures.

"Expressions of Interest" were recently called for from interested agencies or individuals. The following applications were received:

	<u>QUOTE</u>
	\$
Burrows and Langridge	8,700
Edith Cowan University	10,240
Antipodian Consultancy	13,200
Shirley Barnes & Associates	7,500
Compass International	11,100
Tim Law	9,600
The Futures Group	6,400

Of the seven applicants it was felt that four fully met the selection criteria and were offered interviews. They were:

Burrows and Langridge

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Edith Cowan University  
Antipodean Consultancy  
Compass International

The final selection was based on:

- . record of previous research;
- . experience of evaluator/evaluators;
- . knowledge and sensitivity to issues regarding the aged;
- . the ability to complete the project within the appropriate time frame and budget.

Of those interviewed, approval is being sought to appoint Compass International to carry out the evaluation. The consultancy team of Mr Allen Kilby and Dr Roger Smith has had a wide experience in evaluating both human services and management structures. It is felt that they will provide a balanced perspective of both client and management issues. The project will be evaluated in two main areas, namely:

- . A thorough cost comparison between the traditional method of service delivery and the trial service.
- . A qualitative review of client satisfaction in terms of meal quality, choice and the degree of social interaction in the delivery.

It is intended that the evaluation will be completed by mid March 1995.

#### RECOMMENDATION

That Council approves the appointment of Compass International Pty Ltd to carry out an evaluation of the pilot delivered meals service at a cost of \$11,100.

P STUART  
Manager Welfare Services

PS:CJ  
wre12002

I41213

CITY OF WANNEROO REPORT NO: I41213

TO: TOWN CLERK

FROM: CITY RECREATION AND CULTURAL SERVICES MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 264-3

WARD: ALL

SUBJECT: MATTERS ARISING FROM MANAGEMENT AND ADVISORY  
COMMITTEES

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The following matters have been extracted from the minutes for Council endorsement.

Historical Sites Advisory Committee

Minutes of meeting held 23 November 1994.

*Item 2.2 Significant Trees Register*

Concern was expressed at the time taken to assess significant trees. The Committee was keen to have the Significant Trees Register formally recognised with the Tree Society, to ensure maximum protection for the trees.

In order to speed up the process of assessing significant trees it was proposed that Council enlists the help of the City of Stirling to assess trees in Wanneroo and, in turn, Council assess trees within the City of Stirling.

It was recommended that Council supports a reciprocal assessment process between the Cities of Wanneroo and Stirling for the purpose of identifying significant trees within the respective localities and, subsequently, submits a list of significant trees to the Tree Society for its approval.

*Item 2.5 Perry's Paddock Picnic*

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In consideration of the previous discussion on significant trees, it was recommended that Council identifies the row of Olive trees at Perry's Paddock by installing a plaque, followed by an unveiling ceremony; and mounts an educational display at the 1995 Perry's Paddock Picnic Day to emphasise the significance of the Olive trees.

Kingsway Sports Complex Management Committee

Minutes of meeting held 8 November 1994.

It was noted that Ms Lynne Plenderleith had resigned from the Committee.

Gloucester Lodge Museum Management Committee

It was noted that Mrs Shirley Truepenny had resigned her position on the Yanchep/Two Rocks Recreation Association. Subsequently, Mrs Truepenny was no longer eligible to represent the Association on the Gloucester Lodge Museum Management Committee.

RECOMMENDATION

That Council:

- 1 supports a reciprocal assessment process between the Cities of Wanneroo and Stirling for the purpose of identifying significant trees within the respective localities and, subsequently, submits a list of significant trees to the Tree Society for its approval;
- 2 identifies the row of Olive trees at Perry's Paddock by installing a plaque, followed by an unveiling ceremony; and mounts an educational display at the 1995 Perry's Paddock Picnic to emphasise the significance of the Olive trees;
- 3 accepts the resignations of Ms L Plenderleith from the Kingsway Sporting Complex Management Committee and Mrs S Truepenny from the Gloucester Lodge Museum Management Committee.

R BANHAM  
City Recreation and  
Cultural Services Manager

RB:SS  
rre41211

I41214

CITY OF WANNEROO REPORT NO: I41214

TO: TOWN CLERK

FROM: CITY RECREATION AND CULTURAL SERVICES MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 250-1

WARD: ALL

SUBJECT: PARK CHARGES - WEDDINGS

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Over the past few years it has become apparent that several parks in the City of Wanneroo have become popular venues for weddings and other special events. In Central Park, Joondalup, five weddings were held in November 1994, three in December 1994 and four have already been booked for January 1995.

There are other parks in the municipality which are also utilised for wedding ceremonies or the taking of wedding photographs. For example: Neil Hawkins Park; Charles Searson Park; Santiago Park; and Mawson Park.

Although the parks are public open space, wedding parties are encouraged to book parks through the Recreation and Cultural Services Department to avoid "clashes" with other users.

Currently, there is no charge for holding wedding ceremonies and photographic sessions in parks managed by Council. It would seem appropriate, however, to review the current system of not charging, when taking into account the frequency of use of these parks and the administrative costs associated with booking these areas.

In 1990 Council resolved to charge for the use of Cockman House and Buckingham House for wedding ceremonies and photographic sessions, primarily to cover the cost involved in opening these venues on the days concerned. Although in the case of parks no staff are required to be present on the day the venue is booked, they are involved in taking enquiries and processing facility

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hire forms. Perhaps it would be appropriate to charge a nominal fee to cover these associated costs.

When researching policies in other local authorities, the following information was ascertained:

<u>Local Authority</u>	<u>Charge</u> (Wedding ceremonies/photographs)
City of Stirling	\$15/hour
City of Perth	\$15/hour
City of Fremantle	\$25/hour
City of Melville	No charge - unless a marquee is erected
Swan Shire Council	No charge
Nedlands City Council	No Charge
City of South Perth	No charge - unless a marquee is erected (bond required)
City of Canning	No charge
Shire of Kalamunda	No charge
City of Subiaco	\$16 (token fee)

#### RECOMMENDATION

That Council charges a nominal fee of \$15 per hour or \$50 per day for the non-exclusive use of parks for wedding ceremonies and the taking of photographs to cover administrative costs associated with booking these venues.

R BANHAM  
City Recreation and  
Cultural Services Manager

CS:SS  
rre41210

I41215

CITY OF WANNEROO REPORT NO: I41215

TO: TOWN CLERK

FROM: CITY RECREATION AND CULTURAL SERVICES MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 405-1

WARD: ALL

SUBJECT: DIAL-A-YOUNG-LIFE

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Discussions have recently taken place between Council's Recreation and Cultural Services Department and the Development Officer from the Royal Life Saving Society in regard to conducting a home based resuscitation programme in the City of Wanneroo.

"Dial-A-Young-Life" was a project previously facilitated by the Ministry of Sport and Recreation and the Royal Life Saving Society several years ago in response to the alarming number of deaths occurring in home pools. Co-ordinating a course such as "Dial-A-Young-Life" in Wanneroo would be of immense benefit to residents as there are over 14,000 backyard swimming pools in the municipality.

