

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, 23 AUGUST 1995

ATTENDANCES AND APOLOGIES

Councillors:	A V DAMMERS, JP - Mayor	Central Ward
	F D FREAME, Deputy Mayor	South-West Ward
	H M WATERS	North Ward
	L O'GRADY	North Ward
	B A COOPER	Central Ward
	S P MAGYAR	Central Ward
	B J MOLONEY from 8.40 pm	South Ward
	K H WOOD	South Ward
	A B HALL	South Ward
	A W WIGHT	South Ward
	A G TAYLOR	South Ward
	G A MAJOR	South-West Ward
	G W CURTIS	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	
City Engineer:	R MCNALLY	
City Treasurer:	J B TURKINGTON	
City Building Surveyor:	R G FISCHER	
Acting City Environmental Health Manager:	M AUSTIN	
City Parks Manager:	F GRIFFIN	
City Recreation and Cultural Services Manager:	R BANHAM	
Manager, Municipal Law & Fire Services:	T M TREWIN	
Manager Welfare Services:	P STUART	
City Librarian:	N CLIFFORD	
Publicity Officer:	O DAVIDSON	
Committee Clerk:	J HARRISON	
Minute Clerk:	V GOFF	

An apology for absence was tendered by Cr Ewen-Chappell.

An apology for late attendance was tendered by Cr Moloney.

There were 30 members of the Public and 2 members of the Press in attendance.

The Mayor declared the meeting open at 7.32 pm.

C379-08/95 MINUTES OF COUNCIL MEETING, 26 JULY 1995

Corrections

- 1 Page 87, Item CS115-07/95: All reference to Food Complaint Sample No 68C, be amended to read "60C";
- 2 Page 133, "Notice of Motions for Consideration at the following Meeting, if Given During the Meeting": "Cr Curtis" be amended to read "Cr Magyar".

MOVED Cr Wood, **SECONDED** Cr Major that the Minutes of Council Meeting held 26 July 1995, amended as above, be confirmed as a true and correct record.

CARRIED

C380-08/95 MINUTES OF SPECIAL COUNCIL MEETING, 31 JULY 1995

MOVED Cr O'Grady, **SECONDED** Cr Cooper that the Minutes of Special Council Meeting held 31 July 1995, be confirmed as a true and correct record.

CARRIED

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN, WITHOUT DISCUSSION

Cr Magyar submitted the following questions to the Council Meeting of 23 August 1995:

- Q1. Has the City of Wanneroo been officially notified by the State Government of the vesting of the northern portion of Koondoola Open Space with the City of Wanneroo.
- A1. The City has not formally been advised by the State Government whether the balance of Koondoola Regional Open Space will be vested or leased to the City of Wanneroo.
- Q2. Will the draft management plan be put out for public comment prior to its final adoption by this Council?
- A2. Yes.
- Q3. Has this Council any funds available to fence this area prior to the final adoption of the plan?

- A3. Yes. Council has budgeted approximately \$100,000 for the fencing of the Koondoola Regional Open Space when it is formally leased or vested to the City.
- Q4. Will the management plan address the issue of dieback?
- A4. Yes. It is proposed to follow the Department of Conservation and Land Management's Dieback Hygiene Procedures.
- Q5. Both the Friends of Koondoola Open Space and the Girrawheen-Koondoola Community Recreation Association have expressed interest in having input prior to the public release of the Draft Management Plan. Will the Conservation Control Officer accommodate these requests?
- A5. The normal practice is for Council to evaluate the draft management plan before it is formally released for public comment. There will be adequate time for all parties and interested groups to comment.

Ms Michelle Welsh asked the following questions at the Council meeting of 26 July 1995 in relation to the pedestrian accessway between Danbury Crescent and Gayford Way, Girrawheen:

- Q1. Has consideration been given to the fact that Whitworth Avenue and Arnos Way lead to the main school entrance used by staff, parents of pre-primary and primary school students and visitors to the dental clinic?

If the walkway is closed children will conflict with this traffic along a route with many blind spots and footpath on the opposite side of the road.

- A1. Council was aware that the closure of the accessway would mean school children from Danbury Crescent and Halkin Road walking to Girrawheen Primary School would need to cross Nelligan Drive twice and walk down Whitworth Avenue which are busy roads before and after school.

Council resolved to agree to the closure of the pedestrian accessway and would support any application for a school children's crossing across Nelligan Drive to provide a safe route for children walking to the Girrawheen Primary School.

- Q2. Is there an awareness that students from primary, high and private schools use the walkway to gain access to the shopping centre, scout hall, library, Hudson Reserve and to visit their friends?

- A2. In the report to Council dated 10 July 1995, Council was advised that residents objected to the closure on the grounds that they used it to walk to the Girrawheen Primary School, shops, senior citizens club and the library. The report did not specify whether the objectors were students or adults.

QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN, WITHOUT DISCUSSION

Nil

ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION

AUSTRALIA REMEMBERS COMMEMORATION

Last week the City of Wanneroo, along with the rest of Australia, celebrated 50 years of peace since the end of World War 2.

On VP Day I welcomed guests to the launch of the Australia Remembers oral history tapes at the Woodvale Library. This Wanneroo Libraries project will ensure the wartime memories of Wanneroo people will be preserved for all time.

On Friday night I had the pleasure of attending the Sentimental Journey concert put on by the talented Wanneroo City Entertainers. The performance was excellent, capturing the mood of the war years and the 50 years since, through song and dance.

Yet to come in the Australia Remembers program is the Rejoice and Remember open day at Gloucester Lodge Museum, Yanchep Park on Sunday, 1 October.

YOUTH POLICY LAUNCH

On 10 August, before an audience of local politicians, Councillors and youth workers, I had much pleasure in launching the City of Wanneroo's Youth Policy. It is a document which will ensure local youth have access to appropriate resources and services to build fulfilling and constructive lives.

CHILDREN'S BOOK WEEK

On Monday, my Deputy Fleur Freame launched the start of Children's Book Week at the Warwick Leisure Centre. More than 114 sessions devoted to the theme "Celebrate with Stories" are being held this week at the Centre.

LAUNCH OF COMMUNITY INTERVENTION PROJECT

The City of Wanneroo will host the Northern Suburbs Domestic Violence Group's launch of the Community Intervention Project in the Function Area this coming Friday morning.

VIENNA BRASS BAND

I will be presenting a City of Wanneroo plaque to the Vienna Brass Band, who are currently touring Australia, and will be playing at Lakeside Shopping City on Thursday evening.

EXPRESSION OF THANKS

Cr Hall expressed his appreciation on behalf of his wife and himself to the Councillors and members of the Youth Advisory Committee for their flowers and good wishes on the birth of their fourth child.

PETITIONS, MEMORIALS AND DEPUTATIONS

C381-08/95 REQUEST FOR SIGNAGE - SPRINGFIELD PRIMARY SCHOOL, KALLAROO - [218-1-1, 510-370]

Cr Curtis tabled a letter from residents seeking school warning signs on Bridgewater Drive, Kallaroo in the vicinity of Springfield Primary School.

MOVED Cr Wood, **SECONDED** Cr O'Grady that the letter requesting school warning signs on Bridgewater Drive, Kallaroo in the vicinity of Springfield Primary School be received and referred to Engineering Department for action.

CARRIED

C382-08/95 SPRAYING OF KOONDOOLA OPEN SPACE - [061-199]

Cr Taylor tabled a letter from a resident of Girrawheen/Koondoola regarding the spraying of Koondoola Open Space.

MOVED Cr Wood, **SECONDED** Cr O'Grady that the tabled letter from a resident regarding the spraying of Koondoola Open Space be received and referred to Parks Department for action.

CARRIED

C383-08/95 REQUEST FOR CLOSURE OF SHOREBIRD PARADE, WOODVALE - [510-2320]

Cr Hall tabled a 32-signature petition from residents of Woodvale seeking the closure of Shorebird Parade, Woodvale.

MOVED Cr Wood, **SECONDED** Cr O'Grady that the petition received from residents of Woodvale seeking the closure of Shorebird Parade, Woodvale be received and referred to Town Planning Department for a report to Council.

CARRIED

C384-08/95 **PETITION OBJECTING TO PROPOSED ROUNDABOUT - GIRALT/PARIN ROADS INTERSECTION, MARANGAROO - [510-1130, 510-230]**

Cr Hall tabled a letter from a resident in Giralt Road, Marangaroo objecting to Council's proposal to construct a roundabout at the intersection of Giralt and Parin Roads, Marangaroo.

MOVED Cr Wood, **SECONDED** Cr O'Grady that the tabled letter from a resident in Giralt Road, Marangaroo objecting to Council's proposal to construct a roundabout at the intersection of Giralt and Parin Roads, Marangaroo be received and referred to Engineering Department for action.

CARRIED

WOODVALE "WHAM"

Cr Wood reported that he had deputised for the Mayor on 9 August 1995 at the Woodvale "Wham" at Craigie Leisure Centre, where several schools participated in a music festival.

A great time was had by all.

C385-08/95 **PETITION SEEKING PRESERVATION OF CRAIGIE OPEN SPACE - [745-4]**

Cr Magyar tabled a 22-signature petition relating to the preservation of Craigie Open Space.

MOVED Cr Wood, **SECONDED** Cr O'Grady that the petition relating to the preservation of Craigie Open Space be received and referred to Town Planning Department for a report to Council.

CARRIED

C386-08/95 **REMOVAL OF FENCE AND CREATION OF LANEWAY AT BOTTOM OF HURST TRAIL, CLARKSON - [510-3452]**

Cr O'Grady tabled a letter from the Suburb Manager, Clarkson Neighbourhood Watch and a 37-signature petition from residents of Clarkson objecting to the creation of a walkway at the bottom of Hurst Trail, Clarkson.

MOVED Cr Wood, **SECONDED** Cr O'Grady that the tabled letter together with petition from residents of Clarkson objecting to the creation of a walkway at the bottom of Hurst Trail, Clarkson be received.

CARRIED

C387-08/95 WANNEROO YOUTH ACTIVITIES CENTRE - [512-0]

Cr Freame tabled a letter from the Lions Club of Wanneroo seeking the donation of some bollards to be placed around the Wanneroo Youth Activities Centre to protect the garden.

MOVED Cr Wood, **SECONDED** Cr O'Grady that the letter tabled from the Lions Club of Wanneroo seeking the donation of some bollards to be placed around the Wanneroo Youth Activities Centre to protect the garden be received and referred to Engineering Department for a report to Council.

CARRIED

C388-08/95 PETITION OBJECTING TO PROPOSED CONVENIENCE STORE, CRAIGIE - [30/0747]

A 1006-signature petition has been received from residents and customers of Craigie Plaza objecting to the application by Shell Service Station, Craigie for a Convenience Store.

The petitioners believe the community is already suitably catered for by existing businesses in the Craigie area.

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

Cr Lynn tabled a copy of this petition, together with a copy of a letter from Chesterton, Managing Agents objecting to the application.

MOVED Cr Wood, **SECONDED** Cr O'Grady that the petition received from residents and customers of Craigie Plaza, together with the letter from Chesterton, Managing Agents objecting to the application by Shell Service Station, Craigie for a convenience store be received and referred to Town Planning Department for a report to Council.

CARRIED

C389-08/95 PETITION REQUESTING THE EXTENSION OF MARMION AVENUE TO YANCHEP AND TWO ROCKS - [510-0]

A copy of a 265-signature petition has been submitted by Wayde Smith, MLA, Member for Wanneroo on behalf of residents of Yanchep requesting the extension of Marmion Avenue to Yanchep

and Two Rocks. Mr Smith advises that this petition has been presented to the Minister for Transport.

The petitioners request the extension of Marmion Avenue in order to:

- provide an alternative access road in case of emergency;
- provide residents with an alternative travel route;
- boost tourist access and local trade;
- further assist in decentralisation.

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

MOVED Cr Wood, **SECONDED** Cr O'Grady that the petition submitted by Wayde Smith, MLA, Member for Wanneroo on behalf of residents of Yanchep requesting the extension of Marmion Avenue to Yanchep and Two Rocks be received and referred to Engineering Department for a report to Council.

CARRIED

C390-08/95 **PETITION OBJECTING TO PROPOSED CONVENIENCE STORE**
- LOT 504 MARANGAROO DRIVE, GIRRAWHEEN -
[30/0374]

An 88-signature petition has been received from Ted Cunningham, MLA, Member for Marangaroo on behalf of residents objecting to the introduction of a 24 hour service and convenience store on Lot 504 Marangaroo Drive, Girrawheen.

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

MOVED Cr Wood, **SECONDED** Cr O'Grady that the petition received from Ted Cunningham, MLA, Member for Marangaroo on behalf of residents objecting to the introduction of a 24 hour service and convenience store on Lot 504 Marangaroo Drive, Girrawheen be received and referred to Town Planning Department for a report to Council.

CARRIED

C391-08/95 **PETITION OBJECTING TO PROPOSED PITCH AND PUTT**
GOLF AND ARCHERY PARK ON LOT 152 (135) LAKELANDS
DRIVE, GNANGARA - [30/5027]

A 36-signature petition has been received from residents of Gnangara objecting to the proposed commercial development of a pitch and putt golf and archery club on Lakelands Drive, Gnangara.

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

MOVED Cr Wood, **SECONDED** Cr O'Grady that the petition received from residents of Ghangara objecting to the proposed commercial development of a pitch and putt golf and archery club on Lakelands Drive, Ghangara be received and referred to Town Planning Department for a report to Council.

CARRIED

MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS

MANAGEMENT COMMITTEES

- A WHITFORD SENIOR CITIZENS CENTRE MANAGEMENT COMMITTEE
 Meeting held 25 July 1995

MOVED Cr Magyar, **SECONDED** Cr Lynn that the Minutes listed at Item A be received.

CARRIED

ADVISORY COMMITTEES

- A CULTURAL DEVELOPMENT ADVISORY COMMITTEE
 Meeting held 17 July 1995
- B YOUTH ADVISORY COMMITTEE
 Meeting held 17 July 1995
- C HISTORICAL STIES ADVISORY COMMITTEE
 Meeting held 19 July 1995

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

CARRIED

OTHER COMMITTEES

- A JUNIOR COUNCIL
 Meeting held 5 July 1995
- B LOTTERIES HOUSE STEERING COMMITTEE
 Meeting held 6 July 1995
- C BURNS RATEPAYERS & RESIDENTS ASSOCIATION (INC)
 Meeting held 13 July 1995
- D WHITFORD RECREATION ASSOCIATION
 Meeting held 17 July 1995

MOVED Cr Magyar, **SECONDED** Cr Lynn that the Minutes listed at Items A to D be received.

CARRIED

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

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

DECLARATIONS OF PECUNIARY INTEREST

Cr Taylor declared an interest in Item TP277-08/95.

Town Clerk declared an interest in Items TS235-08/95 & C410-08/95

City Parks Manager declared an interest in Item TS256-08/95

Cr Wood declared an interest in Item FA98-08/95.

Cr Curtis declared an interest in Item FA98-08/95.

Cr Waters declared an interest in Items C407-08/95 and C410-08/95.

Cr Major declared an interest in Item C407-08/95.

Cr Dammers declared an interest in Item C410-08/95.

Cr Cooper declared an interest in Items C410-08/95 and C420-08/95.

Cr O'Grady declared an interest in Item C411-08/95.

Cr Lynn declared an interest in Item C412-08/95.

BUSINESS OUTSTANDING FROM PREVIOUS MEETING

C392-08/95 RESUMPTION OF NUCLEAR TESTING IN THE PACIFIC -
[702-0]

Council at its meeting of 26 July 1995, resolved at Item FA87-07/95, Point 2, that:

"consideration of the proposal submitted by Cr Magyar in relation to "World Court Project - Declaration of Public Conscience" be deferred and referred to the next meeting of Council."