"Dial-A-Young-Life" is a basic course which aims to develop a knowledge of cardio-pulmonary resuscitation skills to apply in emergency situations. The course would teach resuscitation skills applicable for any emergency situation, such as drowning, heart attack, stroke, electric shock, head injury, drug overdose and epilepsy. The course would cost \$55 and would cater for six to ten participants. The sessions would be held in people's homes which would not only keep costs low but foster community development. Participants would pay between \$9.20 and \$5.50 (dependent upon numbers) for three hours of qualified instruction and an information booklet. Whilst enrolments will be administered by Council officers, the direct costs will be borne by the participants.

RECOMMENDATION

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That Council:

- 1 co-ordinates and administers a "Dial-A-Young-Life" programme through officers in the Recreation and Cultural Services Department targeting residents with backyard swimming pools;
- 2 utilises qualified instructors with the Royal Life Saving Society;
- 3 promotes these courses in people's homes at a cost of \$55 to ensure all costs incurred for instruction and information booklets are covered by the participants.

R BANHAM  
City Recreation and  
Cultural Services Manager

CS:SS  
rre41209

I61200A

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CITY OF WANNEROO

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BUSINESS FOR INFORMATION SECTION

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REPORTS FOR COUNCIL

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21 DECEMBER 1994

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I61205

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CITY OF WANNEROO REPORT NO I61205

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TO: TOWN CLERK  
FROM: CITY ENGINEER  
FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 210-2  
WARD: ALL  
SUBJECT: ENGINEERING DEPARTMENT CURRENT WORKS

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The Engineering Department Current Works Report is valid for works during the period ending 7 December 1994.

**A COUNCIL WORKS**

114MAJOR WORKS

.1Marmion Avenue Duplication

This project is now nearing completion with minor items outstanding.

The median, between Mermaid Way and Prince Regent Drive, has now been sprayed with a sand stabilising agent. It is intended to treat the balance of the median, between Ocean Reef Road and Hodges Drive, with paper mulch. This will be undertaken on the completion of the brick paving of islands and median noses, and the final trim of the median and verges.

Landscaping of the eastern verge, between Mermaid Way and Prince Regent Drive, should be completed by 9 December. The balance of the landscaping of the median and eastern verge will be undertaken by Parks Department during winter next year. The reinstatement of the eastern verge and median, north of Hodges Drive, is being attended to by Beaumaris Land Sales.

It is anticipated that work on this project will be completed by the end of December.

The need for resurfacing sections of the northbound carriageway is currently being assessed. The extent of the resurfacing works is dependant on the amount of unexpended funds on the project and the availability of funds from Stage 2 of the 1994/95 Road Resurfacing Programme.

.2Marmion Avenue Dual Use Path

The dual use path, between Ocean Reef Road and Hodges Drive, is now complete.

.3Beverley Crescent/Hall Road/Graham Road, Quinns Rocks

All asphaltting and kerbing has been completed on this project. The footpath on the northern side of Hall Road has been completed and crossovers reinstated. The only outstanding works are some improvement works at the Hall Road/Ocean Drive intersection. If possible, this work will be undertaken before the Christmas break, but will again depend upon the availability of the kerbing and asphaltting contractors. On completion of this work this project will be finalised.

.4Landsdale Road, Landsdale

Work on this project commenced on 14 November when Landsdale Road was temporarily closed for a two week period to facilitate major earthworks near Alexander Drive. Works have progressed extremely well, due mainly to the fact that the construction could be undertaken without traffic.

The 790m section of Landsdale Road to be reconstructed, is now at the limestone stage with work presently being undertaken on the left turn lane at Alexander Drive. Works will then progress to base course construction with the sealing stage to follow.

Minor works include the formation of table drains, installation of culverts under selected crossovers, minor drainage alterations in Alexander Drive and the reinstatement of crossovers and verges affected by the works.

It is anticipated that this project will be completed by the end of December.

.5Hocking Road, Kingsley

Progress on this project has been hampered by the need to complete the works under traffic and for the adjustments to several services. The road pavement has now been completed to limestone stage and is presently being water bound. The installation of the emulsion stabilised limestone commenced on 5 December. Kerbing is scheduled for 16 December and asphaltting on 21 December. It is anticipated all the work on this project will be completed by the end of December.

.6Coastal Dual Use Path, Hillarys

The construction of the dual use path, between Ern Halliday Camp and the new Pinnaroo Point car park, has been completed with the exception of a 150m section adjacent to the car park. This will be done in conjunction with the car park landscaping works. The fencing of the western side of the DUP will be done in conjunction with the fencing of the Animal Exercise Beach and the Pinnaroo Point car parks which are presently being undertaken. It is not expected that this fencing will be completed before the Christmas break and will need to be completed in the new year. The beach accesses, which are to be concrete, will also be completed early in 1995 in conjunction with grassing and reticulation works by Parks Department.

.7Marmion Avenue Dual Use Path, Quinns Rocks

This dual use path has now been completed to limestone stage and is programmed to be asphalted by mid-December. Footpath connections will be completed in conjunction with the installation of the pedestrian refuge islands in Marmion Avenue at the intersection of Quinns Rocks.

115 DRAINAGE WORKS

.1Wangara Outfall Structure

Work on this project is now almost complete with the main contractor having finished its part of the project.

Outstanding work includes the repair of a manhole within the sump and a general tidy up of the site, both of which are to be completed by Council staff. The sump embankments will then be stabilised with a spray mulch. All outstanding work should be completed by the end of December.

.2Hocking Road, Kingsley

With the exception of a minor manhole and gully adjustments, the drainage component of this project is complete.

.3Lot 24 Kingsway

Work on this project commenced on 23 November and is progressing well. Mainline drainage within the road reserve, adjacent to Lot 24, has been completed. Road crossings and gullies will be installed shortly. Installation of the main drainage pipe, between the sump and the road reserve, has commenced. The excavation of the sump itself will commence on 12 December and it is anticipated that it will take one week to complete. Depending on the progress of the drainage component of the project and the availability of the kerbing and asphaltting contractors, it may be necessary to complete the road widening and kerbing component after the Christmas break.

116 PEDESTRIAN AND CYCLE FACILITIES

.1Private

Iluka	Footpath	Santa Monica Parade (Lot 326 to Manhattan Ave)
Iluka	Dual Use Path	Manhattan Avenue (Naturaliste Bvd to San Pedro Turn) IlukaDual Use Path San Pedro Turn (Manhattan Avenue to Marmion Avenue)
Iluka	Dual Use Path	Marmion Avenue (Lot 368 to San Pedro Turn)

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Iluka	Dual Use Path	Shenton Avenue (Connecting Cap Systems)
Koondoola	Dual Use Path	Meldrum Way to Bathgate Loop
Koondoola	Dual Use Path	Meldrum Way to Tavern
Merriwa	Dual Use Path	Connolly Drive (Twilight Cc to Hinchinbrook Avenue)
Merriwa	Dual Use Path	Hinchinbrook Avenue (Connolly Dr to L550 incl)
Merriwa	Dual Use Path	Connolly Drive to Daydream Way
Mindarie	Dual Use Path	Clarecastle Rt cul-de-sac head to existing DUP
Neerabup	Dual Use Path	Houghton Drive (Golf Links Drive to Lot 416 incl)
Neerabup	Footpath	Turquoise Loop (Lot 132 to Lot 232 incl)
Neerabup	Dual Use Path	Turquoise Loop (Lot 232 to Viridian Drive incl)
Neerabup	Dual Use Path	Viridian Drive (POS 81 to Lot 207 incl)
Neerabup	Dual Use Path	Turquoise Loop to Mangrove Circuit
Neerabup	Footpath	Turquoise Loop (Lot 153 to Viridian Drive) NeerabupDual Use Path Viridian Drive (POS 81 to Lot 207 incl)
Neerabup	Dual Use Path	Coppice Ct to Road 35
Neerabup	Dual Use Path	Coppice Ct to Viridian Dr
Neerabup	Dual Use Path	Viridian Drive to Road 41

.2Council Contractor

Wanneroo	Footpath	Continuation of asphalt slab replacement programme in Wanneroo Road - east side.
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117TRAFFIC MANAGEMENT

.1Lilburne Road Traffic Management Scheme, Duncraig

The construction of a roundabout at Lilburne Road/Guron Road intersection and pedestrian refuge islands along Lilburne Road commenced in early November. All road widenings, kerbing and paving works are complete. The street lighting at the intersection was upgraded prior to any works commencing. Outstanding items to be carried out include verge reinstatement, median strip, kerb painting and landscaping. A works order has been placed for linemarking and signing works to be undertaken by Main Roads WA. It is anticipated that the project will be fully completed prior to Christmas.

.2Glengarry Drive Traffic Management Scheme, Duncraig

This scheme includes two roundabouts at the Guron Road and Doveridge Drive intersections, a series of pedestrian refuge islands, car parking embayments for Glengarry Primary School and a bus stop embayment. All widening works are now complete. The street lighting at both intersections was upgraded prior to the works commencing. The kerbing of the roundabout at Doveridge Drive is complete.

The outstanding works include kerbing, verge reinstatements, crossover reinstatements, kerb ramps, median strip paintings and landscaping. It is anticipated this project will be completed prior to Christmas.

.3Constellation Drive, Ocean Reef

The installation of a pedestrian refuge island commenced in November. Outstanding works of median strip painting and signing has been programmed to be completed by Christmas.

.4St Stephens School, Duncraig

The modification works of the school entrance in Doveridge Drive (north) is proposed to be undertaken in conjunction with Glengarry Drive Traffic Management Scheme. This project is to be funded by St Stephens School.

.5Lilburne Road/Marri Road intersection, Duncraig

This project included minor road widening and installation of a traffic island in Marri Road. The works were undertaken in conjunction with the roundabout construction at the Lilburne Road/Guron Road junction.

.6Marmion Avenue Pedestrian Crossing Facility, Quinns Rocks

This project involves the widening of Marmion Avenue to provide for pedestrian refuge islands at the Quinns Road intersection. The widening phase of this project is complete with asphaltting and kerbing works programmed for completion by mid-December.

118 CAR PARKS

.1Mullaloo Foreshore Management Plan - Stage 2  
Animal Exercise Beach

Dune stabilisation work, including domestic prunings from bulk pick ups, is presently being undertaken in the vicinity of the Animal Exercise Beach car park. The fencing of the perimeter of the car park and the access road is also being done. The line marking of this car park will be arranged once the dune stabilisation and fencing works have been completed. It is anticipated that this will be done before the end of December and shall finalise the works on this project.

.2Pinnaroo Point Car Park

The lighting and linemarking of this car park are to be completed in mid December. The dual use path which is to be constructed in concrete, adjacent to the car park, cannot be completed until the New Year due to commitments on several traffic management works being undertaken at present. It is anticipated, therefore, that this project will not be completed until early 1995.

119 MISCELLANEOUS

.1Maintenance

The maintenance crews have been heavily involved in the reinstatement of Burns Beach Road following construction of various water mains by the Water Authority of WA.

A hardstanding washdown area has been constructed at the Depot for the Waste Management Section.

The ongoing programme of sump maintenance is continuing in the areas of Duncraig, Woodvale and Kingsley districts.

.2Kerbing Works

The following list shows the locations where Council's kerbing contractor has recently installed kerbing for the month of November 1994:

Marmion Avenue, Heathridge  
(Hodges Drive to Prendiville Avenue)

Pinnaroo Point Car Park

Hall and Graham Roads, Quinns Rocks

Lilburne Road/Guron Road Roundabout

Lilburne Road Traffic Islands

Glengarry Drive/Doveridge Drive Roundabout

Constellation Drive Traffic Islands

## 120 1994/95 ANNUAL ROAD RESURFACING PROGRAMME

The bulk of the preparatory works are now complete. The resurfacing of roads commenced in early November and the following roads have been resurfaced to date.

<u>Locality</u>	<u>Street</u>
Two Rocks	Gretel Court
" "	Madeleine Court
" "	Genestra Place
" "	Shamrock Court
Yanchep	Troon Court
"	Carnoustie Court
"	Hamilton Court
"	Truro Court

## 121 1994/95 STREET LIGHTING PROGRAMME

.1Marmion Avenue (Hodges Drive to Edinburgh Avenue)

All works are now complete and the street lights are operational.

.2Connolly Drive (Burns Beach Road to Selkirk Drive)  
Kinross

All light poles have been installed and cabling works are now complete. The connection works are currently being programmed by Western Power.

.3Connolly Drive (Hester Avenue to Jenolan Way), Merriwa

All works are now complete and the street lights are operational.

.4Marmion Avenue (Anchorage Drive to Pitcairn Entrance)

All light pole installation and cabling works are now complete. The only outstanding work is installation of an underground conduit at Greyhound Drive intersection by the developer.

.5Burns Beach Road (Marmion Avenue to Currambine Station, Kinross)

All light pole installation and cabling works are now complete. The only outstanding works include trench backfilling and installation of an underground conduit at Sunlander Drive intersection by the developer.

#### **B WASTE MANAGEMENT**

The latest Reeco Times has been distributed to all residents on the separate kerbside recycling collection along with a magnetic fridge calendar showing collection times for 1995. The deletion of plastics from the collection list was highlighted along with the need to "brick" cartons to reduce processing costs.

The commercial collection continues to increase as the Christmas season approaches. This is being handled by the crews working some overtime. The long term business growth trend will be evaluated after the Christmas period in February or March.

Christmas Day and New Year's Day this year fall on Sunday so there will be no changes to the domestic rubbish collection schedule. The hot weather is still giving some equipment problems with the refuse trucks. The resolution of the problem is the subject of ongoing evaluation by the Workshop.

#### **C SUBDIVISIONAL DEVELOPMENT**

The status of subdivisional development within the City of Wanneroo is shown on Attachment 1. 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 1994 and those subdivisions currently under or awaiting construction.

Submitted for information.