MOVED Cr Magyar, **SECONDED** Cr Waters that Council, on behalf of the people of Wanneroo, complete a "Declaration of Public Conscience" that it is this Council's deeply held belief that nuclear weapons are morally wrong, and that it supports the initiative to request an advisory opinion from the World Court on the legality of nuclear weapons.

CARRIED

MOVED Cr Magyar, **SECONDED** Cr Waters that Council obtain 10,000 copies of the "Declaration of Public Conscience" and make them available to the public at its libraries and other public facilities with a collection box so that Council can return the completed forms to the World Court Project, c/- Medical Association for the Prevention of War, P O Box 1093, Subiaco.

Discussion ensued. Cr Magyar with the approval of Cr Waters, advised that he wished to have the Motion

WITHDRAWN

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

- 1 urges the citizens of Wanneroo to obtain and complete a copy of the Declaration of Public Conscience;
- 2 requests major shopping centres to make available copies of "Declaration of Public Conscience" with a collection box so that completed forms can be returned to the World Court Project, c/- Medical Association for the Prevention of War, P O Box 1093, Subiaco.

CARRIED

MOVED Cr Magyar, **SECONDED** Cr Hall that Council writes to the Minister of Local Government requesting permission to donate \$100.00 to the World Court Project.

CARRIED

MOVED Cr Magyar, **SECONDED** Cr Wood that Council writes to WAMA requesting it to support the World Court Project by WAMA, on behalf of the people of Western Australia, completing a "Declaration of Public Conscience" that it is WAMA's deeply held belief that nuclear weapons are morally wrong and that it supports the initiative to request an advisory opinion from the World Court on the legality of nuclear weapons.

CARRIED

MOVED Cr Magyar, **SECONDED** Cr Waters that Council, on behalf of the people of Wanneroo, writes to Greenpeace expressing its thanks for its efforts to stop nuclear testing both in the South Pacific and China.

CARRIED

Appendix I refers

BUSINESS REQUIRING ACTION

Legend - Numbering System:

B - Business for Information
C - Council

OC - Occasional Committee
P - Policy

CS - Community Services
FA - Finance & Admin Resources
SC - Special Council

TP - Town Planning
TS - Technical Services

C393-08/95 TOWN PLANNING COMMITTEE

MOVED Cr Cooper, **SECONDED** Cr Magyar that the Report of the Town Planning Committee Meeting, held on 7 August 1995 be received.

CARRIED

ATTENDANCES

Councillors:	B A COOPER - Chairman	Central Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L O'GRADY	North Ward
	K H WOOD	South Ward
	M E LYNN, JP	South-West Ward
	H M WATERS - Observer to 6.40 pm	North Ward
	L A EWEN-CHAPPELL - Observer	Central Ward
	from 5.36 pm	
	S P MAGYAR - Observer from 5.38 pm	Central Ward
	A G TAYLOR - Observer	South Ward

Town Clerk:	R F COFFEY
City Planner:	O G DRESCHER
Committee Clerk:	J HARRISON
Minute Clerk:	L TAYLOR

APOLOGIES

Apologies for absence were tendered by Crs Freame, Moloney, Hall and Wight.

PUBLIC/PRESS ATTENDANCE

There were three members of the Public and one member of the Press in attendance.

CONFIRMATION OF MINUTES

MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 10 JULY 1995

The Minutes of Town Planning Committee Meeting held 10 July 1995 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - PROPOSED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN COLNE WAY AND CASSERLEY AVENUE, GIRRAWHEEN - [510-0186]

Mrs Patricia Wood addressed the Committee in relation to the proposed closure of the pedestrian accessway between Colne Way and Casserley Avenue, Girrawheen - Item TP291-08/95 refers.

Mrs Wood was the applicant for the proposed closure of pedestrian accessway between Colne Way and Casserley Avenue, Girrawheen.

Mrs Wood gave an overview of the situation regarding the problems associated with the pedestrian accessway.

She sighted the main problems as being youths using 'sling-shots', aimed at the birdlife in the area, vandalism and antisocial behaviour both in and around the vicinity of the accessway.

Following questions from Councillors, the Chairman thanked Mrs Wood for addressing the Committee and advised that the matter would be considered later in the meeting.

DECLARATIONS OF PECUNIARY INTEREST

Cr Taylor stated his intention to declare an interest in Item TP277-08/95.

MEETING TIMES

Commenced:	5.32 pm
Closed:	7.05 pm

REPORT NO:

TP277-08/95 DEVELOPMENT ASSESSMENT UNIT - 1 JUNE TO 30 JUNE
1995 - [290-1]

CITY PLANNER'S REPORT

The City Planner submits a resumé of the development applications processed by the Development Assessment Unit during the month of June 1995.

Cr Taylor declared an interest in this item.

MOVED Cr Waters, **SECONDED** Cr O'Grady that Council endorses the action taken by the Development Assessment Unit in relation to the applications described in Report TP277-08/95.

CARRIED

Cr Taylor did not vote.

Appendix II refers.

TP278-08/95 SUBDIVISION CONTROL UNIT FOR MONTH OF JUNE 1995 -
[740-1]

CITY PLANNER'S REPORT

The City Planner submits a resumé of the Subdivision Applications processed by the Subdivision Control Unit for the month of June 1995.

All applications were dealt with in terms of Council's Subdivision Control Unit Policy adopted at its December 1982 meeting.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council endorses the action taken by the Subdivision Control Unit in relation to the applications described in Report TP278-08/95.

CARRIED

Appendix III refers.

TP279-08/95 DRAFT FORESHORE MANAGEMENT PLAN, QUINNS NORTH -
[765-12]

CITY PLANNER'S REPORT

Alan Tingay and Associates, on behalf of Silverton Limited, the owner of Lots 1000 and 1001, Quinns North has prepared a Draft

Foreshore Management Plan for their landholdings immediately north of Tapping Way. The draft management plan makes a number of recommendations about the management of the foreshore reserve.

The draft plan has been prepared in consultation with Council officers whose comments have been forwarded to the consultants for inclusion in the draft plan.

The City Planner provides background information to the subject matter and outlines a number of issues which still need to be addressed.

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

- 1 supports in principle the draft Quinns Rocks Estates, Stage 1, Foreshore Management Plan prepared by Alan Tingay and Associates on behalf of Silverton Pty Ltd subject to the matters raised in Report TP279-08/95 being addressed as part of a final Foreshore Management Plan;
- 2 advertises the draft Foreshore Management Plan for a period of four weeks, as well as forwarding copies of the draft plan to State Government departments and other relevant organisations;
- 3 advises Silverton Pty Ltd that Council will reconsider the draft Foreshore Management Plan following the completion of the advertising period and may seek further modifications to the draft plan prior to its final adoption by Council.

CARRIED

Appendix IV refers.

TP280-08/95 **PRIVATE RADIO MAST, LOT 1123 (73) ALDERSEA CIRCLE, CLARKSON - [3448/1123/73]**

CITY PLANNER'S REPORT

A written complaint was received by Council on 29 May 1995 regarding an unapproved radio mast on Lot 1123 (73) Aldersea Circle, Clarkson.

The City Planner advises that under Council's requirements, the antenna requires both Town Planning approval and a building licence from the Building Department.

No response or application has been made to Council by the owner despite numerous approaches.

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

- 1 writes to Mr W Ryan of Lot 1123 (73) Aldersea Circle, Clarkson, requesting the submission of a development application, or the removal of the antenna, within fourteen days;
- 2 refers the matter to the City's solicitors for legal action if the owner fails to comply with Council's request.

CARRIED

TP281-08/95 PROPOSED REZONING, PORTION OF LOT 25 EAST ROAD,
HOCKING - [790-733]

CITY PLANNER'S REPORT

The locality of Hocking was rezoned from Rural to Urban under the Metropolitan Region Scheme (MRS) in November 1994. Council has previously initiated a local scheme rezoning over the subject lot for residential purposes in accordance with the MRS zoning. A local structure plan (LSP) was also previously approved over this cell.

The City Planner reports on an application by Taylor & Burrell, Planning Consultants, on behalf of Golden Building Co Pty Ltd to rezone a portion of Lot 25 East Road, Hocking from Rural to Commercial and Residential Development R40. He considers the application is generally consistent with the LSP and the development intentions for the subject area.

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

- 1 in accordance with the provisions of Section 7 of the Town Planning and Development Act (1928) as amended:
 - (a) supports the application submitted by Taylor and Burrell Planning Consultants, on behalf of Galea Building Company Pty Ltd for the rezoning and recoding of a portion of Lot 25 East Road, Hocking from Rural to Commercial and Residential Development R40;
 - (b) specifies a maximum gross leasable area of 500m² in Schedule 5 of the Scheme Text;

- (c) forwards the documentation for Amendment No 733 to the Minister for Planning for preliminary approval to advertise;

2 advises the applicant that:

- (a) before granting final approval to Amendment No 733 it will require a letter of undertaking being submitted from the landowner stating that he will make the necessary infrastructure contribution for the subject cell on the basis as set out in the State Planning Commission's letter to Council dated 3 May 1994;
- (b) Council's support for this proposal should not be construed as support for the indicative plan submitted and that a development application will still be required to be submitted where issues such as direct vehicular access onto East Road will be further evaluated.

CARRIED

**TP282-08/95 PROPOSED RECODING OF PORTION LOTS 962 AND 79
CORNER MARMION AVENUE AND ROCHESTER DRIVE,
MINDARIE - [790-730]**

CITY PLANNER'S REPORT

The City Planner reports on an application by Taylor & Burrell on behalf of Gumflower Pty Ltd to recode a 2.3 hectare portion of Lots 962 and 79 corner Marmion Avenue and Rochester Drive, Mindarie from R20 to R40.

He provides an assessment of the proposal and gives reasons why the application should be supported.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended) supports Amendment No 730 to recode portions of Lot 962 and Lot 79 Marmion Avenue, Mindarie from R20 to R40.

CARRIED

**TP283-08/95 PROPOSED SHOP EXTENSIONS ON LOT 119 (80) OCEAN
DRIVE, QUINNS ROCKS - [30/144]**

An application has been submitted by Snowball Holdings for an extension to an existing shop on Lot 119 (80) Ocean Drive, Quinns Rocks. The application provides an insufficient amount of parking and its design and location contravenes Council's requirements.

The City Planner makes comments on the subject matter and advises that the site has already been fully developed with Council concessions in parking and this proposal represents an over-development of the site.

CITY PLANNER'S REPORT recommended that Council refuses the application submitted by Snowball Holdings for an extension of an existing shop on Lot 119 (80) Ocean Drive, Quinns Rocks as:

- 1 insufficient parking is provided on the site;
- 2 the proposed addition does not comply with setback requirements or State Government Regulations controlling access to receptacles for drainage.

MOVED Cr Cooper, **SECONDED** Cr Wight that consideration of the application submitted by Snowball Holdings for an extension of an existing shop on Lot 119 (80) Ocean Drive, Quinns Rocks be deferred until such time as the owners have had discussions with Council's Health Department regarding specific requirements to enable the applicants to submit new plans.

CARRIED

TP284-08/95 PROPOSED BOUNDARY FENCE, LOT 3 JOONDALUP DRIVE,
EDGEWATER - [30/4943]

Brown and Joy Industries have made application on behalf of Bunnings for the construction of a 4.5 metre high screen fence along the southern and western boundary of their future hardware centre site on Lot 3, corner of Joondalup Drive and Ocean Reef Road, Edgewater.

The City Planner provides background details to the subject matter and an assessment of the proposal. He reports that given the levels of the proposed fence and those of the surrounding land, the fence is not expected to impose upon nearby developments, both existing and future.

CITY PLANNER'S REPORT recommended that Council approves the application submitted by Brown and Joy Industries for the construction of a 4.5 metre high screen fence on Lot 3 Joondalup Drive, Edgewater as shown on the submitted plans, subject to those development conditions considered necessary by the City Planner.

MOVED Cr Cooper, **SECONDED** Cr Wight that consideration of the application submitted by Brown and Joy Industries for the construction of a 4.5 metre high screen fence on Lot 3 Joondalup Drive, Edgewater as shown on the submitted plans be deferred pending a meeting between Chairman of Town Planning Committee,

City Planner and Management of Bunnings with a view to revised plans being submitted for a screen fence that is more visually acceptable.

CARRIED

TP285-08/95 PROPOSED STORAGE SHED, LOT 11 (49) LAKELANDS DRIVE, GNANGARA - [30/3768]

CITY PLANNER'S REPORT

A Development Application for a proposed storage shed on Lot 11 (49) Lakelands Drive, Gnangara, has been submitted by Speedframe on behalf of the owners, Mr and Mrs Garcia. The shed has been constructed without any approvals and is in breach of Council's Special Rural Zone No 18 requirements.

The City Planner provides background details to the subject matter and an assessment of the site. He advises that numerous attempts at communication with the owners have resulted in no response.

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

- 1 requests that the larger building outside the approved building envelope, that exists without the appropriate Council approvals, be removed within thirty days;
- 2 refers the matter to the City's Solicitors for legal action if the owner fails to comply with Council's requests;
- 3 requests the landowners to consult with the City's Parks Department regarding the replanting of land which is currently bare.

CARRIED

TP286-08/95 CLOSE OF ADVERTISING: AMENDMENT NO 722 TO SCHEME TEXT TO ENSURE CONSISTENCY WITH NEW "MAST OR ANTENNA" INTERPRETATION - [790-722]

CITY PLANNER'S REPORT

The City Planner reports that advertising has closed for Amendment No 722 which proposes to adjust the Scheme Text to ensure that clauses in Part 7 are consistent with the recently incorporated "mast or antenna" interpretation. No submission was received and final adoption of the amendment is therefore recommended.

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

- 1 modifies Amendment No 722 to Town Planning Scheme No 1 to:
- (a) delete the words "Radio Masts and Antennae" in Clause 7.1 and substitute the term "a Mast or Antenna";
 - (b) delete the words "a" and "of a Radio Mast and Antennae" from the second line of Clause 7.3;
 - (c) delete the words "a" and "of radio mast and antennae" from Clause 7.4;
 - (d) delete the words "the radio mast and antenna" from sub-clause 7.4(h) and substitute the words "any building or structure";
- 2 finally adopts the modified form of Amendment No 722 to Town Planning Scheme No 1;
- 3 subject to the receipt of advice that the Hon Minister is prepared to finally approve the modified form of Amendment No 722, authorises the affixation of the Common Seal to, and signing of, the amending documents.

CARRIED

TP287-08/95 MODIFICATION TO AMENDMENT NO 584: REZONING OF
PORTION OF LOT 962 MARMION AVENUE, MINDARIE -
VARIOUS USES - [790-584]

CITY PLANNER'S REPORT

Amendment No 584 Rezoning of Portion of Lot 962 Marmion Avenue, Mindarie - Various Uses has proceeded to final adoption by Council and now requires the Minister's approval.

The City Planner advises that it has been noted that some aspects of Council's resolutions, and subsequently the content of the amending documents, are incorrect. In particular, the floorspace of the proposed corner store conflicts with the maximum floorspace as defined under Town Planning Scheme No 1. It is recommended that the relevant items be adjusted by resolution to accurately reflect the Scheme requirements.

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

- 1 modifies Amendment No 584 to Town Planning Scheme No 1 to:

- (a) include the following 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 500m² gross leasable area shall be permitted."