R T McNALLY  
City Engineer

DM:HT:AT  
Bere1214

I61206

CITY OF WANNEROO REPORT NO I61206

TO: TOWN CLERK

FROM: CITY ENGINEER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 510-2, 1287, 1900, 2143

WARD: SOUTH AND SOUTH WEST

SUBJECT: SPEED ZONING - MARMION AVENUE, WHITFORD AVENUE AND BEACH ROAD

Council considered a report at its 13 July 1994 meeting on proposals by Main Roads WA to increase the 70 Km/hr zoning on sections of Marmion Avenue, Whitfords Avenue and Beach Road.

Council resolved to refer Transperth's comments on the proposed 80 Km/hr zoning proposals to Main Road WA and refer the matter to Carine Senior High School and Poynter Primary School for comment. The adverse comments received from these two schools were subsequently forwarded to Main Roads WA.

Due to community objections to the 80 Km/hr speed zoning, Main Roads WA will not increase the speed limit on the following sections of roads:

**Marmion Avenue**

100 metres north of Karrinyup Road to Mermaid Way, Ocean Reef.

**Whitfords Avenue**

Marmion Avenue to Mitchell Freeway

**Beach Road**

Alexander Drive to 550 metres east of Wanneroo Road  
Alvaston Drive to Marmion Avenue

Submitted for information

R T McNALLY  
City Engineer

DRB:EMT  
Bere1220

I61207

CITY OF WANNEROO REPORT NO: I61207

TO: TOWN CLERK

FROM: CITY PARKS MANAGER

FOR MEETING OF: COUNCIL - TECHNICAL SERVICES SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 201-5

WARD: ALL

SUBJECT: MONTHLY REPORT FOR NOVEMBER 1994 - PARKS  
DEPARTMENT

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The Parks Department monthly report is submitted to indicate the major areas of work activity carried out by the Department's groundstaff.

**PARKS MAINTENANCE**

Clean up of garden beds and road islands has been carried out in conjunction with mulching works.

Turf has been reinstated following installation of reticulation on the oval area of Hudson Park, Girrawheen.

The percentage of needles found on parks in the past twelve months has doubled. A memorandum has been forwarded to the Health Department expressing Council's concern.

**TURF WICKETS**

Cricket has commenced and the season is progressing well.

**PLAY EQUIPMENT**

The mobile play trailers are located at Koondoola Park and Admiral Park.

New play equipment has been installed at the following locations:

Curtis Park, Girrawheen - large play unit  
Blackall Park, Greenwood - large play unit  
Bracken Park, Duncraig - swing and two spring items  
Penistone Park, Greenwood - new Bibra shelter

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Aquamotion - new sand pit

Vandal repairs and maintenance are ongoing.

#### **TREE PRUNING AND MAINTENANCE**

The truck mounted cherry picker is progressing work orders. Power line pruning has ceased temporarily until operators have obtained specific qualifications for elevated platforms and pruning near power lines.

Pruning of dead wood from trees on Council parks has been carried out.

The wood chippers are progressing work orders and assisting truck mounted cherry picker.

The Afron cherry picker is progressing SECWA lists in Zone 4, Girrawheen and will move to Zone 15, Marmion.

#### **MOWING**

All dry parks have been mown during October and November and reticulated parks are being mown as per the summer program.

The verge mowing crew is mowing distributor road verges and work order requests for fire break installation.

Slashing at Yanchep and Two Rocks is complete and general slashing is ongoing.

Vertimowing has been completed at Butterworth Park, Girrawheen and Lake Joondalup. Dethatchings are being used to grass new parks.

#### **CONSTRUCTION**

Callander Park, Kinross, oval has been rolled and surrounds grassed and rolled.

Falkland Park, Kinross has been rotary hoed and rolled to level the surface.

Ocean Reef Marina has had new lawn areas grassed.

Whitfords Bay Sailing Club has had organic matter incorporated into the soil surface and garden areas in preparation for turf planting.

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Mulch has been delivered to various locations with 40 loads from Prince Regent Park to Marmion Avenue/Mermaid Way following completion of dual carriageway construction.

Mulch has been delivered to various locations and dethatchings have been removed from Kingsway.

#### **RETICULATION**

Reticulated parks have been programmed to operate 40 minutes per line four days per week, ie Sunday, Tuesday, Wednesday and Thursday nights. Friday and Saturday nights are excluded on active ovals to ensure sports are not disrupted.

Reticulation installation has been completed at the following locations:

Falkland Park, Kinross  
Callander Park, Kinross  
Hudson Park, Girrawheen  
Warwick Open Space picnic area  
Ocean Reef Marina

#### **BORES AND PUMPS**

Jockey pump has been replaced at Marangaroo Golf Course.

The recycle pump has been removed and repaired at Blue Lake Park, Joondalup.

Mains breaks and lateral breaks have been repaired at 18 parks.

#### **COMMUNITY SERVICES WORKS UNIT**

Recent works completed by the Corrective Services crews include:

Planting, reticulation and mulching of Marmion Avenue verge.

Planting of shade trees and installation of protective structure at Ocean Reef Boat Harbour.

Removing stones from Thornton Park, Kinross.

Turfing around sprinklers at Callander Park, Kinross.

Completion of limestone walls and mulching of play area at Anthony Waring Park, Clarkson.

#### **GREEN PLAN**

Bush Regeneration Course

The Bush Regeneration Course, sponsored by the Green Plan and conducted by Apace Aid commenced on 10 October 1994 and will run for 10 weeks until 5 December 1994. Twenty participants from the local community have registered for this Course.

Local Bushland Workshop

The Green Plan, in conjunction with Greening Western Australia, will be sponsoring a "Getting to Know Your Local Bushland" one day workshop on 6 November 1994. The aim of this workshop is to increase awareness among the local community about the values of remnant vegetation bushland reserves.

Arterial Road Landscaping

The medians of 3 arterial roads, Mirrabooka Avenue, Erindale Road and Warwick Road are being landscaped with local plants to increase their amenity and provide links between Conservation Areas and natural bushland reserves. Mirrabooka Avenue, Erindale Road and Warwick Road medians have been completed. A total of 17,000 plants have been planted. Reticulation is being installed to enable Council water tankers to water the plants without parking on the road, thereby, avoiding a potential safety hazard.

**CONTRACT WEED CONTROL**

A small amount of Lovegrass and couch grass control was undertaken this month.

F GRIFFIN  
City Parks Manager

DHC:JB  
gre1208

I61208

CITY OF WANNEROO : REPORT NO I61208

TO: TOWN CLERK  
FROM: CITY PLANNER  
FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 290-0  
SUBJECT: DEVELOPMENT ENQUIRIES: NOVEMBER 1994

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The following schedule lists those enquiries received during November 1994 and where possible indicates the area suggested by the enquirer to be the preferred location for such development, together with a resumé of advice given by the department.

SUBMITTED FOR COUNCIL'S INFORMATION.

O G DRESCHER  
City Planner

gap:rp  
pre941259

I61209

CITY OF WANNEROO REPORT NO: I61209

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/4639

WARD: NORTH

SUBJECT: APPEAL DETERMINATION - PROPOSED THREE GROUPED DWELLINGS ON LOT 126 (19) ROSSLARE PROMENADE, MINDARIE

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METRO SCHEME: Urban  
LOCAL SCHEME: Marina Development  
APPLICANT/OWNER: Golden Hotels Pty Ltd  
CONSULTANT: John McKenzie & Associates  
APPLICATION RECEIVED: 12 January 1994  
ADVICE RECEIVED: 11.11.94  
REPORT WRITTEN: 24.11.94

SUMMARY

Council did not support this proposal at its meeting on 25 May 1994 (I20505) and the applicant has appealed to the Minister for Planning who has upheld the appeal.

BACKGROUND

The proposal was to develop the subject lot of 750m<sup>2</sup> with three grouped dwellings in an R40 coded area requiring relaxation of street setbacks and private open space.

Council subsequently refused the application on the grounds that it did not conform to the requirements of the Residential Planning Codes relating to private open space, notably the provision of a 24m<sup>2</sup> courtyard area for Unit 2 with a minimum 4m dimension. The R Codes do not provide Council with discretion to relax this requirement.

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DECISION

The Minister advised by letter dated 11 November 1994:

*"... While I accept the fact that the designs do not comply strictly with the letter of the Residential Planning Codes I am satisfied that the courtyards comprised of covered and uncovered areas provide adequate private open space areas to these units and satisfy the general intention of those Codes. In the circumstances, therefore, I have decided to uphold your appeal and grant approval to the construction of three grouped dwellings on this site as shown on the submitted plans dated 9 march 1994, subject to any reasonable conditions which the Council of the City of Wanneroo may wish to impose. In the event of any disagreement concerning the nature and effect of those conditions the matter should be referred back to me as arbiter..."*

No Building Licence application has been received for this development. The applicant has been advised of Council's conditions of approval.

SUBMITTED FOR COUNCIL'S INFORMATION.

O G DRESCHER  
City Planner

hg:gm  
pre941221  
28.11.94

I61210

CITY OF WANNEROO REPORT NO: I61210

TO: TOWN CLERK

FROM: CITY PLANNER

FOR MEETING OF: COUNCIL - TOWN PLANNING SECTION

MEETING DATE: 21 DECEMBER 1994

FILE REF: 30/4674

WARD: NORTH

SUBJECT: APPEAL DETERMINATION : 19 GROUPED DWELLINGS ON  
LOTS 48-50 ST MALO COURT/ TOULON CLOSE/ITEA  
PLACE, MINDARIE

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METRO SCHEME: Urban  
LOCAL SCHEME: Marina Development  
OWNER: Byron Corporation Pty Ltd  
CONSULTANT: John McKenzie & Associates  
APPLICATION RECEIVED: 25.2.94  
DAU/SCU: 1.3.94  
ADVICE RECEIVED: 22.11.94  
REPORT WRITTEN: 24.11.94

SUMMARY

Council did not support this proposed at its meeting on 11 April 1994 (I20504) and the applicant appealed to the Minister for Planning who has upheld the appeal, subject to amalgamation of the lots.

BACKGROUND

The proposal was to develop Lots 48, 49 and 50 in the Mindarie Keys area with 19 grouped dwellings of two storeys with relaxations of setbacks to streets and private open space provisions.

Council subsequently refused the application on the grounds that it did not comply with the requirements of the Residential Planning Codes relating to building (street) setbacks and private open space. Notably, that a three street frontage meant that

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secondary street setbacks were sought on two streets and that 24m<sup>2</sup> private open space areas would be covered in part by balconies. The R Codes do not give Council the discretion to relax the private open space provisions.

#### DECISION

The Minister advised by letter dated 12 November 1994:

*... I have examined the plans submitted with your appeal and recognise that the proposal is unusual in that it involves a development project over an entire street block and therefore can be regarded somewhat differently from a conventional project involving adjoining parcels of land in different ownerships. The fact that there is a significant fall on the land providing capacities for views from dwellings on higher land over those on the lower land has also been noted as giving a greater sense of space and expanded outlooks over development on flatter sites.*

*In giving consideration to the elements involved in this appeal, I wish it to be understood that the specific site conditions just described have been accepted as reasons to justify a more lenient approach to variations under the Residential Planning Codes than might be the case in any other setting.*

*A Member of my Appeal Committee has examined the substance of the appeal and advises me that the design represents an outstanding concept and design maximising on the use of the land and deserving support in the particular circumstances of this case.*

*With respect to setbacks from street frontages, I note the choice of the St Malo Court frontage as the principal street frontage with setbacks to others as secondary street frontages but on the basis that the land comprised a single lot which is not presently the case. While I see no objection to the choice made, it will be necessary for the land to be amalgamated into a single lot before the setback relaxations to other frontages can be justified.*

*The need for areas of private open space is important for each dwelling unit and therefore variations to code requirements should not be made lightly. In this instance, however, I note that open space areas are provided but parts are covered by overhanging balconies. To the extent that these balcony features*

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*will be used as open space areas in their own right and will provide shaded areas underneath for use when areas open to the sky are not usable, I accept that there are reasons in the context of this particular design for relaxations of the area and minimum dimensions to be granted.*

*Accordingly, therefore, I have decided to uphold your appeal and grant approval .... in accordance with the plan dated February 1994 and referred to as the revised plan the subject of this appeal ..."*

No Building Licence application has been received for this development. The applicant has been advised of Council's conditions of approval.

SUBMITTED FOR COUNCIL'S INFORMATION.

O G DRESCHER  
City Planner

hg:gm  
pre941222  
28.11.94

I61211

CITY OF WANNEROO : REPORT NO I61211

TO: TOWN CLERK  
FROM: CITY TREASURER  
FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE  
RESOURCES  
MEETING DATE: 21 DECEMBER 1994  
FILE REF: 404-10  
SUBJECT: STAFF AND OUTSIDE WORKERS' OVERTIME -  
NOVEMBER 1994

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The staff overtime return for the month of November 1994 is submitted for Council's information, together with details of the outside workers' overtime for the same period.

Details are shown on a Programme and Location basis and include comparative summaries showing monthly and cumulative totals for the same period last year - Attachment A refers.

In order to compare actual costs against budgeted expenditure, details of overtime included in the 1994/95 budget are also provided.

Submitted for information.

J B TURKINGTON  
City Treasurer

LC:JW  
5 December 1994

tre0011

I61212

CITY OF WANNEROO REPORT NO: I61212

TO: TOWN CLERK

FROM: CITY TREASURER

FOR MEETING OF: COUNCIL - FINANCE AND ADMINISTRATIVE RESOURCES

MEETING DATE: 21 DECEMBER 1994

FILE REF: 002-3

WARD: ALL

SUBJECT: FINANCIAL REPORT FOR THE PERIOD ENDED  
30 NOVEMBER 1994

General

The Municipal Fund Summary of Financial Activity is attached as Attachment 'A'.

With 5 months of the year expired actual revenues/expenses are generally within budget estimates.