- (b) include reference to the Special Zone (Restricted Use) Medical Centre and Special Zone (Restricted Use) Fast Food in Section 2 of Schedule 1 of the Scheme Text;
- (c) include reference to the Special Zone (Additional Use) Corner Store in Section 1 of Schedule 1 of the Scheme Text;
- (d) delete reference to:

"amending the Fifth Schedule of the Scheme Text to include a figure of 200m² being the gross leasable area that will be used for retail purposes in respect of the proposed Rothesay Heights corner store site."

- 2 finally adopts the modified form of Amendment No 584 to Town Planning Scheme No 1;
- 3 authorises the affixation of the Common Seal to, and the signing of, the modified amending documents.

CARRIED

TP288-08/95 MODIFICATION TO AMENDMENT NO 702 - RECODING OF LOTS IN BERKLEY ROAD, MARANGAROO - [790-702]

CITY PLANNER'S REPORT

A request has been received from Turner Corporation Pty Ltd, to add a further two sites for recoding to R40 as part of Amendment No 702.

The City Planner provides background details to the subject matter and an assessment of the proposal. He gives reasons why portion of Lot 81 is not suitable for medium density development.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council modifies Amendment No 702 to Town Planning Scheme No 1 to include recoding of portion of Lots 82 and 83 Berkley Road, Marangaroo

from R20 to R40 generally as shown in Attachment No 3 to Report
TP288-08/95.

CARRIED

Appendix V refers.

PROPOSED CHANGE OF PROCEDURE FOR CLOSING
PEDESTRIAN ACCESSWAYS WITHIN THE CITY OF WANNEROO
- [520-2]

CITY PLANNER'S REPORT

The number of applications being received requesting the closure of pedestrian accessways is increasing and the City needs to review the administrative procedures being used. The City is required to follow the Department of Land Administration's guidelines for closing accessways, however, the City could streamline the process.

The City Planner reports on existing procedures and suggests administrative changes to authorise the City Planner to initiate advertising of proposed closures.

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

- 1 authorises the City Planner to advertise the proposed closure of pedestrian accessways without the approval of Council;
- 2 in instances where pedestrian accessways cannot be closed because of the existence of public services or where the adjoining residents are not interested in purchasing the land within the accessway, grants the City Planner delegated authority to refuse the application to close the accessway;
- 3 incorporates this procedure in Council's Policy Manual.

CARRIED

REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN
MOUSEHOLE CRESCENT AND LAGOON DRIVE, YANCHEP -
[510-1483, 510-1491]

The owner of Lot 227 Lagoon Drive, Yanchep has requested the City to close the unconstructed pedestrian accessway between Lagoon Drive and Mousehole Crescent, Yanchep.

The City Planner makes comments on this application and advises that the accessway when constructed will provide a useful link to Lagoon Drive and a public recreation reserve.

CITY PLANNER'S REPORT recommended that Council:

- 1 does not agree to the closure of the pedestrian accessway between Mousehole Crescent and Lagoon Drive, Yanchep;

- 2 requests the City Engineer to investigate the need to construct a path within the subject accessway.

COMMITTEE RECOMMENDATION

That Council initiates preliminary closure procedures by advertising in accordance with the provisions of the Local Government Act in respect of the pedestrian accessway between Mousehole Crescent and Lagoon Drive, Yanchep, subject to the benefiting landowners meeting all associated costs in accordance with Council's policy.

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

1 Council:

- (a) initiates preliminary closure procedures by advertising in accordance with the provisions of the Local Government Act in respect of the pedestrian accessway between Mousehole Crescent and Lagoon Drive, Yanchep;
- (b) writes to all owners of vacant land in Mousehole Crescent, Redruth Court and Lagoon Drive between Truro Court and St Ives Drive (north) notifying them of the application to close the accessway;

- 2 benefiting landowners meet all associated costs in accordance with Council's policy.

CARRIED

TP291-08/95 REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN COLNE WAY AND CASSERLEY AVENUE, GIRRAWHEEN - [510-0186]

Council, at its meeting on 15 May 1995 (Item TP179-05/95 refers), resolved to initiate preliminary closure procedures by advertising the proposed closure of the pedestrian accessway between Colne Way and Casserley Avenue, Girrawheen.

The City Planner reports that at the close of advertising, several submissions were received from residents objecting to the closure. He advises that the accessway is an integral part of the pedestrian path network in the area and provides direct access to community and public facilities in the area.

CITY PLANNER'S REPORT recommended that Council does not agree to close the pedestrian accessway between Colne Way and Casserley Avenue, Girrawheen.

COMMITTEE RECOMMENDATION

That Council agrees to the closure of the pedestrian accessway between Colne Way and Casserley Avenue, Girrawheen subject to the benefiting landowners meeting all associated costs in accordance with Council's policy.

MOVED Cr Magyar, **SECONDED** Cr Cooper that Council does not agree to the closure of the pedestrian accessway between Colne Way and Casserley Avenue, Girrawheen. **LOST**

MOVED Cr Taylor, **SECONDED** Cr Wight that Council agrees to the closure of the pedestrian accessway between Colne Way and Casserley Avenue, Girrawheen subject to the benefiting landowners meeting all associated costs in accordance with Council's policy.

CARRIED

TP292-08/95 **REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN
ROXWELL WAY AND GIRRAWHEEN AVENUE, GIRRAWHEEN -
[510-178]**

CITY PLANNER'S REPORT

Council, at its meeting on 31 May 1995 (Item TP178-05/95 refers), resolved to initiate preliminary closure procedures by advertising the proposed closure of the pedestrian accessway between Roxwell Way and Girrawheen Avenue, Girrawheen. At the close of the 30 day advertising period, two written objections were received.

The City Planner provides an assessment of the proposal and considers it is an important link in the localities network. However, it appears that the majority of residents are prepared to walk the extra distance or are not using the accessway.

RECOMMENDATION

That Council agrees to the closure of the pedestrian accessway between Roxwell Way and Girrawheen Avenue, Girrawheen subject to the benefiting landowners meeting all associated costs in accordance with Council's policy.

Cr Moloney entered the Chamber at this point, the time being 8.40 pm.

MOVED Cr Magyar, **SECONDED** Cr Cooper that Council does not agree to the closure of the pedestrian accessway between Roxwell Way and Girrawheen Avenue, Girrawheen. **LOST**

A Division was called with the following result:

In Favour of the MOTION: Crs Cooper, Magyar, Freame,
Moloney, Major, Curtis and Hall

Against the MOTION: Crs Dammers, Waters O'Grady,
Lynn, Wood, Wight, and Taylor.

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

MOVED Cr Taylor, **SECONDED** Cr Wood that Council agrees to the closure of the pedestrian accessway between Roxwell Way and Girrawheen Avenue, Girrawheen subject to the benefiting landowners meeting all associated costs in accordance with Council's policy.

CARRIED

**TP293-08/95 PETITION SEEKING RECLASSIFICATION OF PATHWAY
BETWEEN BURNS BEACH AND ILUKA - [325-30]**

CITY PLANNER'S REPORT

Council received a 313-signature petition from the Burns Residents' and Ratepayers' Association regarding reclassification of the dual-use pathway between Burns Beach townsite and Iluka in order to allow the residents to walk their dogs on a lead.

The City Planner makes comments on the subject matter and provides reasons why it is not desirable to allow dogs on a lead along this dual-use pathway.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council advises the Burns Residents' and Ratepayers' Association that:

- 1 Council does not support the reclassification of the dual-use pathway between Burns Beach townsite and Iluka for the purpose of walking dogs on a lead, for the reasons detailed in Report TP293-08/95;
- 2 dogs can be walked on a lead along every road/street reserve (including the street/road reserves of Burns Beach townsite and Ocean Reef Road) and in all other reserves vested in the City and designated as "dog exercise areas". Once Ocean Reef Road is extended to Burns Beach this road reserve can also be used to walk dogs on a lead.

CARRIED

Appendix VI refers.

**TP294-08/95 APPLICATION TO PURCHASE A PORTION OF PUBLIC
RECREATION RESERVE, BELDON - [609/604/243]**

CITY PLANNER'S REPORT

At its meeting on 12 October 1994 (Item I21009 refers) Council resolved to defer consideration of the sale of a portion of a public recreation reserve to the owners of Lot 604 Eddystone Avenue, Beldon until further advice was received from the Water Authority concerning its sewerage plant located within the reserve.

The Water Authority of WA has advised that it is prepared to accept an easement over its sewerage plant to enable the sale of the reserve to proceed.

The City Planner provides details of the subject matter and an assessment of the proposal. He considers that the sale of the portion of the reserve should now proceed.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council requests the Hon Minister for Lands to excise a portion of Lot 639 Gradient Way, Beldon and dispose of the excised land to the owners of the adjoining Lot 604 for amalgamation with their property.

CARRIED

**TP295-08/95 RENEWAL OF LICENCE TO OCCUPY PART OF LOT 1 KOMAN
WAY, GIRRAWHEEN - LIONS CLUB OF GIRRADOOLA INC -
[1410/1/6]**

CITY PLANNER'S REPORT

The Lions Club of Girradoola Inc occupies about 300m² in the north west corner of Council's landholding at Lot 1 Koman Way/Wade Court, Girrawheen under a Licence which is due to expire on 30 July 1995. The Club wishes to renew the Licence for a further period of two years.

The City Planner makes comments on the subject matter and supports the renewal of the Licence.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council renews the Licence to Occupy held by the Lions Club of Girradoola over part of Lot 1 Koman Way, Girrawheen for community welfare purposes for a period of two years at a fee of \$2.00.

CARRIED

CITY PLANNER'S REPORT

On 27 April 1995, a complaint was received alleging that the owner of Lot 168 (245) Franklin Road, Wanneroo was using the rural property for commercial purposes, namely a water drilling business and maintenance of vehicles/machinery involving the business.

Investigation of the complaint and discussion with the owner of the property by the Town Planning Liaison Officer has established that the rural shed on the property is used to store machinery, tools associated with the water drilling business, and video evidence received indicates maintenance of water drilling vehicles on the said lot.

The City Planner provides background information to the subject site and advises that the owner is in breach of the provisions of the shed approval and the Town Planning Scheme.

ADDITIONAL INFORMATION

The City Planner reports that on 25 July 1995, the City of Wanneroo received correspondence from the owner of Lot 168 (245) Franklin Road, Wanneroo, Mr Brian Hewer. The correspondence was in the form of a letter and a Development Application Form 1.

In the letter Mr Hewer has stated the following:

- "1 we will be erecting a fence on the northern boundary to obscure the shed from neighbours view;
- 2 the pipe at the front of the property will be removed and stored at the rear of the shed;
- 3 the outside storage of pipe will have a small perimeter fence to obscure it from view;
- 4 the drilling rig is normally on a site working, but occasionally between jobs, will be temporarily stored on the property;
- 5 rig maintenance will not be carried out on the property;
- 6 application for approval of the sea containers is attached;

As you are aware, there are numerous properties classified as "Special Rural" in the Wanneroo area that are operating in a similar manner without inconvenience to neighbours. We would also like to point out that the neighbouring property, where the fence is to be erected, is an orchard. This business has machinery operating daily, and we were particularly careful in not performing maintenance if there wasn't activity on the adjacent property.

It is for these reasons, we feel it is unfortunate that the complainant did not approach me regarding this matter as it could have been resolved to mutual satisfaction with the unnecessary intervention of the City of Wanneroo.

We trust the above information is to your satisfaction and hope to hear from you favourably regarding this matter."

As mentioned in the report to Council for the meeting of 23 August 1995, the owner of the property was requested to cease the commercial/industrial use of the shed on the property within 28 days notification, by 17 July 1995. This he has not done and has now applied to use the shed for storage purposes along with the land for parking drilling rigs between jobs.

Mr Hewer, the owner of the property, is applying for a use which is not permitted in the Special Rural Zone. Nothing has changed regarding his request, the shed on the property cannot be used for commercial or industrial purposes and Council should not consider a use not permitted under the Scheme.

The other correspondence submitted by the owner of the property was for development approval of two sea containers. The application submitted does not show that one of the sea containers has been converted to a toilet which the applicant has no approval for.

Any approval of the two sea containers will be held over until Council's resolution of the matter on 23 August 1995.

In the meantime, the shed on the lot is being used for commercial/industrial purposes in breach of the provisions of the shed approval and Town Planning Scheme. (There is no house on the lot, only the shed.)

Therefore, the recommendation in regard to TP296-08/95 remains unchanged.

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

- 1 requests the owner of Lot 168 (245) Franklin Road, Wanneroo, Mr Brian R Hewer, to cease the use of the

property for industrial purposes (namely water drilling business/storage) on a permanent basis and remove all equipment within 28 days notification;

- 2 refers the matter to its solicitors for legal action if the use has not ceased within the time specified.

CARRIED

**TP297-08/95 COMPLAINT ALLEGING UNAUTHORISED TRANSPORT DEPOT
AT LOT 36 (129) TRICHET ROAD, WANNEROO -
[268/36/129]**

CITY PLANNER'S REPORT

A complaint was received on 4 May 1995 alleging that the owners of Lot 36 (129) Trichet Road, Wanneroo were using the rural property as a 'Transport Depot'.

Investigation of the complaint and discussions with the owners of the property by the Town Planning Liaison Officer at the time, revealed the allegation to be correct and that the rural property was being used as a Transport Depot without Council approval.

The City Planner reports on the subject site which is zoned Rural and advises that the owners were requested on 16 May 1995 to remove the transport depot to a General Industrial zone or to make a formal application for Council approval to use the subject lot for a transport depot. No application has been received.

ADDITIONAL INFORMATION

The City Planner reports that on 28 July 1995, the City of Wanneroo received correspondence from A C Thorpe, Barristers and Solicitors, operating on behalf of the owners of Lot 36 (129) Trichet Road, Wanneroo, Mr Louis and Mrs Shirley Ritchie. In the correspondence received, the solicitors have asked for Council to defer any decision regarding the alleged Transport Depot until September 1995 so as they can provide their clients with submissions regarding the depot.

The owners of Lot 36 (129) Trichet Road, Wanneroo were requested on 16 May 1995 to either remove the unauthorised Transport Depot from the property or to make a formal application to Council to continue to use the subject lot for a Transport Depot.

The owners of the property were given 14 days to respond to the above request, by the 31 May 1995.

On 29 May 1995, the City of Wanneroo received correspondence from A C Thorpe requesting an extension of time (two weeks) to provide Mr and Mrs Ritchie with advice concerning the unauthorised Transport Depot operating on the property.

As the City of Wanneroo did not receive any further correspondence from either A C Thorpe or Mr and Mrs Ritchie regarding the unauthorised Transport Depot operating on the lot, a report was raised for Council to consider the matter at its meeting to be held on 23 August 1995 (Item TP297-08/95 refers).

Again on the 28 July 1995, A C Thorpe have asked for more time to advise their clients about the unauthorised Transport Depot.

At the present time, no application has been submitted by either the owners of Lot 36 (129) Trichet Road, Wanneroo or their Solicitors for a Transport Depot to operate from the property. A Transport Depot still exists on the property without Council approval and is still the subject of complaint.

It is therefore recommended that the recommendation on Report TP297-08/95 be supported.

RECOMMENDATION

That Council:

- 1 requests the owners of Lot 36 (129) Trichet Road, Wanneroo, Mr L D and Mrs S Ritchie, to cease the use of the property as a transport depot, on a permanent basis, within 28 days notification;
- 2 refers the matter to its solicitors for legal action, if the use continues beyond the notified time.