Rates

Rate collection at 30 November 1994 was \$32,023,754 which represented 74.1% of the total rates due. For comparative purposes the collection position at the corresponding period in previous years was:-

1993/94	73.6%
1992/93	72.9%
1991/92	71.4%
1990/91	71.5%
1989/90	73.5%

Comparison with other local authorities indicates the position at 30 November 1994 was:-

	Issue Date	Collection
Stirling	27/07/94	83.8%
Swan	22/07/94	80.0%

Canning	17/08/94	70.3%
Wanneroo	12/08/94	74.1%

During the first week in December 1994 18,658 second instalment reminders were issued as follows:-

Central Ward	5,681
North Ward	1,574
South Ward	6,230
South West Ward	5,173
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	18,658
	-----

Councillors will recall these rates are due on 15 January 1995. On 31 January 1995 a 10% penalty will be imposed on rates outstanding on the close of business on that day.

### Refuse

Total refuse outstanding at 30 November 1994 was \$514,866 representing 7.2% indicating a collection of 92.8%. Comparison with collection in previous years was:-

1993/94	91.5%
1992/93	92.4%
1991/92	90.4%
1990/91	91.9%
1989/90	90.3%

Full details are shown on Attachment 'B'.

### Swimming Pool Inspection Fees

Total outstanding at 30 November 1994 for this area of Council's activity was \$5,546 representing 4.9%.

Full details are shown on Attachment 'C'.

### Interest on Investments

Council's earning to 30 November 1994 from investments was \$857,079 against an annual budget of \$2,037,730.

At the date of writing this report Council's investment portfolio was as follows:-

National Australia Bank	\$ 4,843,100	7.8%
Westpac	\$ 4,939,977	8.0%
Australian and New Zealand Commonwealth Bank	\$ 3,836,938	6.2%
Town and Country Bank Ltd	\$32,979,858	53.2%
Bankwest	\$ 6,725,279	10.8%
Challenge Bank	\$ 6,442,395	10.4%
Permanent Building Society (In Liquidation)	\$ 2,154,908	3.5%
	\$ 95,266	0.1%
	<hr/>	<hr/>
	\$62,017,721	100%
	<hr/>	<hr/>

Council is currently attracting interest rates in the vicinity of 7.5%.

While it is still "early days" with interest rates now creeping upwards earnings from this source will exceed budget estimates at 30 June 1995.

A more comprehensive presentation of Council's investment portfolio as at 30 November 1994 is shown on Attachment 'D'.

### Salaries and Wages

Payroll paid to 30 November 1994 of \$9,895,158 presents payments for 12 of the 27 pays scheduled for 1994/95. It should be noted however, that \$778,960 of this amount relates to salaries and wages accrued from 1993/94.

### Craigie Leisure Centre

In broad terms the financial position of Craigie Leisure Centre for the five month period ended 30 November 1994, was -

	<u>Surplus</u>	<u>Subsidy</u>
	\$	\$
Control		
Pool		120,161
Sports/Function	7,329	
Fitness Centre	56,937	
Aerobics Room	7,217	
Kiosk	5,212	
Creche		18,397
	<hr/>	

Total	\$76,695	\$138,558
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Net subsidy \$61,863.

A large increase in gym membership fees for November 1994 enabled this centre to return a healthy surplus this month.

Council's budget provides for an operating subsidy of \$143,560 to this complex for the 1994/95 year.

### Aquamotion

In broad terms the financial position of Aquamation for the five month period ended 30 November 1994, was -

	<u>Surplus</u>	<u>Subsidy</u>
	\$	\$
Control		
Pool		138,788
Fitness Centre		1,909
Recreation Room		8,743
Kiosk	559	
Creche		5,536
	-----	-----
Total	\$559	\$154,976

Net subsidy \$154,417.

Council's budget provides for an operating subsidy of \$334,740 to this complex for the 1994/95 year.

### Marangaroo Golf Course

In summary the operating profile of this activity for the five months ended 30 November 1994 was:-

	Annual Budget	Budget 30/11/94	Actual 30/11/94
	\$	\$	\$

Revenue	855,750	356,562	309,036
Expenditure	447,500	186,458	162,579
Surplus	408,250	170,104	146,457

Numbers through the course for the first five months of the year are:-

18 Holes	Concession	9 Holes	Concession	Extra	Total
9,511	3,554	21,147	7,518	845	42,575

Full financial details are shown on Attachment 'E'.

#### Carramar Golf Course

In summary the operating profile of this activity for the five months ended 30 November 1994 was:-

	Annual Budget	Budget 30/11/94	Actual 30/11/94
	\$	\$	\$
Revenue	774,410	322,671	330,722
Expenditure	502,690	209,454	97,020
Surplus	271,720	113,217	233,702

  

18 Holes	Concession	9 Holes	Concession	Extra	Total
13,284	1,641	12,324	3,259	447	30,955

Patronage has exceeded expectations with the surplus to date in well in excess of budget. This offsets the downturn experienced at Marangaroo Golf Course.

Full financial details are shown on Attachment 'F'.

**Recreation Centres**

The operating position for the individual recreation centres for the five months ended 30 November 1994 is shown on Attachment 'G'.

**Reserve Accounts**

The aggregate account balance of Council's Reserves at 30 November 1994 was \$14,283,041. Refer Attachment 'H'.

**Loan Accounts**

The aggregate unspent loan balance at 30 November 1994 were \$381,326. Refer Attachment 'I'.

**Town Planning Scheme Accounts**

Balances in these accounts at 30 November 1994 were:-

Town Planning Scheme No. 5	\$209,766
Town Planning Scheme No. 7A Stage 2	\$794,184
Town Planning Scheme No 7A Part B	\$548,454
Town Planning Scheme No 21	\$592,319

Details are shown on Attachment 'J'.

**Trust Funds**

Balances at 30 November 1994 were:

Unclaimed Salaries and Wages	\$ 678.62
Unclaimed Monies	\$105,264.29
Town Planning Scheme No. 22	\$550,707.22
Yanchep/Two Rocks Community Bus	\$ 53,845.17
	<hr/>
	\$710,495.30
	<hr/>

Submitted for information.

J B TURKINGTON  
City Treasurer

JBT:JW  
5 December 1994

tre0264

I61213

CITY OF WANNEROO REPORT NO: I61213

TO: TOWN CLERK

FROM: CITY ENVIRONMENTAL HEALTH MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 865-2 C85107

WARD: ALL

SUBJECT: PESTICIDE RESIDUES SURVEY OR FRUIT AND  
VEGETABLES

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Council is advised of an ongoing survey of pesticide residues in fruit and vegetables grown and/or sold within the City of Wanneroo.

The samples are obtained mainly from local growers and submitted to the Health Department of Western Australia who in turn submit them to the Chemistry Centre of Western Australia. Results obtained contribute to a state-wide survey.

To date, samples of cauliflower, cabbages, broccoli, brussels sprouts, bananas (Carnarvon) and strawberries have been submitted for analysis.

The samples have been screened for 35 pesticides including metabolites. All samples were found to comply with the Australian Food Standards Code 1992.

Local producers are to be commended for their diligent use of chemicals associated with their businesses.

The survey will continue throughout 1995 and a further report will be submitted in due course.

Submitted for information.

G A FLORANCE  
City Environmental Health Manager

hrel2007  
mcp:rej

I61214

CITY OF WANNEROO REPORT NO: I61214

TO: TOWN CLERK

FROM: CITY ENVIRONMENTAL HEALTH MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 241-5-2

WARD: ALL

SUBJECT: HEALTH EXPO - ex I60711

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Council is advised that the Environmental Health Department's first Health Expo was held on 15 and 16 November 1994 at the Craigie Leisure Centre. The event was opened by the Mayor, Councillor Rita Waters and the ceremony was followed by an aerobics display from the Woodvale Senior High School aerobics team.

Over the two day programme, a series of community talks were held, including 'Team up Against Asthma'; 'Breast Cancer and Breast Care'; 'Women in the Middle Years'; 'Drugs - What You Need to Know'; 'Quit Tips on Smoking'; 'Sports Injury Prevention and Arthritis'; 'Skin Cancer - Prevention and Early Detection'; 'Lions Skin Cancer Screening Programme'; and 'Diabetes Prevention'. In addition, special activities were undertaken by Craigie Leisure Centre staff which included sessions on stress management, power walks, aerobic sessions and fitness testing.

The event was well supported by the 16 health and community organisations taking part. In addition to the displays and information, some organisations provided specific screening and health activities. The Environmental Health Department offered cholesterol testing and non-alcoholic cocktails; low fat food and drink samples were provided by Brownes Dairy; the Asthma Foundation provided equipment to measure vital lung capacity; diabetic testing was provided by the Osborne Division of General Practice, computer assessment programmes were provided by the Alcohol and Drug Authority and the Health Department of Western Australia; a resuscitation demonstration was given by the Royal Life Saving Society; and the very successful Cancer Foundation

mobile shop and display was parked outside the Centre on both days.

Whilst community support was lower than anticipated, those who did attend found the information and activities provided in the Expo to be interesting and worthwhile.

Cooperation between the Health and Recreation Departments contributed to the event's success and a suggestion has been made by the City Recreation and Cultural Services Manager to combine the Health Expo and Wellness Day in 1995.

Submitted for information.

G A FLORANCE  
City Environmental Health Manager

hrel2008  
tj:rej

I61215

CITY OF WANNEROO REPORT NO: I61215

TO: TOWN CLERK

FROM: CITY RECREATION AND CULTURAL SERVICES MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 260-0

WARD: ALL

SUBJECT: RECREATION AND CULTURAL SERVICES DEPARTMENT -  
MONTHLY ACTIVITIES REPORT

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CULTURAL SERVICES

Air Brushing Project

The Cultural Services Team is supporting the Wanneroo Youth Activities Centre with their Air Brushing Project.

The project will involve a maximum of 20 young people and a skilled air brush artist. The artist will facilitate skill development in air brush technique and will map out a workshop plan for two groups with a goal to decorate the mobile youth bus and a skateboard ramp.

The theme of the design will be based on youth health issues.

A meeting will be organised to finalise the workshop scheduled to be held during the forthcoming school holidays.

The project is funded by Healthway and the City of Wanneroo through its Cultural Development Fund.

Youth Services

*Youthfest*

The Youth Services Co-ordinator has been involved in preparation for the 1995 Youth Fest to be held in March next year. The Youth Fest will aim to provide an avenue to promote and celebrate the

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positive achievements and contributions of young people in the community.

It is envisaged the Youth Fest will encourage participation and performances by schools, community organisations and other youth agencies.

#### *Bandfest*

The Youth Services Co-ordinator has been working with Junior Council to hold a youth festival in 1995. Junior Council envisages the music festival will give young local bands and other performers the opportunity to perform in the northern suburbs and, in turn, access an exciting musical event in the Wanneroo area.

#### *Quinns/Merriwa/Clarkson Community Reference Group*

The Youth Services Co-ordinator has also been involved in developing the Quinns/Merriwa/Clarkson Community Reference Group.

The Group is made up of community representatives from local sporting and community groups, youth groups, Department for Community Development, Parkerville Children's Home, Community Policing, District Education Office, the City's Cultural Services Co-ordinator and Integrated Local Area Planning (ILAP) Co-ordinator.

The aim of the reference group is, in conjunction with young people in the area, to identify issues affecting young people and some strategies to meet the needs of young people in the Quinns/Merriwa/Clarkson area. The Reference Group has identified the lack of access to leisure time activities as a major issue, as is access to transport and other support services. The Group has been working towards meeting both the short term and long term needs in their community.

#### *School Holiday Activities*

Preparation is also underway for school holiday activities for the January school vacation period. The programmes in Yanchep and the Girrawheen/Koondoola area will be sponsored by the Department for Community Development's Sumfun Programme.

#### *Anchors Youth Centre*

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The young women's "Live-It-Up" adventure and life skills course is running well and the school holiday programme was half full within the first two days.

#### RECREATION SERVICES

##### Outdoor adventure activities for people with intellectual disabilities

"Expressions of interest" were invited from community groups and local government interested in applying for a grant to undertake an innovative recreational project to benefit people with disabilities.

Council's Recreation Officer put in a submission to fund an outdoor adventure activities programme for adults with intellectual disabilities who are transport trained. The activities will include abseiling, bush walking, environmental art, fishing (beach or jetty) and horseriding.

After involvement in the programme it is anticipated participants will further pursue these activities in their leisure with people with similar skills and interests or in a club situation.

Council has recently received confirmation that the grant for \$1,545.00 has been approved. It is anticipated the programme will start in late February or early March.

#### CRAIGIE REGIONAL ZONE

##### Aquatic Centre

Attendances in the pools has increased steadily with the onset of the warmer weather. The planned maintenance shut down will take place between 17 - 26 December 1994 inclusive. All clubs have been notified and public notices and advertising will advise of the closure.

##### Fitness Centre

During November the Centre promoted a discounted 12 month membership. Response has been very encouraging with the lead up to Christmas. \$39,222 was received in membership fees with an actual committed income of \$65,524, totalling 151 new members. A members' Christmas function and a gift voucher promotion will see this upward trend continue into the new year.

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### Fitness Programme

Valuable feedback was received from patrons through the survey conducted with the aerobic and aquarobic participants. Centre staff are evaluating responses in preparation for the new year's programmes.

Attendances in both aerobics and aquarobics classes have been on the increase.

### Sports Halls

All adult and children's programmes break between 17 December 1994 and 8 January 1995, for a three week period. Maintenance will be conducted during that period as will a review of the competitions.

### Marketing

Work continues on upgrading all Centre signage and promotional materials.

### Leisure Courses

Planning has begun on the 1995 leisure course programme. It is anticipated that classes will be held at Craigie Leisure Centre and MacDonald Sports Complex.

### Special Events

The City of Wanneroo Health Expo was held in November and was well received by the Craigie Leisure Centre patrons.

## GIRRAWHEEN/KOONDOOLA ZONE

### Centre Renovations

The renovations of the Reception/Foyer area of the Recreation Centre are progressing well. It appears the work will be completed by Christmas.

### New Facilities

Work is progressing on the new barbecue area at the Clubrooms at Hudson Reserve, Girrawheen. This project includes an electric barbecue; a pergola area between the clubrooms and the

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changerooms; and a brick screen wall behind the barbecue area. This project is being co-ordinated by the Girrawheen/Koondoola Junior Football Club in conjunction with the City of Wanneroo.