MOVED Cr Waters, **SECONDED** Cr O'Grady that Council defers any action in relation to the use of Lot 36 (129) Trichet Road, Wanneroo as a transport depot for one month pending receipt of a formal application from the owners. **LOST**

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

- 1 requests the owners of Lot 36 (129) Trichet Road, Wanneroo, Mr L D and Mrs S Ritchie, to cease the use of the property as a transport depot, on a permanent basis, within 28 days notification;
- 2 refers the matter to its solicitors for legal action, if the use continues beyond the notified time.

CARRIED

TP298-08/95

**PROPOSED PROHIBITED DOG EXERCISE AREA: JOONDALUP
AND PERCY DOYLE RESERVE, DUNCRAIG - [325-30]**

CITY PLANNER'S REPORT

Council has received a letter from the Joondalup Residents' Association (Inc) requesting designation of Blue Lake Park and Manapouri Park at Joondalup as "prohibited dog exercise area". Council's Municipal Law and Fire Services has also requested that Council considers making Percy Doyle Reserve, Duncraig, a prohibited dog exercise area.

The City Planner makes comments on the number of public reserves in the suburb of Joondalup which are all designated as dog exercise areas.

Municipal Law and Fire Services considers that Blue Lake Park should be designated as prohibited dog exercise area, likewise Percy Doyle Reserve, Duncraig as it is a sporting complex.

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

- 1 advises Joondalup Residents' Association that after careful consideration of their request to designate Blue Lake Park and Manapouri Park at Joondalup as prohibited dog exercise areas, it agrees to designate only Blue Lake Park as a prohibited dog exercise area;
 - 2 amends Item (1) of the Fifth Schedule - Prohibited Dog Exercise Areas of Council's By-laws D3 - Relating to Dogs, to include the following reserves:
 - (a) Blue Lake Park, Joondalup, being Reserve No 41893,
 - (b) Percy Doyle Reserve, Duncraig being Reserve No 33894.
- in accordance with the attached schedule;
- 3 authorises the affixation of the Common Seal to, and endorses the signing of, the document.

CARRIED

TP299-08/95

**PROPOSED ADDITIONAL UNIT ON LOT 880 (1) BALEINE
COURT, SORRENTO - [30/5114]**

CITY PLANNER'S REPORT

This application for an additional unit on Lot 880 (1) Baleine Court, Sorrento was presented to Council's meeting on 28 June 1995 (Item TP201-06/95 refers) and deferred pending consideration of a letter from the landowner.

The applicant has submitted a letter of justification requesting Council to consider the application which has the support of adjoining owners.

The City Planner provides an assessment of the proposal and advises that a minimum of 900m² is required for a grouped dwelling development with an R20 zone.

Council resolved that the application be deferred pending consideration of a letter submitted by Mr Pelle (the land owner). The City Planner provides an assessment of the application and states that the lot concerned has an area of 803m², which is substantially under the minimum area allowed under the Residential Planning Codes of WA.

ADDITIONAL INFORMATION

Mr Pelle has requested that the matter be deferred as he is awaiting a letter from one of Council's officers outlining his discussions with Mr Aiton Sheppard, the previous Deputy City Planner.

Council will recall that when the report was previously submitted to Council the matter was deferred to consider discussions which were held between the Deputy City Planner and the applicant. As a result of a meeting with the developers, the application was further deferred pending Mr Sheppard's return from overseas prior to taking up his appointment at the Town of Northam.

As a result of those discussions this latest report was prepared for Council's consideration, with a recommendation that the application be refused.

The City Planner sees no purpose in deferring the matter any further and has advised the Planning Officer responsible that if Mr Pelle wishes to discuss the matter with Mr Sheppard, that he could contact him personally at the City of Northam.

It should also be noted that when the land was purchased the applicant paid the residential price, not a group dwelling price for the land.

It is recommended that Council adopts the recommendations as outlined in Report TP299-08/95.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council refuses the application submitted by M Pelle for an additional unit on Lot 880 (1) Baleine Court, Sorrento as:

1 the proposal does not comply with the Residential Planning Codes of Western Australia requirements;

2 the approval would create a precedent.

CARRIED

TP300-08/95 ESTABLISHMENT OF FREE NUDIST BEACHES - [765-20]

CITY PLANNER'S REPORT

Council has previously received a 79-signature petition from the ratepayers and/or residents of the City of Wanneroo regarding the establishment of a free nudist beach in the City. A Special Electors' Meeting has been held where the subject matter was discussed. The Wanneroo Free Beach Association has requested Council to take action in response to advice now received from the Attorney General on the matter.

The City Planner suggests that the Minister for Police be consulted in respect of the Attorney General's recommendation relating to free nude beaches.

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

1 writes to the Minister for Police enclosing a copy of the advice received from the Attorney General to seek an assurance to the effect that should Council amend its by-laws requiring the wearing of bathers such that that requirement does not extend to a specified beach, and, as a consequence, it becomes a matter of public knowledge that the area in question is one where nude bathing is likely to be encountered, persons simply appearing nude at that place to swim or sunbathe in a normal way will not be prosecuted under either the WA Criminal Code or the Police Act 1892 (WA);

2 advises the Wanneroo Free Beach Association that Council is currently seeking the assurance referred to in 1 above from the Minister for Police and that Council will consider the matter further once that assurance has been received.

CARRIED

TP301-08/95 ILUKA DISTRICT OPEN SPACE - [745-8]

CITY PLANNER'S REPORT

Council at its meeting on 26 July 1995 approved in principle Report No TS211-07/95 relating to the concept plan as submitted by Beaumaris Land Sales for development of the active sports area of the major public open space in Iluka.

That report outlined works proposed to be carried out immediately by the developer, as well as showing future works to be undertaken by Council.

The North Perth Cricket Club (Inc) has formally registered in writing its interest to relocate from the present home ground in North Perth to the Iluka site and become the Joondalup Districts Cricket Club.

The City Planner and City Parks Manager report that the future use of this public open space would be entirely suitable for a major turf cricket facility and with this in mind a number of meetings have been held over the last few months with the Western Australian Cricket Association and the North Perth Cricket Club.

The Cricket Club and the WACA have indicated that they are prepared to construct and maintain all the turf wickets, including practice wickets, with Council to maintain outfield and reticulation.

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

- 1 advises the North Perth Cricket Club, the Western Australian Cricket Association and Beaumaris Land Sales of its support to the proposed relocation of the club to the Miami Boulevard Reserve at Iluka;
- 2 arranges a meeting with all the interested parties to discuss and co-ordinate the development of a new concept plan, if necessary, for the development of the reserve and the relocation timetable.

CARRIED

TP302-08/95 BERKLEY ROAD LOCAL STRUCTURE PLAN AREA: PAYMENT OF COMPENSATION - TURNER CORPORATION (WA) PTY LTD - [740-96206]

CITY PLANNER'S REPORT

The Berkley Road Local Structure Plan (formerly proposed Town Planning Scheme No 22) rationalises the drainage sumps, road system and open space requirements for the residential development of the 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 provided the drainage, regional road and open space sites. The owner of Lots 82 and 83 Berkley Road, Turner Corporation (WA) Pty Ltd, is entitled to compensation for the Hepburn Avenue Regional Road reserve it has provided.

The City Planner provides background details to the subject matter and advises that only 27% of total land acquisition/construction requirement for Hepburn Avenue is attributable to Berkley Road Scheme. A recoup equal to 73% (\$197,039.59) of the acquisition costs of Hepburn Avenue will have to be paid back to Berkley Road Scheme in respect to Lots 82 and 83.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council authorises a payment of \$269,917.26 from Account No 63110, as compensation to Turner Corporation (WA) Pty Ltd for the Hepburn Avenue land requirements out of Lots 82 and 83 Berkley Road, Marangaroo subject to the Hepburn Avenue road reserve being dedicated as a public road.

CARRIED

TP303-08/95 19 MILE QUARRY, LOTS 1 AND 2 FLYNN DRIVE,
NEERABUP. NOTIFICATION OF CHANGES REQUIRED BY
STATE PLANNING COMMISSION PRIOR TO ADVERTISING OF
AMENDMENT NO 716 TO TOWN PLANNING SCHEME NO 1 -
[790-716]

CITY PLANNER'S REPORT

At its meeting of 10 April 1995, Council resolved to support an application for the rezoning of this land (approximately 98 hectares) from Rural to Special Residential Zone (Item TP132-04/95 refers).

An accompanying Development Guide Plan shows subdivision into 165 lots of around 2000m² to 5000m², an 18 hectare Equine and Recreation Park and a public open space reserve of 1.4 hectares containing four historic lime kilns.

The City Planner reports on a number of changes which are required by the State Planning Commission prior to advertising of Amendment No 716. These changes include minor wording modifications, deletion of conditions that are inappropriate or more appropriately dealt with at subdivision stage and inclusion of a Special Provision to restrict development on the proposed Equine/Recreation Park.

MOVED Cr Cooper, **SECONDED** Cr Wight that Council modifies Amendment No 716 to the City of Wanneroo Town Planning Scheme No 1 by:

- 1 adopting the changes to Special Provisions (d), (k), (l), (m), (o), (p) as required by the State Planning Commission;
- 2 reserving the land for the equine park and the kiln areas as a Parks and Recreation reserve;
- 3 adopting the newly submitted Development Guide Plan and inserting this as part of the Scheme Text Amendment;
- 4 advising the State Planning Commission that Council is prepared to:
 - (a) delete (m) from the Special Provisions but that Council further negotiates the freehold transfer of the land on the basis that it is reserved as a Parks and Recreation reserve in Town Planning Scheme No 1;
 - (b) include a new Special Provision (n) to restrict development on the Equine/Recreational Park:

"(n) the Recreation and Equine Park shall be developed for recreational and equine purposes and ancillary buildings only."

CARRIED

PROPOSED EXTENSIONS TO CSIRO AQUARIUM AND LABORATORIES: LOT 61 (14) LEACH STREET, MARMION - [30/269]

The City Planner reported that GHD Consultants have lodged on behalf of the CSIRO, an application to extend the existing Aquarium and Laboratory facilities on the above site.

He stated that the Consultants have been asked to seek community input via a letter drop to adjoining properties and to this end a public meeting has been scheduled for 7.00 pm on 8 August 1995 to be held at the CSIRO offices, Leach Street, Marmion.

SERVICE STATION CONVENIENCE STORES - [770-21]

Cr Lynn raised her concerns regarding the proposed convenience store at Shell Garage, Craigie. She felt that by the service station being permitted to sell more retail lines, it was taking trade away from the nearby shopping complex.

The City Planner advised this matter was progressing through the normal advertising channels and a report would be submitted to Council in due course.

HOPE GROUP RECYCLING UNIT - [510-1770, 218-1-1, 016-4]

Cr Lynn submitted photographs and expressed her concern at the problems in Alferton Way, Duncraig with regards to both vehicular traffic and cars parked in "No Standing Areas" when dropping off goods to the Hope Group Recycling Unit located at the Glengarry Primary School.

C394-08/95 TECHNICAL SERVICES COMMITTEE

MOVED Cr Moloney, **SECONDED** Cr Hall that the Report of the Technical Services Committee Meeting, held on 9 August 1995 be received.

CARRIED

ATTENDANCES

Councillors:	B J MOLONEY - Chairman	South Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L O'GRADY	North
	Ward	
	S P MAGYAR	Central Ward
	G W CURTIS	South-West Ward
	B A COOPER - Observer from 5.38 pm	Central
	Ward	
	L A EWEN-CHAPPELL - Observer	
	from 5.50 pm	Central
	Ward	
	K H WOOD - Observer from 5.38 pm	South
	Ward	
	A W WIGHT - Observer from 5.57 pm	South Ward
	A G TAYLOR - Observer	South Ward
	F D FREAME - Observer from 5.35 pm	South-West
	Ward	
	M E LYNN, JP - Observer	South-West
	Ward	

Deputy Town Clerk:	R E DYMOCK
City Engineer:	R McNALLY
City Building Surveyor:	R G FISCHER
City Parks Manager:	F GRIFFIN
Minute Clerk:	V GOFF

APOLOGIES

An apology for absence was tendered by Cr Hall.

PUBLIC/PRESS ATTENDANCE

There was 1 member of the Public in attendance.

CONFIRMATION OF MINUTES

MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON 12 JULY 1995

The Minutes of the Technical Services Committee Meeting held on 12 July 1995, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF PECUNIARY INTEREST

The City Parks Manager declared an interest in Item TS256-08/95.

MEETING TIMES

Commenced: 5.31 pm

Closed: 7.35 pm

REPORT NO:

Cr Waters left the Chamber at this point, the time being 9.08 pm.

TS233-08/95 ANNUAL CLEANING SERVICES: MERRIWA/QUINNS ROCKS
AREA - TENDER REFERENCE 35-95/96 - [208-35-95/96,
605-4-1]

CITY BUILDING SURVEYOR'S REPORT

Tenders have been called for annual cleaning services in the Merriwa/Quinns Rocks area.

The City Building Surveyor reports on the tender submissions received.

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

- 1 accepts the tender of \$44,921.43 from Dominant Property Services for the annual cleaning of documented buildings in the Merriwa/Quinns Rocks area as per the attached schedule (tender document 1 at Attachment B, to Report TS233-08/95;

- 2 authorises the extension of this initial contract to be extended subject to the agreement of both the tenderer and the City of Wanneroo for a further period of 12 months up to a maximum of three 12 month periods.

CARRIED

Appendix VII refers.

TS234-08/95 PLANT REPLACEMENT RESERVE - TENDER NUMBER 122-94/95 - [208-122-94/95]

CITY ENGINEER'S REPORT

Tenders have been called for the supply and delivery of one four wheel drive wagon as part of the Plant Replacement Reserve.

The City Engineer reports on the tender submissions received.

MOVED Cr Moloney, **SECONDED** Cr Wood that Council accepts Tender No 122-94/95, as submitted by Northside Nissan, for the supply of a Nissan Patrol Four Wheel Drive, 6 cylinder station wagon at the changeover price of \$11,155.00.

CARRIED

TS235-08/95 VEHICLE REPLACEMENT PROGRAMME - TENDER NUMBER 040-95/96 - [208-040-95/96]

CITY ENGINEER'S REPORT

Tenders have been called for the supply and delivery of a four door, six cylinder executive sedan.

The City Engineer reports on the tender submissions received.

Town Clerk declared an interest in this item.

MOVED Cr Moloney, **SECONDED** Cr Wood that Council accepts Tender No 040-95/96, as submitted by Titan Ford, for the supply and delivery of one Ford Fairlane Ghia sedan for the changeover price of \$1,675.00.

CARRIED

TS236-08/95 ALEXANDER HEIGHTS COMMUNITY CARE CENTRE - TENDER REFERENCE 34-95/96 - [208-34-95/96, 635-15-1]

CITY BUILDING SURVEYOR'S REPORT

Tenders have been called for the design and construction of Alexander Heights Community Care Centre.

The City Building Surveyor reports on the tender submissions received.

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

- 1 accepts the tender sum of \$315,326.00 from TC Newby for the design and construction of the Alexander Heights Community Care Centre in Linto Way, Alexander Heights;
- 2 authorises the signing of contract documents.

CARRIED

TS237-08/95 **CONTRACT NO 36-95/96: WANNEROO RECREATION CENTRE
- ALTERATIONS TO OFFICE AND FOYER 1995 - [208-36-95/96]**

Tenders have been called for alterations to the Wanneroo Recreation Centre Office and Foyer.

The City Building Surveyor reports on the tender submissions received.

CITY BUILDING SURVEYOR'S REPORT recommended that Council:

- 1 accepts the tender sum of \$74,850 submitted by Swifthill Construction Pty Ltd for Contract No 36-95/96 being alterations to the Office and Foyer of Wanneroo Recreation Centre;
- 2 authorises the signing of contract documents.