### Christmas Festivities

With Christmas approaching, many community groups are organising special Christmas celebrations. Two dates to note are The Salvation Army Carols By Candlelight at Liddell Park on 18 December and Calvary Chapel Carols By Candlelight at Alexander Heights Park on 21 December. Both of these are annual events and are always very well patronised.

### NORTH WARD ZONE

During the month of November a number of Council run initiatives were undertaken. These included the organisation of Christmas School Holiday Programmes for both the youth and primary school children to be run at the Gumblossom Community Centre over the Christmas break. Leisure Programme courses to be run at the Gumblossom Community Centre and the Yanchep/Two Rocks Recreation Centre for Term 1 were also organised. The brochures for both these programmes will be available during the month of December.

A considerable amount of time is still being spent bringing the facilities and components on line with the City of Wanneroo mainframe computing system. It is hoped that during the month of December this administrative procedure will be completed.

A number of social events occurred in Council's North Ward recreation facilities during the past month. The North Ward Recreation Facilities Manager took an active guiding and organisational role in events such as the Neighbourhood Watch operation "Sky light" on Gumblossom reserve and the Open Day at the Yanchep/Two Rocks Recreation Centre. Other events of interest included the Quinns Rocks Primary School Open day and the Clarkson Primary School fete. Both these events raised considerable amounts of revenue for their respective organisations.

### SORRENTO DUNCRAIG ZONE

#### Sorrento Community hall

Building works have been completed at Sorrento Community Hall which was damaged during violent storms in May. User groups have been advised and most have recommenced use of the facility.

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Leisure Courses

The term four operations at the Recreation Centre have progressed smoothly. Enrolment numbers have remained steady despite a trend of falling attendances in general.

Sorrento-Duncraig Recreation Centre

Programming for 1995 regular facility bookings has been completed. In line with the Centres Goal to achieve a more efficient operation several changes were required to some long-standing bookings. At this stage these changes have been met with minimal resistance.

Aussi Masters Swimming Carnival

Approval has been granted for the Aussi Masters swimming club to conduct the "Sorrento Super Swim" at Sorrento Beach on January 21. This is an annual event which attracts a large number of participants and spectators and is a major fund raiser for charity.

Sorrento Surf Club

The Sorrento Surf Club will be hosting the City of Wanneroo's Rock Marathon on 10 December 1994 from 1.00 pm to 3.00 pm. The competition will have a boat and ski race which will include a paddle around the City of Wanneroo's Rock island. An estimated attendance of 150 people is anticipated.

WANNEROO TOWNSITE ZONEAquamotion*Education Department Swimming*

Education Department In-Term school swimming lessons have commenced with over 350 children attending the centre daily. Classes have commenced with a minimum of stress.

*Facsimile Machine*

Aquamotion Wanneroo now has a facsimile machine to enable better trading with the outside community - the fax number is 306 2069.

*Acid Ph Control*

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Management is currently investigating a possible change in Ph water control from Carbon Dioxide to Liquid Acid. A changeover may provide a substantial financial saving per annum.

#### *Aquamotion Beast and 24 Hour Club*

Aquamotion has some current ongoing promotions. The "Aquamotion Beast" is a special promotion based on a lucky receipt number every month. Aerobics participants to partake in 24 aerobic or aquarobic classes in a five week period.

#### *Aquamotion Triathlon*

Event takes place Saturday, 17 December 1994.

#### *Aquamotion Antics School Holiday Programme*

A supervised programme based at Aquamotion with a variety of activities programmed for children aged between 8 to 12 years. Activities include Aquamotion Olympics, tours to Underwater World and Botanic Golf and also a children's disco on the Saturday night. Programme runs from 9 to 13 January 1995 and 16 to 20 January 1995.

#### Wanneroo Recreation Centre

##### *Youth Adventure Programme*

A Youth Adventure Programme for 12 to 16 year olds, will be held from Wanneroo Recreation Centre during January. Activities include rock climbing, abseiling, horse riding, and indoor sport competitions.

##### *20th Birthday Celebrations - Sunday, 19 March 1995*

A circular requesting groups' involvement in the celebrations was sent off to all recreation groups and associations within the Wanneroo Area. A provisional plan has been drawn with a full range of activities to be held at Wanneroo Recreation Centre between 10.00am to 4.00pm on Sunday, 19 March 1995. Course instructors from Wanneroo Recreation Centre are very keen to provide exhibitions of their classes/crafts in a "come and try" capacity.

It is hoped that some outdoor fair type activities may also be on offer i.e. basketball shooting, sack races, running races etc.

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Some outdoor children's rides may also operate on the day on a profit share basis.

It is hoped that the Wanneroo Recreation Association will share ownership of the event and become involved in the overall programme.

#### WARWICK-GREENWOOD ZONE

##### Leisure Courses

November was notable for the interesting programmes that were successfully run from the Warwick Leisure Centre. The Swing into Shape for the visually impaired is going extremely well at this stage and has now widened its scope to include people that suffer from a number of other disabilities. "Take Time Out" offered a variety of activities and was well received by participants.

The Ministry of Sport and Recreation has decided to regionalise the "Bodytime" programme and will only be offering "Bodytime" at Craigie Leisure Centre next year.

##### Fitness Programme

A number of changes have occurred to the Warwick fitness programme and the new year will bring with it some new aspects to widen the programme even further. The Aquafest programme is almost entirely planned offering a variety of activities aimed at young people for the January holidays.

R BANHAM  
City Recreation and  
Cultural Services Manager

CS:SS  
rre41208

I61216

CITY OF WANNEROO REPORT NO: I61216

TO: TOWN CLERK

FROM: CITY RECREATION AND CULTURAL SERVICES MANAGER

FOR MEETING OF: COUNCIL

MEETING DATE: 21 DECEMBER 1994

FILE REF: 429-1-12

WARD: ALL

SUBJECT: MULTICULTURAL FESTIVAL

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Following the success of the Multicultural Festival held on 24 March 1994, it has been confirmed that the 1995 Multicultural Festival will be held again at Sorrento Quay on Sunday, 9 April 1995. The Festival will officially close Multicultural week due to take place 2-9 April 1995.

Due to the City of Wanneroo being chosen as the municipality to host the festival, a collaboration between the City's Cultural Development Officers and the Multicultural Arts Centre of WA was established.

Council has listed the sum of \$4380 in the 1994/95 Budget towards co-ordination of the festival. Similarly, "in kind" support will be provided accordingly.

The primary aim of the Multicultural Festival 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 entertainment that would encourage the development of multicultural performances in an Australian context;
- . introduce world culture artists to popular mainstream venues for the benefit and interaction of both

multicultural and mainstream participants and audiences;  
and

. celebrate Multicultural Week.

It is intended that the Multicultural Festival will commence at 12.00 pm and conclude at approximately 7.30 pm on Sunday, 9 April 1995.

The day's events will involve performances and visual displays incorporating traditional costume, dance, visual art, music and food - elements that are imperative towards the development and celebration of the vast cross section of the community.

Submitted for Council information.

R BANHAM  
City Recreation and  
Cultural Services Manager

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