COMMITTEE RECOMMENDATION

That consideration of Contract No 36-95/96 - alterations to the Office and Foyer of Wanneroo Recreation Centre be deferred pending submission of further information.

ADDITIONAL INFORMATION

The Technical Services Committee at its meeting of 9 August 1995 requested Additional Information relating to tenders for Contract No 36-95/96.

The City Building Surveyor advises that the electrical consultants for the work have reported that "the existing Building Main Switchboard can be successfully modified to accept the new light and power circuits". In the process of

modification, the switchboard must comply with the relevant clauses of the specification.

The original report is misleading in that it refers to the electrical sub-contractors "discretion", which was based on first discussions with the consultants. The inclusion of "discretion" results from a misinterpretation of comments made in those discussions. It remains, however, that under the tender conditions it is the tenderers responsibility to have inspected the existing installation and fully informed themselves of the extent of the modifications required.

In the context that the consultants have stated that they believe that a new switchboard is neither required nor warranted, to qualify his tender, Colin Challenor, Builder, has attempted to shift the discretionary risk to the City. Therefore, the arguments and recommendations in Report No TS237-08/95 still apply.

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

- 1 accepts the tender sum of \$74,850 submitted by Swifthill Construction Pty Ltd for Contract No 36-95/96 being alterations to the Office and Foyer of Wanneroo Recreation Centre;
- 2 authorises the signing of contract documents.

CARRIED

TS238-08/95 SIGN POLE STANDARD - JOONDALUP CITY CENTRE -
[730-8-1]

CITY ENGINEER'S REPORT

LandCorp has requested Council to approve the installation of special sign poles for parking prohibitions and other signs in the Joondalup City Centre. The poles would match lighting and street name plate poles and continue the use of distinctive street furniture within the City Centre Precinct.

The City Engineer reports on the design of the poles, some of which are located within the Lakeside Shopping Centre carpark for a trial period. He suggests that due to the relatively high cost of the proposed sign pole, its use should be restricted to the Central Business District.

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

- 1 approves the Joondalup City Sign Pole, as shown at Attachment 1 to Report No TS238-08/95, subject to:

- (a) its use being restricted in the road reserve to displaying parking prohibition signs in the Joondalup Central Business District, as shown on Attachment 2 to Report No TS238-08/95;
- (b) a parking control plan for the Joondalup Central Business being approved by Council;
- (c) LandCorp being responsible for the installation of the Joondalup City Sign Poles and parking prohibition signs in accordance with the parking control plan for the Joondalup Central Business District;

2 approves the use of Joondalup Teal painted sign poles and standard caps for the display of parking prohibition signs in the road reserves of the Joondalup City Centre bounded by Joondalup Drive and Lakeside Drive and outside the Joondalup Central Business District, subject to LandCorp being responsible for the replacement of the existing sign poles.

CARRIED

Appendix VIII refers.

**TS239-08/95 HILLARYS BEACHSIDE TOILET CHANGEROOM BUILDINGS
ONE OFF NORTH SHORE DRIVE AND ONE OFF WHITFORDS
AVENUE AT THE ANIMAL BEACH: TENDER REFERENCE 33-
95/96 - [765-22-1, 765-22-2, 208-33-95/96]**

CITY BUILDING SURVEYOR'S REPORT

Tenders have been called for the Hillarys Beachside Toilet Changeroom Buildings; one off North Shore Drive and one off Whitfords Avenue at the Animal Beach.

The City Building Surveyor reports on the tender submissions received.

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

- 1 accepts the tender of \$179,700.00 from City Construction Pty Ltd for the construction and completion of beachside toilet changerom buildings, one off North Shore Drive and one off Whitfords Avenue at the animal beach in Hillarys;
- 2 authorises the signing of contract documents.

CARRIED

CITY ENGINEER'S REPORT

Residents of Carroo Heights have expressed concern at the number of parent motorists currently parking in Beaumaris Boulevard during the afternoon peak period, particularly at the Carroo Heights/Beaumaris Boulevard junction.

The City Engineer reports on a survey of parking patterns which indicated that despite the close proximity of car parking facilities in Santiago Reserve, parents park along the roads bounding the school.

He supports the installation of parking prohibitions at the junction of Beaumaris Boulevard and Carroo Heights and on both sides of Carroo Heights to discourage parent motorists from using Carroo Heights as a setdown/pick-up point for students.

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

- 1 installs "NO STANDING CARRIAGEWAY OR VERGE 8.15AM - 9.15AM, 2.30PM - 3.30PM MONDAY TO FRIDAY" on the northern side of Carroo Heights, between Ulta Rise and Beaumaris Boulevard, as shown on Attachment 2 to Report No TS240-08/95;
- 2 installs "NO STANDING CARRIAGEWAY OR VERGE 8.15AM - 9.15AM, 2.30PM - 3.30PM MONDAY TO FRIDAY" on the southern side of Carroo Heights, between Ulta Rise and Beaumaris Boulevard, as shown on Attachment 2 to Report No TS240-08/95;
- 3 installs "NO STANDING ANY TIME CARRIAGEWAY OR VERGE" signs at the junction of Beaumaris Boulevard and Carroo Heights as shown on Attachment 2 to Report No TS240-08/95;
- 4 advises all interested parties accordingly.

CARRIED

Appendix IX refers.

CITY ENGINEER'S REPORT

Council has received a petition from residents of Woodvale seeking a road closure at the junction of The Ridge and The Crest (Item C203-05/95 refers). The residents are concerned at the number of speeding vehicles and the danger to pedestrians along The Ridge. They also claim that with the existing road system there is no need for through access along The Ridge.

The City Engineer reports on a recent survey of the area which indicates that The Ridge carries only a small number of vehicles.

He provides reasons why he considers the road closure is not warranted and advises that any road closure proposal would need consultation among the wider community.

Cr Cooper requested it be recorded that his brother is a resident of The Ridge, Woodvale; however Cr Cooper had no pecuniary interest.

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

- 1 does not approve the closure of The Ridge at the junction of The Crest to vehicular traffic;
- 2 advises the petitioners parties accordingly.

CARRIED

TS242-08/95 SAND QUARRY, PT LOT 6 WESCO ROAD, NOWERGUP -
[30/2831]

Ion Services have applied, on behalf of Dress Circle Farm, for an Extractive Industry Licence and Development Approval for a sand quarry on Pt Lot 6 Wesco Road, Nowergup.

The City Engineer reports that the proposal was advertised and seven letters of objection were received.

He advises that funds have been listed in this year's Budget to build Nowergup Road from Gibbs Road to Wanneroo Road and which should provide a long term solution to the concerns of local residents about truck traffic.

CITY ENGINEER'S REPORT recommended that Council:

- 1 approves the application by Ion Services on behalf of Dress Circle Farm for a Development Approval for a sand quarry on Pt Lot 6 Wesco Road, Nowergup in accordance with the provision of its Town Planning Scheme, subject to:

- (a) the use of the land for quarrying purposes, ceasing by 1 September 1999 unless a further approval is granted by Council. Renewal application should be submitted 3 months before the approval expires;
- (b) 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 WA's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
- (d) submission of an annual updated site contour plan and rehabilitation report and 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 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 and, in addition, the applicant is to:
 - (i) be responsible for the cost of asphalt surfacing the junction of the site access road onto Wesco Road prior to its use for truck traffic from the quarry;
- (f) stabilising all stockpiles and using suitable dust suppression methods in work areas to prevent the generation of dust;
- (g) hours of quarry operation being restricted to:
 - Monday to Friday 0700-1700
(except public holidays)
 - Saturday 0700-1500
 - Sundays (work not permitted)
 - Public Holidays (work not permitted)

and no truck to enter the site before starting time each day;

- (h) all site equipment being suitably soundproofed so as to comply with the relevant sections of the Environmental Protection Act 1986;
- (i) there being a clear understanding that, regardless of the conditions imposed, no indemnity from the provisions of the Environmental Protection Act 1986 is implied or given;
- (j) 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;
- (k) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified by Council's specific approval conditions;
- (l) no excavation within 20 metres of the property boundaries before submitting to Council a copy of consent from the adjoining property owner;
- (m) all fill areas shall be compacted to a 95% modified maximum dry density when tested in accordance with AS1289 E2.1-1977 and certified by a NATA registered laboratory. Unless otherwise approved by the City Engineer the fill material shall be placed in 300mm layers and each layer compacted and appropriately tested;
- (n) standard conditions;

2 approves an Extractive Industry Licence for Dress Circle Farm for a sand quarry on Pt Lot 6 Wesco Road, Nowergup with the following conditions:

- (a) annual fee - \$300;
- (b) period of licence - 4 years to 1 September 1999;
- (c) rehabilitation bond - \$10,000;
- (d) under By-law 21 of the Extractive Industry By-laws agreement to the operator 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.

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

- 1 approves the application by Ion Services on behalf of Dress Circle Farm for a Development Approval for a sand quarry on Pt Lot 6 Wesco Road, Nowergup in accordance with the provision of its Town Planning Scheme, subject to:
 - (a) the use of the land for quarrying purposes, ceasing by 1 September 1999 unless a further approval is granted by Council. Renewal application should be submitted 3 months before the approval expires;
 - (b) 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 WA's specification for temporary, small, elevated, flammable liquid (hydrocarbons) installations in underground water pollution control areas;
 - (d) submission of an annual updated site contour plan and rehabilitation report and 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 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 and, in addition, the applicant is to:
 - (i) be responsible for the cost of asphalt surfacing the junction of the site access road onto Wesco Road prior to its use for truck traffic from the quarry;

- (f) stabilising all stockpiles and using suitable dust suppression methods in work areas to prevent the generation of dust;
- (g) hours of quarry operation being restricted to:
- Monday to Friday 0700-1700
(except public holidays)
Saturdays (work not permitted)
Sundays (work not permitted)
Public Holidays (work not permitted)
- and no truck to enter the site before starting time each day;
- (h) all site equipment being suitably soundproofed so as to comply with the relevant sections of the Environmental Protection Act 1986;
- (i) there being a clear understanding that, regardless of the conditions imposed, no indemnity from the provisions of the Environmental Protection Act 1986 is implied or given;
- (j) 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;
- (k) operating in accordance with the submitted report and documentation accompanying the application for Development Approval, except as modified by Council's specific approval conditions;
- (l) no excavation within 20 metres of the property boundaries before submitting to Council a copy of consent from the adjoining property owner;
- (m) all fill areas shall be compacted to a 95% modified maximum dry density when tested in accordance with AS1289 E2.1-1977 and certified by a NATA registered laboratory. Unless otherwise approved by the City Engineer the fill material shall be placed in 300mm layers and each layer compacted and appropriately tested;
- (n) standard conditions;

- 2 approves an Extractive Industry Licence for Dress Circle Farm for a sand quarry on Pt Lot 6 Wesco Road, Nowergup with the following conditions:
- (a) annual fee - \$300;
 - (b) period of licence - 4 years to 1 September 1999;
 - (c) rehabilitation bond - \$10,000;
 - (d) under By-law 21 of the Extractive Industry By-laws agreement to the operator 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;
- 3 advises the applicants that it will consider a further submission after six months of operation to extend quarry operation hours to include Saturdays, subject to the applicant demonstrating that noise from such operation will not adversely affect residents.

CARRIED

TS243-08/95 CHILD HEALTH CLINIC: MERRIWA - [890-16]

CITY BUILDING SURVEYOR'S REPORT

The Health Department of Western Australia advises that there is a problem in providing an adequate service for child health services in Merriwa.

The provision and servicing of Child Health Clinics is a responsibility shared between the Local Authority and the Health Department of Western Australia. The Local Authority's responsibility is in providing the facility whilst the Health Department of Western Australia provides the service.

The City Building Surveyor reports on the shortage of suitable sites in the Merriwa, Clarkson and Landsdale districts and suggests that temporary accommodation be investigated as an interim solution to the problem.

MOVED Cr Moloney, **SECONDED** Cr Wood that Council authorises investigations to determine if suitable rental properties are available for use as a Child Health Clinic to service the Merriwa area.

CARRIED

CITY BUILDING SURVEYOR'S REPORT

At its meeting on 22 February 1995, Council resolved to serve a Notice on the owner of Lot 211 (23) Lisford Place, Two Rocks, requiring a retaining wall to be constructed on the boundary adjoining the carport of the dwelling. The owner has not complied with the provisions of the Notice for various reasons.

It is considered that a memorial should be placed on the property title.

The City Building Surveyor provides background details to the subject matter and advises that by imposing a memorial on the property, an intending purchaser would be aware that a work order existed on the property.

MOVED Cr Moloney, **SECONDED** Cr Wood that Council advises the owner of Lot 211 (23) Lisford Avenue, Two Rocks that:

- 1 it acknowledges receipt of the owner's correspondence which indicates she is seeking to fund the construction of the retaining wall;
- 2 Council notes that the retaining wall has not been constructed;
- 3 it will lodge a memorial on the property in accordance with Section 693 of the Local Government Act until such time as the retaining wall and associated works are completed to Council's satisfaction.

CARRIED

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted for approval to construct a carport at Lot 15 (5) Dotterel Place, Kingsley with a reduced front building setback. The Residential Planning Codes give Council the authority to approve a lesser building setback.

The City Building Surveyor reports that the proposed carport will be setback two metres from the front boundary. He advises that as the property is located in a cul-de-sac, the reduced setback will have little effect on the streetscape.

MOVED Cr Moloney, **SECONDED** Cr Wood that Council approves the proposed carport at Lot 15 (5) Dotterel Place, Kingsley with a reduced front building setback of two metres subject to the provision of a hardstand to park a second vehicle.

CARRIED

TS246-08/95 **EIGHTH AUSTRALASIAN CONFERENCE AUSTRALIAN
INSTITUTE OF BUILDING SURVEYORS - [202-1-2]**

CITY BUILDING SURVEYOR'S REPORT

The Eighth National Australasian Conference of the Australian Institute of Building Surveyors is to be held at the World Congress Centre, Melbourne, Australia from 1 to 6 September, 1996.

The City Building Surveyor reports that the Conference theme is "A New Beginning to an Old Profession - Recycling and Innovation" and the Conference will include site inspections of unique sites in Melbourne.

MOVED Cr Moloney, **SECONDED** Cr Wood that Council forwards an expression of interest for Councillors and Officers to attend the 1 - 6 September 1996 Australasian Conference of Building Surveyors.

CARRIED

TS247-08/95 **TURF WICKET FACILITIES - WANNEROO CRICKET CLUB -
KINGSWAY COMPLEX - [447-1]**

CITY PARKS MANAGER'S REPORT

The Parks Department officers have held discussions with the Wanneroo Cricket Club based at Kingsway, to investigate the possibility of joint contract maintenance of turf wicket facilities.

The City Parks Manager provides details of the proposal which is suggested for a trial period of 12 months.

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

- 1 authorises the City Parks Manager to formalise an agreement with the Wanneroo Cricket Club at Kingsway complex regarding contract maintenance of turf wickets for a trial period of twelve months;
- 2 authorises, in accordance with the provisions of Section 547 (12) of the Local Government Act the reallocation of

\$50,000 from Account No 28970 - Kingsway Cricket Oval
Maintenance to Account No 29178 - Wanneroo Cricket Club
- Maintenance Contract.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**TS248-08/95 TURF WICKET FACILITIES - WHITFORDS CRICKET CLUB -
[447-1]**

CITY PARKS MANAGER'S REPORT

Council, at its meeting of August 1994 adopted Report I50808 relating to the Whitfords Cricket Club undertaking all maintenance of the McDonald Park turf wickets with Council paying a fixed sum of \$25,000.

The City Parks Manager reports that the Cricket Club maintained the wickets to a high standard last summer and has now formally approached Council to enter into a long term agreement of five years with a five year option to maintain the wickets at a fixed cost of \$25,000 per annum.

MOVED Cr Moloney, **SECONDED** Cr Wood that Council accepts the Agreement of a five year maintenance contract, plus a five year option, as negotiated with the Whitfords Cricket Club for a fixed sum of \$25,000 per annum for the maintenance of the turf wicket facility at McDonald Park, Padbury.

CARRIED

**TS249-08/95 TRAFFIC CONCERNS - GURON ROAD, DUNCRAIG -
[510-1021]**

CITY ENGINEER'S REPORT

A vehicle collision with a house at the corner of Melene Road and Guron Road, Duncraig on the weekend of 29 July has raised residents' concerns with ongoing driver behaviour being experienced in Guron Road.

The City Engineer reports on a number of traffic calming devices which have been installed in Guron Road over a period of years.

He advises that a report will be submitted to Council following consideration of the Police Department's investigations.

ADDITIONAL INFORMATION

Cr Curtis tabled information relating to the number of accidents which have occurred in Guron Road and immediate vicinity over recent years.

MOVED Cr Curtis, **SECONDED** Cr Lynn that:

- 1 CITY ENGINEER'S REPORT TP249-08/95 be received;
- 2 Council convenes a meeting of Councillors, Council officers, local parliamentarians, representatives from the Police Department and relevant State departments to discuss the on-going problem of vehicle accidents in Guron Road, Duncraig.

CARRIED

Cr Waters entered the Chamber at this point, the time being 9.12 pm.

TS250-08/95 **STREET LIGHTING MITCHELL FREEWAY/WHITFORD AVENUE,
TRAILWOOD PARK, WOODVALE - [061-347]**

CITY ENGINEER'S REPORT

At its meeting of 5 April 1995, Council resolved that a report be submitted to General Purposes Committee on the cost and feasibility of installing a double headed light pole at the intersection of the dual path under the freeway between Whitford Avenue and Trailwood Drive, Woodvale (Item TS112-03/95 refers).

Main Roads WA has now responded to the Engineering Department's request and has given reasons why it is not in favour of this method of pathway lighting.

The City Engineer reports that work is in progress to clean up excess tree and shrub growth on Trailwood Park and to install poles and lights along the pathway in the park.

He suggests that no further work be recommended until these lights are operational.

MOVED Cr Moloney, **SECONDED** Cr Wood that CITY ENGINEER'S REPORT TS250-08/95 be received.

CARRIED

TS251-08/95 **TIMETABLE OF TENDERS FOR PURCHASE OF REPLACEMENT
PLANT, LIGHT VEHICLES, HEAVY VEHICLES AND
VEHICLES - PLANT REPLACEMENT RESERVE - DELEGATION
OF AUTHORITY FOR POWER TO ACT - [208-6]**

CITY ENGINEER'S REPORT

The City Engineer submits a proposed Plant and Vehicles Purchasing programme funded from the Plant Replacement Reserve 1995/96.

To streamline administration of the tender system, he seeks Council's delegation of authority to the Technical Services Committee to accept tenders called in accordance with the timetables.

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

- 1 calls tenders for replacement vehicles, plant and equipment funded from the Plant Replacement Reserve in accordance with the timetable outlined in Attachments 1, 2, 3 and 4 to Report No TS251-08/95;
- 2 delegates authority to accept the tenders to the meetings of the Technical Services Committee specified in Attachments 1, 2, 3 and 4 to Report No TS251-08/95;
- 3 authorises replacement of those items listed in Attachment 5 to Report TS251-08/95 through the quotations system.

CARRIED

Appendix X refers.

Crs Lynn and Wight left the Chamber at this point, the time being 9.17 pm.

TS252-08/95 **PLANT REPLACEMENT RESERVE & PLANT ADDITIONAL
PURCHASES - TENDER NOS: 121-94/95 & 041-95/96
PRIME MOVER, FLOATSHIFT TRAILER AND FUEL TRAILER
- [208-121-94/95, 041-95/96]**

CITY ENGINEER'S REPORT

Tenders have been called for the supply of plant as part of the Plant Replacement Reserve and additional purchases.

The City Engineer reports on the tender submissions received.

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

- 1 approves the tenders of:
 - (a) Diesel Motors Pty Ltd for a Mercedes Benz 2434 Prime Mover for the changeover price of \$94,475.00 at Tender No 121-94/95 Item 1;

- (b) Howard Porter for a float shift trailer for \$49,500.00 at Tender No 121-94/95 Item 2;
- (c) North West Engineering for a fuel service unit for \$52,025.00 at Tender No 041-95/96;

2 endorses the mobile library plant number 96981 being offered for sale in the "Council's West" publication prior to auction disposal.

CARRIED

TS253-08/95 SECURITY FOR PUBLIC ACCESSWAYS - [520-1]

CITY ENGINEER'S REPORT

At its meeting held on 8 February 1995, Council requested a report on the security of public accessways (Item TS34-02/95 refers).

Investigation of this issue discloses there to be two security aspects requiring consideration:

Security of Adjacent Residents
Security of Accessway Users

The City Engineer reports on submissions from residents/ratepayers affected by behavioural activities in public accessways and seeking closure.

He advises that a number of physical options have been considered to assist with the security of residents adjacent to public accessways and those pedestrian/cyclists using the facilities. However, there is no cost effective engineering solution to the social behaviour in accessways, although security lighting and higher fencing may assist in some instances.

MOVED Cr Moloney, **SECONDED** Cr Wood that Council maintains the existing procedure of investigating individual requests for pedestrian accessway closures.

CARRIED

TS254-08/95 INTERSECTION WORKS - MARMION AVENUE/ANCHORAGE DRIVE (NORTH) HESTER AVENUE - [510-2926, 740-94729]

CITY ENGINEER'S REPORT

Consultant Engineers, Sinclair Knight & Partners, on behalf of Gumflower Pty Ltd and Council, have called tenders for the construction of an arterial roundabout at the intersection of

Hester Avenue and Marmion Avenue. With the proposed connection of Anchorage Drive (north) for the adjacent western subdivision developments, a four-way intersection will be created at this location. The roundabout treatment is part of an overall strategy adopted for major four-way intersections along Marmion Avenue. The roundabout works are to be funded by Council with a contribution from the developer for Mindarie, Gumflower Pty Ltd.

Council's concurrence to appoint R J Vincent as contractor for the works under the supervision of Sinclair Knight Merz is sought.

The City Engineer provides background details to the subject matter and an assessment of the tenders submitted.

He advises that construction rates are very competitive due to a competitive industry and because it is proposed to include construction of the roundabout in the contract for adjacent subdivisional works.

Provision for street lighting and landscaping of the roundabout have been included for funding in Council's 1995/96 Budget.

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

- 1 concurs to R J Vincent & Co undertaking the construction of the Anchorage Drive/Hester Avenue/Marmion Avenue roundabout as part of the overall subdivision works contract under the supervision of Sinclair Knight Merz;
- 2 authorises the City Engineer to administer the contract funding including contingency amounts for the roundabout construction at Marmion Avenue/Hester Avenue and Anchorage Drive.

CARRIED

TS255-08/95 MONTHLY REPORT - BUILDING DEPARTMENT - [201-0]

CITY BUILDING SURVEYOR'S REPORT

The City Building Surveyor reports on the number and value of building licences issued during the month of July 1995, building control activity, swimming pool inspections and Council's building works programme.

MOVED Cr Moloney, **SECONDED** Cr Wood that Council endorses the action taken in relation to the issuing of licences as set out in Attachment A to Report No TS255-08/95.

CARRIED

Appendix XI refers.

TS256-08/95 CONTRACT 140 - 91/92 MARANGAROO GOLF COURSE -
[280-140-91/92]

ACTING CITY PARKS MANAGER'S REPORT

The contract for the maintenance of all turf areas at the Marangaroo Golf Course was awarded to Australian Turf Industries for a three year period with an option of a further two years effective 1 November 1992.

The Acting City Parks Manager reports on the high standard of performance by this contractor and recommends extension of the contract for a further two years.

The City Parks Manager declared an interest in this item.

MOVED Cr Moloney, **SECONDED** Cr Wood that Council approves the extension of Contract Number 140-91/92 to Australian Turf Industries for a two year period effective 1 November 1995 in strict accordance with the contract document relating to these works.

CARRIED

TS257-08/95 CAPITAL WORKS PROJECTS - DALVIK PARK, MERRIWA AND
McNAUGHTON PARK, KINROSS - [061-453, 061-464]

CITY PARKS MANAGER'S REPORT

Council, at its Budget meeting of 31 July 1995, authorised the following capital works projects:

Dalvik Park, Merriwa - \$177,640 and McNaughton Park, Kinross - \$200,000.

The City Parks Manager submits the concept plans for these two parks and seeks Ministerial approval in accordance with Section 529 (e) of the Local Government Act prior to commencement.

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

- 1 approves the Concept Plans for Dalvik Park, Merriwa and McNaughton Park, Kinross as per Attachments A and B to Report TS257-08/95;
- 2 seeks Ministerial approval in accordance with the provisions of Section 529 (e) of the Local Government Act to expend funds on land which is not currently owned or vested in Council.

CARRIED

Appendix XII refers.

REFUND OF BUILDING LICENCE APPLICATION FEE - [019-2]

Cr Freame tabled a letter from Mr Brian Meade of 2 Triton Place, Mullaloo seeking a refund of building licence fees. The City Building Surveyor advised that he would investigate this matter.

TS258-08/95 PHYSIOTHERAPY CLINIC LOT 504 (34) SEACREST DRIVE, SORRENTO - [1842/504/34]

Cr Curtis tabled a letter in relation to the Physiotherapy Clinic situated on Lot 504 (34) Seacrest Drive, Sorrento.

MOVED Cr Moloney, **SECONDED** Cr Wood that tabled letter in relation to the Physiotherapy Clinic situated on Lot 504 (34) Seacrest Drive, Sorrento to be received and referred to Town Planning Department for action.

CARRIED

TS259-08/95 OLDHAM PARK, YANCHEP - [061-272]

Cr O'Grady requested that a report be submitted to Technical Services Committee on the cost and feasibility of upgrading Oldham Park, Yanchep to a senior sports oval.

MOVED Cr Moloney, **SECONDED** Cr Wood that a report be submitted to Technical Services Committee on the cost and feasibility of upgrading Oldham Park, Yanchep to a senior sports oval.

CARRIED

UPGRADE OF WOODVALE DRIVE, WOODVALE - WOODVALE SENIOR HIGH SCHOOL JUNIOR COUNCIL - [702-2, 510-1180]

Cr Moloney reported that Woodvale Senior High School Junior Council students have requested information regarding the upgrading of Woodvale Drive.

The City Engineer advised that he would provide Cr Moloney with a time schedule for the upgrading of Woodvale Drive, Woodvale.

Crs Lynn and Wight entered the Chamber at this point, the time being 9.21 pm.

CHEMICAL TERMITE BARRIERS - [865-2-2]

The City Building Surveyor advised that the Minister has upheld a number of appeals by builders to use chemical termite barriers. He will be submitting a report to Council relating to concerns over Common Law "Duty of Care" Liability.

Cr Taylor left the Chamber at this point, the time being 9.22 pm.

C395-08/95 FINANCE & COMMUNITY SERVICES COMMITTEE

MOVED Cr Waters, **SECONDED** Cr Magyar that the Report of the Finance and Community Services Committee Meeting, held on 14 August 1995 be received.

CARRIED

ATTENDANCES

Councillors:	H M WATERS - Chairman	North Ward
	A V DAMMERS, JP - Mayor	Central Ward
	L A EWEN-CHAPPELL	Central Ward
	F D FREAME from 5.40 pm to 6.27 pm	South-West Ward
	M E LYNN, JP - Observer, Deputising for Cr Freame to 5.40 pm and from 6.27 pm to 7.38 pm	South-West Ward
A G TAYLOR - Deputising for Cr	Hall from 5.30 pm to 6.50 pm and from 6.55 pm to 7.38 pm	South Ward
A W WIGHT - Observer, Deputising for Cr Hall from 6.50 pm to 6.55 pm		South Ward
B A COOPER - Observer from 5.40 pm		Central Ward
S P MAGYAR - Observer		Central Ward
G A MAJOR - Observer		South-West Ward

Deputy Town Clerk:	R E DYMOCK
City Treasurer:	J TURKINGTON
Acting City Environmental Health Manager:	M AUSTIN
City Recreation and Cultural Services Manager:	R BANHAM
Manager, Municipal Law & Fire Services:	T TREWIN
Manager Welfare Services:	P STUART
City Librarian:	N CLIFFORD
Minute Clerk:	V GOFF

APOLOGIES

An apology for absence was tendered by Cr Hall; Crs Taylor and Wight deputised.

Apologies for absence were tendered by Crs Wood, Curtis, O'Grady and Moloney.

PUBLIC/PRESS ATTENDANCE

Nil

CONFIRMATION OF MINUTES

MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 17 JULY 1995

The Minutes of the Finance and Community Services Committee Meeting held on 17 July 1995, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF PECUNIARY INTEREST

Nil

MEETING TIMES

Commenced: 5.30 pm
Closed: 7.38 pm

FINANCE & ADMINISTRATIVE SECTION

REPORTS

FA97-08/95 OUTSTANDING GENERAL DEBTORS - JULY 1995 - [020-0]

The City Treasurer reports on the outstanding general debtors at the end of July 1995.

He makes comments on the action being taken with long outstanding accounts and recommends the write-offs of debts totalling \$357.50 which are considered to be irrecoverable.

CITY TREASURER'S REPORT recommended that Council writes out of its general debtors ledger an amount of \$357.50, representing debts considered irrecoverable, as detailed in Attachment B to Report FA97-08/95.

ADDITIONAL INFORMATION

The City Treasurer tabled an Auditor's Report, prepared by John Foley and Associates relating to the financial position of Quinns Rocks Bowling Club Inc at 31 March 1995.

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

- 1 Council writes out of its general debtors ledger an amount of \$357.50, representing debts considered irrecoverable, as detailed in Attachment B to Report FA97-08/95;
- 2 a deputation representing the Executive of Quinns Rocks Bowling Club Inc be invited to address the next Finance and Community Services Committee meeting to be held on 18 September 1995.

CARRIED

Appendix XIII refers.

FA98-08/95 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 31 JULY 1995 - [021-1]

CITY TREASURER'S REPORT

The City Treasurer submits the Warrant of Payments for the period ending 31 July 1995, the total sum expended being \$9,105,837.06.

Crs Wood and Curtis declared an interest in this item.

MOVED Cr Waters, **SECONDED** Cr O'Grady that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 31 July 1995, certified by the Mayor and City Treasurer, and totalling \$9,105,837.06:

<u>\$</u>	<u>Funds</u>	<u>Vouchers</u>	<u>Amount -</u>
	Advance Account No 1	16901 - 17452	
	\$3,237,077.64		
	Municipal	000125A - 000130A	
	\$5,862,543.42		
Trust		000025 - 000025A	\$ 6,216.00
			<u>\$9,105,837.06</u>

CARRIED

Crs Wood and Curtis did not vote.

Appendix XIV refers.

FA99-08/95 **ORDERS FOR GOODS AND SERVICES - APPROVING/
REQUISITIONING OFFICERS - [010-0-1]**

CITY TREASURER'S REPORT

Council, at its June Council meeting, approved the Annual Resolutions - Accounting Procedures for the 1995/96 financial year, with the responsibility for ensuring compliance with accounting conventions and disciplines being that of the Principal Accounting Officer.

Complementing this authority, an internal procedure exists whereby specific officers are assigned the duty of requisitioning goods and services.

The City Treasurer seeks the inclusion of the Senior Engineering Technical Officer on the Register of Officers authorised to requisition goods and services to a limit of \$2,000 and the increase of requisitioning authority to certain engineering officers from \$1,500 to \$2,000.

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

- 1 includes the Senior Engineering Technical Officer on the Register of Officers authorised to requisition goods and services to a limit of \$2,000;
- 2 increases the requisitioning authority for the Workshop Supervisor, Construction Supervisor, Drainage

Supervisor, Verge and Footpaths Supervisor, Maintenance Supervisor and Works Overseer to a limit of \$2,000.

CARRIED

FA100-08/95 SCHEDULE OF CHARGES - COMMERCIAL REFUSE - [508-2]

CITY TREASURER'S REPORT

An increase in Commercial Refuse charges for large bulk bin collections was recommended to Council in the annual review of fees and charges (Item FA54-04/95 refers) and adopted by Council on 3 May 1995.

The City Treasurer reports that the Mindarie Regional Council has now set the tipping rate for the 1995/96 year at \$14.00 per tonne.

He suggests that Commercial Refuse charges for large bins not be increased, but remain the same as 1994/95 year.

Cr Taylor entered the Chamber at this point, the time being 9.24 pm.

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

- 1 rescinds its previous resolution of 3 May 1995 (Report FA54-04/95) in relation to large bulk bins, viz:

<u>"Bulk Bin Size</u>	<u>1995/96 Charge</u>
1.5M ³	\$10.40
Up to 1.5M ³ with wheels	\$12.60
3.0M ³	\$14.05
3.0M ³ with wheels	\$16.50
4.5M ³	\$17.85
4.5M ³ with wheels	\$20.40"

- 2 resolves that the 1995/96 charges for large bulk bins remain at the 1994/95 charge, viz:

<u>Bulk Bin Size</u>	<u>1994/95 Charge</u>
1.5M ³	\$10.10
Up to 1.5M ³ with wheels	\$12.25
3.0M ³	\$13.65
3.0M ³ with wheels	\$16.00
4.5M ³	\$17.35
4.5M ³ with wheels	\$19.70

CARRIED

CITY TREASURER'S REPORT

Several years ago, Council's Parks and Gardens Department dismantled various pieces of playground equipment from various reserves due to age and condition of the equipment. Although most of this equipment was disposed of, three fibreglass slides which are currently in poor condition were stored at the Depot compound.

The City Treasurer reports on an offer by Camp Kerem Youth Camp, Bullsbrook to purchase the slides at \$20.00 each.

MOVED Cr Waters, **SECONDED** Cr Taylor that Council accepts the offer of \$20.00 per slide by the Camp Kerem Youth Camp, Kirby Road, Bullsbrook.

CARRIED

CITY TREASURER'S REPORT

Requests have been received from Recreation and Cultural Services and Welfare Services departments for cash float advances for Gloucester Lodge Museum and Jenolan Way Community Centre.

The City Treasurer supports these requests and advises that adequate audit controls would be implemented for the correct recording and security of the cash floats.

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

- 1 advances cash floats as follows:
 - (a) Gloucester Lodge Museum Community Art Gallery - \$100.00;
 - (b) Jenolan Way Community Centre - \$100.00;
- 2 ensures the cash floats are operated in accordance with correct accounting principles.

CARRIED

CITY TREASURER'S REPORT

The City Treasurer provides details of a number of requests for financial assistance from Council for participants in:

- the State Cross Country Championships, Tasmania;
- Under 14 Rugby Union State Team, Sydney;
- Australian School Soccer Championships, Perth;
- State School Boys Golf Team Championships, Canberra;
- Schoolgirls Hockey Team, Cairns;
- National Clubs Gymnastic Championships, Adelaide;
- National Karate Championships, Perth;
- the National Rollersports Championships, Melbourne.

6PR/6IX are seeking financial support for their Special Children's Christmas Party for children who are underprivileged, disabled or suffering from life threatening diseases.

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

- 1 donates \$50.00 to each of the following persons to assist with costs to participate in his/her respective sport:

Miss Lisa Martin
Mr John Milo
Miss Stephanie Clarke
Miss Samantha Bentink
Mr Adam Kon-Yu
Miss Helen Bransby
Miss Gemma Colson
Lee Cameron
Miss Nichole Ord
Miss Michelle Ord
Emma Curtis
Lisa Curtin
Kristin Jones
Karen Slann
Nina Loran
Melissa Smargiassi
Nichalos Smargiassi
Marie Elliott
Sarah Elliott
Timothy Elliott
T'Neal Maher
Louise Scally
Sarah Thoms
Naome Semple
Cara Williams

such donations to be from Budget Item No 29470 - Sundry Donations - Recreation Control;

donates \$100.00 to 6PR/6IX in support of its 1995 Christmas party project to benefit the underprivileged and disabled children of Perth, such donations to be from Budget Item No 26531 - Sundry Donations - Other Welfare Services.

CARRIED

COMMUNITY SERVICES SECTION

CS139-08/95 FOOD COMPLAINT - SAMPLE NO 68C - [851-7]

ACTING CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The Acting City Environmental Health Manager reports on a complaint relating to a meat pie which was found to be adulterated with a piece of metal.

He seeks Council approval to instigate legal proceedings against the proprietors in accordance with Section 246 of the Health Act.

MOVED Cr Waters, **SECONDED** Cr Taylor that Council in accordance with the provisions of the Health Act 1911, initiates legal proceedings against the proprietors of Bonza Pies, Shop 33 Whitford City Shopping Centre, Whitfords Avenue, Hillarys WA in respect of Sample No 68c.

CARRIED

CS140-08/95 MATTERS ARISING FROM MANAGEMENT AND ADVISORY COMMITTEES - [264-3]

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

The City Recreation and Cultural Services Manager reports on matters arising from meetings of the Historical Sites and Gloucester Lodge Management Committees.

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

- 1 (a) rescinds its previous resolution OC30-05/95 adopted at its meeting on 31 May 1995;
- (b) names the Local Studies section of the proposed Joondalup Regional Library "The Pioneers Hall of Fame";
- (c) selects Wanneroo pioneers from different eras and backgrounds and displays their profiles and photographs in the Local Studies section of the proposed Joondalup Regional Library;

- (d) invites selected pioneering families to provide photographs and other memorabilia for consideration in the displays;
- (e) reviews the displays from time to time to allow updating or changes to be considered;
- (f) includes an honour board of pioneers in the "Pioneers Hall of Fame" room within the proposed Joondalup Regional Library;

- 2 (a) endorses the following amendments to the Gloucester Lodge Museum Management Committee's Terms of Reference:

1 Definition and Membership

Delete:

"iv One member being the Director of the WA Museum or his Deputy."

and:

"v One member appointed by Council from nominations submitted by the Yanchep-Two Rocks Recreation Association."

and replace:

"ii One member being the Executive Director of CALM or his Deputy."

with:

"ii One member being the Executive Director of CALM or his nominee."

- (b) accepts Mr Crisafulli's resignation from the Gloucester Lodge Museum Management Committee, forwards a letter of appreciation acknowledging the invaluable time he has given to the Museum, and endorses the appointment of Mrs Janet Gloudeman as a Community Representative to the Committee.

CARRIED

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

Council, at its meeting on 27 April 1994, adopted the recommendation of the Historical Sites Advisory Committee that an assessment be undertaken of the former Council building at 935 Wanneroo Road, to determine its historical significance.

Subsequently, an assessment was made of the building by Martinick Management Services Pty Ltd, and considered at the Historical Sites Advisory Committee meeting on 17 August 1994.

The City Recreation and Cultural Services Manager reports that the building is considered of great value to the local community and the Historical Sites Advisory committee has recommended it be included in the Municipal Inventory of Heritage Places.

MOVED Cr Waters, **SECONDED** Cr Taylor that Council includes the former Council office building at 935 Wanneroo Road, Wanneroo in the Municipal Inventory of Heritage Places.

CARRIED

**CS142-08/95 LICENCE TO OCCUPY KINGSLEY SPORTS HALL -
KINGSLEY/WOODVALE SENIOR CRICKET CLUB - [061-198]**

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

Council will recall that over the past two years negotiations and discussions have been undertaken with clubs that have contributed towards the capital cost of their "home" facility. The purpose of this exercise was to simplify the administration of ongoing contributions required for maintenance and operating costs, and allow the clubs to plan their budgets accordingly. Several reports have previously been submitted on this matter, and the new process has generally been well received.

The City Recreation and Cultural Services Manager outlines the process and advises that conflict has occurred with the Kingsley/Woodvale Senior Cricket Club who contributed \$20,000 towards the capital costs of the additions to Kingsley Clubrooms. This equates to 13.8% of the total cost of this project and entitles them to access this facility 13.8 hours per week.

The Club maintains that they were not informed of Council's policy and that they were of the understanding that their original capital contribution would 'buy' them tenure in the proportions listed.

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

- 1 advises the Kingsley/Woodvale Senior Cricket Club that the outstanding account of \$2,197.99 remains due and payable, and reaffirms with the Club the standard policy in regard to the provision of "Clubrooms on Reserves";
- 2 authorises the City Treasurer and City Recreation and Cultural Services Manager to meet with the Club in order to negotiate a resolution to this impasse.

CARRIED

CS143-08/95 AQUAMOTION KIOSK - WANNEROO COFFEE LOUNGE - [690-5, 690-1]

The staff at Aquamotion Wanneroo have recently received a request from the proprietor of the "Wanneroo Coffee Lounge" seeking access to the kiosk area for commercial preparation of food to supply a large local business.

At present, the kiosk area is vacant and is only utilized during special events and summer peak periods. There is no income generated from the kiosk at any time other than these peak time openings.

The City Recreation and Cultural Services Manager seeks Council approval for the Recreation Facilities Manager, Wanneroo Townsite to be authorised to negotiate with the applicant to determine a realistic "Licence to Occupy" fee.

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT
recommended that Council:

- 1 grants permission for a "Licence to Occupy" agreement to be entered into with "Wanneroo Coffee Lounge" for the commercial hire of the kiosk area at Aquamotion Wanneroo for the purpose of food preparation;
- 2 authorises the Recreation Facilities Manager - Wanneroo Townsite, to negotiate an appropriate fee for the hire of the kiosk area.

ADDITIONAL INFORMATION

The Acting City Environmental Health Manager advised that Council's Environmental Health Department has concerns with this proposal and the applicant will need to be advised that the proposed menu will place these premises within the category of a Class 1 Food Premises under the Health (Food Hygiene) Regulations 1993 with subsequent changes to conditions and regulations.

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

- 1 Council authorises the Recreation Facilities Manager, Wanneroo Townsite to negotiate an appropriate fee for the hire of the kiosk area at Aquamotion, Wanneroo and a commission, payable to Council, on all goods sold;
- 2 a further report be submitted to Council on the results of these negotiations and the applicant's acceptance of the conditions imposed by Council's Environmental Health Department.

CARRIED

CS144-08/95 ANNUAL REPORT - MURAL ARTS PROGRAMME - [429-1-12]

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

Since its establishment in 1993, the Mural Arts Programme has been a highly successful component of Council's strategy to reduce the incidence of graffiti in the municipality.

The City Recreation and Cultural Services Manager details the activities of the Programme in 1994/95 and plans for the forthcoming year.

At its meeting on 28 June 1995, Council received a report concerning a booklet to market the programme (Item B102-06/95 refers). The Mural Arts Programme attracts considerable interest throughout Australia with many requests for information.

The City Recreation and Cultural Services Manager reports on the booklets which will feature photographs depicting the vibrancy of the murals placed throughout the City. He considers the booklet will play a key role in marketing the programme and its objectives.

MOVED Cr Waters, **SECONDED** Cr Taylor that Council endorses:

- 1 the strategies developed for the 1995/96 Mural Arts Programme;
- 2 the production of a Mural Arts Programme Booklet incorporating four colour reproduction, on 135 GSM silk gross, plus 250 GSM matt cover, perfect bound, finished size A4, at a cost of \$4,000.

CARRIED

CS145-08/95

**COUNCIL REPRESENTATION - KINGSLEY-WOODVALE
COMMUNITY AND RECREATION ASSOCIATION - [330-41]**

The President of the Kingsley-Woodvale Community and Recreation Association has written to Council expressing concern regarding the appointment of South Ward Councillors to monthly meetings on a rotational basis. The Association believes that consistent representation by a nominated Council delegate provides more effective liaison.

The City Recreation and Cultural Services Manager advises that although the current practice of rotating Ward Councillors has some benefits in that the workload is shared, it does not provide the continuity of representation desired by this Association.

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

recommended that Council seeks a reaction from the South Ward members to the Kingsley/Woodvale Community and Recreation Association's request that one delegate be nominated to represent them on a regular basis.

MOVED Cr Waters, **SECONDED** Cr Taylor that consideration of Council representation on Kingsley/Woodvale Community and Recreation Association be deferred and referred to Policy Committee.

CARRIED

CS146-08/95

**PERRY'S PADDOCK PICNIC DAY - 22 OCTOBER 1995 -
[703-1-12]**

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

Council is staging its fourth annual "Perry's Paddock Family Picnic Day" on Sunday, 22 October 1995. The organising committee meets monthly and plans for the Day's activities are progressing.

The City Recreation and Cultural Services Manager outlines the programme for this year's event and provides details of the media coverage proposed to encourage community interest in what is anticipated to be another successful picnic day.

MOVED Cr Waters, **SECONDED** Cr Taylor that Council hosts a luncheon for Councillors and invited guests at the completion of the official opening of the event.

CARRIED

CS147-08/95

**"REMEMBER AND REJOICE" - GLOUCESTER LODGE MUSEUM,
SUNDAY 1 OCTOBER 1995 - [050-11]**

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

As a contribution to the "Australia Remembers 1945-1995" celebrations, Council, through the Gloucester Lodge Museum Management Committee, is staging an open day - "Remember and Rejoice" - at the Museum on Sunday, 1 October 1995.

A sub-committee comprising Councillors Waters and Lynn, members of the Gloucester Lodge Museum Management Committee, Yanchep/Two Rocks and Wanneroo RSL's, local Navy, Army and Air Cadet Units, 10th Light Horse, and CALM representatives have met monthly to progress the day's activities.

The City Recreation and Cultural Services Manager provides details of the various activities programmed for the day and it is anticipated there will be a large crowd attending, making it a successful and memorable event.

MOVED Cr Waters, **SECONDED** Cr Taylor that Council hosts an afternoon tea for Councillors and invited guests with catering provided by the Yanchep Branch of the Country Women's Association.

CARRIED

CS148-08/95

SCHOLARSHIPS - GALLERY ART SCHOOL - [429-1-12]

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

The Gallery Art School is organised by the Art Gallery of Western Australia and provides young people with the opportunity to study and appreciate the Arts. It has been operating since 1990 on Saturday mornings for the 11 to 16 age group. The costs are \$150 per term or \$450 for a full year.

The Cultural Development Advisory Committee, at its meeting on 17 July 1995, endorsed a proposal to award scholarships for young City of Wanneroo artists to attend the Gallery Art School and a process to determine the scholarships.

The City Recreation and Cultural Services Manager provides details of a proposed assessment criteria and procedure for awarding scholarships. He suggests that funding for the scholarship should be made available through the Cultural Development Fund, however, some amendments to the guidelines would be required.

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

- 1 establishes a category within the Cultural Development Fund for the Gallery Art School Scholarships;
- 2 amends the guidelines for the Cultural Development Fund accordingly;
- 3 endorses the assessment procedure and criteria for the Gallery Art School Scholarships, as outlined in Report CS148-08/95.

CARRIED

Appendix XV refers.

**CS149-08/95 REQUEST FOR REDUCTION OF HIRE FEES, YANCHEP-TWO
ROCKS RECREATION CENTRE - [330-9-1]**

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

The Chess Association of Western Australia Inc is holding its "17th Yanchep-Two Rocks Chess Tournament" and family promotion day on Sunday, 8 October 1995. A letter has been received requesting a 50% reduction of hire fees for the Yanchep-Two Rocks Recreation Centre (Lower Hall) for this event.

The City Recreation and Cultural Services Manager provides details of the event and advises that although this type of group does not normally qualify for a reduction of hire fees as it does not meet the criteria of Council's Policy, Council did choose to reduce the hire fees by 50% last year for the same event.

MOVED Cr Waters, **SECONDED** Cr Taylor that Council reduces the hire fee to \$10.05 per hour for the Yanchep/Two Rocks Recreation Centre (Lower Hall) for the "17th Yanchep/Two Rocks Chess Tournament" held by the Chess Association of WA Inc on Sunday, 8 October 1995, such waiver to be made from Account Number 29439 - Recreation Facility Subsidy.

CARRIED

**CS150-08/95 REQUEST FOR REFUND OF HIRE FEES - AGORA MARKETING
- [635-2]**

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

A request has been received from Agora Marketing for a refund of hire fees (\$130) paid for Dorchester Hall, Warwick. The request stems from several alleged disruptions to the groups usage of this particular venue because of water leakage and problems with the heating system.

The City Recreation and Cultural Services Manager provides background details to this request and considers it would be appropriate to refund hire fees to the group for the two incidents of water leakage as a goodwill gesture.

MOVED Cr Waters, **SECONDED** Cr Taylor that Council agrees to refund Agora Marketing, hire fees to the value of \$52.00 for the use of Dorchester Hall, Warwick on 18 May and 8 June 1995 as a goodwill gesture for the inconvenience suffered.

CARRIED

**CS151-08/95 RECOMMENDATIONS OF THE BUSH FIRE ADVISORY
COMMITTEE MEETING HELD ON 27 JULY 1995 - [902-1]**

MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT

The Manager Municipal Law and Fire Services submits the Chief Bush Fire Control Officer's 1994/95 annual report and recommendations for approval by Council.

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

- 1 adopts the Chief Bush Fire Control Officer's 1994/95 Annual Report (Attachment 1 to Report CS151-08/95);
- 2 appoints those persons named on Attachment 1 to Report CS151-08/95, as Bush Fire Control Officers, Brigade Officers, Fire Weather Officers and Brigade members for 1995/96;
- 3 adopts the same firebreak inspection procedure as in previous years.

CARRIED

Appendix XVI refers.

**CS152-08/95 APPOINTMENT OF HONORARY PARKING INSPECTOR FOR
WARWICK SHOPPING CENTRE - [910-4]**

MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT

The Manager Municipal Law and Fire Services nominates Christopher Linton Gauder as Honorary Parking Inspector for the Warwick Shopping Centre for a 12 month period. The applicant is 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.

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

- 1 in accordance with Section 669DA of the Local Government Act 1960, appoints Christopher Linton Gauder as an Honorary Parking Inspector for the Warwick Grove Shopping Centre, Warwick for a 12 month period, subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902, 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 Warwick Grove Shopping Centre, Warwick as detailed hereunder:
 - (a) Parking Facilities By-laws No 19;
 - (b) Local Government Uniform General (Parking for Disabled Persons) By-laws 1988.

CARRIED

CRAIGIE OPEN SPACE - [745-4-1]

Cr Dammers referred to Cr Magyar's Notice of Motion for the Council meeting to be held on 23 August 1995 regarding Craigie Open Space and suggested that Councillors obtain background information relating to this subject matter prior to the meeting.

CS153-08/95 COMMUNITY BUS SERVICE - YANCHEP - [852-1-2]

MOVED Cr Waters, **SECONDED** Cr Taylor that Council advises Metro Bus that it is currently reviewing its annual subsidy for the Yanchep/Two Rocks bus service, and to enable this assessment to be completed it requires statistics and financial details regarding the service to be forwarded no later than 7 September

1995 to allow Council to consider a report at its September 1995 meeting.

CARRIED

CS154-08/95 1995 CONTRACT OUT CONGRESS - [202-1-5]

Cr Cooper tabled a brochure advertising the 1995 Contract Out Congress to be held in Sydney on 4-5 October 1995 and requested a report be submitted to Council on the feasibility and cost of a Councillor and Staff Officer attending the conference.

MOVED Cr Waters, **SECONDED** Cr Taylor that a report be submitted to Council on the feasibility and cost of a Councillor and Staff Officer attending the 1995 Contract Out Congress to be held in Sydney on the 4th and 5th October 1995.

CARRIED

CHILDREN'S BOOK WEEK 1995 - WARWICK LEISURE CENTRE - [218-1-4]

The City Recreation and Cultural Services Manager reported that Children's Book Week 1995, to be held at Warwick Leisure Centre, was now 95%/97% booked by schools arranging a variety of activities.

CRECHE MANAGER - WARWICK LEISURE CENTRE - [745-4-1, 330-0-1]

The City Recreation and Cultural Services Manager reported that the Operator of the creche at Warwick and Sorrento Leisure Centres and Wanneroo Aquamotion has resigned. An advertisement has been placed in the media seeking registrations of interest.

C396-08/95 BUSINESS FOR INFORMATION

MOVED Cr O'Grady, **SECONDED** Cr Wight that the Business for Information Reports be received.

CARRIED

REPORTS

TOWN PLANNING COMMITTEE

B127-08/95 DEVELOPMENT ENQUIRIES - JUNE 1995 - [290-0]

CITY PLANNER'S REPORT

The City Planner submits a schedule of development enquiries for the month of June 1995, together with a resumé of advice given by the Town Planning Department.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY PLANNER'S REPORT B127-08/95 be received.

CARRIED

B128-08/95 **INQUIRY INTO THE SALE BY THE CITY OF WANNEROO OF
LOTS 12 AND 13 GRIFFITHS ROAD, WANNEROO -
[2281/13/39, 2281/12/51]**

CITY PLANNER'S REPORT

At its September 1994 meeting (Item I50919 refers), Council considered a report from the Department of Local Government into the sale by private treaty of the council owned Lots 12 and 13 Griffiths Road, Wanneroo.

The Minister for Local Government specifically requested Council's comments in respect of certain recommendations.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY PLANNER'S REPORT B128-08/95 be received.

CARRIED

B129-08/95 **APPEAL DETERMINATION: PROPOSED SUBDIVISION, LOT 2
ROUSSET ROAD, JANDABUP - [740-95901]**

CITY PLANNER'S REPORT

The City Planner reports that an appeal for a proposed subdivision at Lot 2 Rousset Road, Jandabup has been refused by the Minister for Planning.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY PLANNER'S REPORT B129-08/95 be received.

CARRIED

B130-08/95 **APPEAL DETERMINATION: SUBDIVISION, LOTS 3 AND 4
COOGEE ROAD, MARIGINIUP - [740-95058, 740-95059]**

CITY PLANNER'S REPORT

The City Planner reports that an appeal for the proposed subdivision of Lots 3 and 4 Coogee Road, Mariginiup has been refused by the Minister for Planning.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY PLANNER'S REPORT B130-08/95 be received.

CARRIED

B131-08/95 **APPEAL DETERMINATION: JOONDALUP FIRE STATION ON
LOT 6 BURNS BEACH ROAD, JOONDALUP - [30/292]**

CITY PLANNER'S REPORT

The City Planner reports that an appeal which was submitted by the WA Fire Brigades Board for a fire station on Lot 6 Burns Beach Road, Joondalup was upheld by the Minister for Planning.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY PLANNER'S REPORT B131-08/95 be received.

CARRIED

B132-08/95 **APPEAL DETERMINATION: PROPOSED CHILD CARE CENTRE
ON LOT 52 (2) EDDYSTONE AVENUE AND LOT 73 (20)
GLENUNGA WAY, CRAIGIE - [30/398]**

CITY PLANNER'S REPORT

The City Planner reports on an appeal determination for a proposed child care centre on Lot 52 (2) Eddystone Avenue and Lot 73 (20) Glenunga Way, Craigie which has been upheld by the Minister for Planning.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY PLANNER'S REPORT B132-08/95 be received.

CARRIED

B133-08/95 **APPEAL DETERMINATION: CONDITION OF APPROVAL TO
GROUPED DWELLING DEVELOPMENT, LOT 66 (39A AND
39B) DERICOTE WAY, GREENWOOD - [30/3984]**

CITY PLANNER'S REPORT

The City Planner reports on an appeal determination for condition of approval to grouped dwelling development on Lot 66 (39A and 39B) Dericote Way, Greenwood which was not supported by the Minister for Planning.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY PLANNER'S REPORT B133-08/95 be received.

CARRIED

TECHNICAL SERVICES COMMITTEE

B134-08/95 **ENGINEERING CURRENT WORKS - [202-0]**

CITY ENGINEER'S REPORT

The City Engineer reports on major works, drainage, pedestrian and dual paths, traffic management, carparks, major maintenance, annual road resurfacing, rubbish disposal and sub-divisional development for the period ending 31 July 1995.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY ENGINEER'S REPORT B134-08/95 be received.

CARRIED

B135-08/95 **STORMWATER FLOODING IMPROVEMENTS - KINGSLEY OVAL, KINGSLEY - [061-197]**

CITY ENGINEER'S REPORT

Concerns have been raised by the North Suburban Junior Football League and the Kingsley Senior and Junior Football Clubs in regards to the deteriorating state of Kingsley Oval, Kingsley. The ground condition has deteriorated to a point that no finals are to be scheduled for Kingsley Oval this year. This deterioration has been mainly a result of the continuing overflow of stormwater from the Creaney Drive drainage system.

The City Engineer reports on the problems with the existing system and advises that funds for upgrade of the drainage system have been listed for this year's Budget.

On completion of these works, the Parks Department will undertake restoration of the turf.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY ENGINEER'S REPORT B135-08/95 be received.

CARRIED

B136-08/95 **LETTER EXPRESSING CONCERN AT PARKING PROBLEMS IN CREANEY DRIVE, KINGSLEY - [510-1369, 510-1504, 295-06/95]**

CITY ENGINEER'S REPORT

Council considered a traffic management strategy for Creaney Primary School, Kingsley at its meeting on 27 April 1994 (Item I10422 refers). As part of this strategy, Council approved the installation of "No Standing Any Time Carriageway or Verge" signs along the south side of Creaney Drive.

The City Engineer reports that a number of vehicles are parking on the verge contrary to the prohibition signs which compromises safety of school children and results in degradation of the verge.

He advises that he has authorised the installation of bollard verge barriers as the most appropriate way of enforcing the prohibitions.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY ENGINEER'S REPORT B136-08/95 be received.

CARRIED

B137-08/95 **NOTATION OF STRUCTURE PLAN ACTIVE/PASSIVE - [250-1]**

CITY PARKS MANAGER'S REPORT

Council, at its Special Meeting of Electors on 6 December 1994 requested a report be submitted to include:

- 1 the possibility of including in all structure plans, the difference between passive and active reserves;
- 2 a notation be included on all structure plans indicating that active reserves may include facilities such as clubrooms, changerooms and toilet rooms.

The City Parks Manager reports on current procedure where the size of the public open space determines active or passive use.

However, actual development as active is dependant on the community's requirements as the suburb develops.

He advises that Council and Ministry for Planning Officers have considerable disagreement in relation to informal active and passive recreation allocation.

A definite notation on the structure plan can be achieved when the final document is submitted for Council adoption.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY PARKS MANAGER'S REPORT B137-08/95 be received.

CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE

B138-08/95 **EFFECT OF MABO DECISION ON TAX RATES - [301-3]**

TOWN CLERK'S REPORT

At Council's meeting of 22 March 1995, Councillor Waters advised that she would be "writing to the Prime Minister asking how much taxes are expected to rise over the MABO deal, as this will affect Council's Budget projections".

A response has now been received from the Special Minister of State, Gary Johns, on behalf of the Prime Minister. The two publications referred to in the letter have been placed in the Councillors Reading Room and in due course will be placed in the municipal library system.

MOVED Cr O'Grady, **SECONDED** Cr Wight that TOWN CLERK'S REPORT B138-08/95 be received.

CARRIED

B139-08/95 FINANCIAL REPORT FOR THE PERIOD ENDED 30 JUNE 1995 - [002-3]

CITY TREASURER'S REPORT

The City Treasurer submits the financial statements for the period 1 July 1994 to 30 June 1995.

He advises that in broad terms, the 1994/95 financial year was a very successful one, with revenue gains in interim rates and interest earnings outstripping expectations.

The Financial Statements and Council's financial records will now be submitted to Council's auditors for the annual audit, following which the Annual General Meeting of Electors will be conducted.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY TREASURER'S REPORT B139-08/95 be received.

CARRIED

B140-08/95 STAFF AND OUTSIDE WORKERS' OVERTIME - JULY 1995 - [404-10]

CITY TREASURER'S REPORT

The City Treasurer submits the staff overtime return for the month of July 1995, together with details of the outside workers' overtime for the same period.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY TREASURER'S REPORT B140-08/95 be received.

CARRIED

B141-08/95 FOOD COMPLAINT NO 24 - COURT CASE - [851-7]

ACTING CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The Acting City Environmental Health Manager reports on the outcome of a recent court case heard at the Joondalup Court of Petty Sessions.

De Campos Bakery pleaded guilty to a charge that it was responsible for the manufacture of a loaf of bread adulterated with a fly and was fined \$6,250, with costs of \$969.75.

MOVED Cr O'Grady, **SECONDED** Cr Wight that ACTING CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT B141-08/95 be received.

CARRIED

B142-08/95 DUMPING OF RUBBISH - [30/993]

ACTING CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The Acting City Environmental Health Manager reports that at the Joondalup Court of Petty Sessions on 18 July 1955, Mr Anthony George Palassis of Duncraig pleaded guilty to depositing rubbish on Crown land contrary to Council's Model Health By-laws and was fined \$200.00, with costs of \$163.50.

MOVED Cr O'Grady, **SECONDED** Cr Wight that ACTING CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT B142-08/95 be received.

CARRIED

**B143-08/95 RECREATION AND CULTURAL SERVICES DEPARTMENT -
MONTHLY ACTIVITIES REPORT - [260-0]**

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

The City Recreation and Cultural Services Manager reports on the major activities in the Recreation and Cultural Services Department during the month of July 1995. These include:

- . liaison with people from the Cambodian and Iraqi community and young people from the East Timorese community to develop cultural activities in the region;
- . compilation of yearly attendance figures at Gloucester Lodge Museum, which show an increase in attendance of 7.4%;
- . completion of Council's second annual Volunteer Training programme;
- . a successful application for funding two detached youth workers in the region;

- . compilation of a Club Resource Kit for sporting clubs in the area;
- . negotiations to develop a croquet club at Sorrento Bowling Club;
- . successful funding application to develop a "Be Active on Your Bike" Coastal Cycle Guide;
- . development of various activities and programmes at Council's recreation facilities.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B143-08/95 be received.

CARRIED

**B144-08/95 COMMUNITY SPORTING AND RECREATION FACILITIES FUND
 - [260-0]**

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

The Minister of Sport and Recreation will make \$8 million available for the second round of the Community Sporting and Recreation Facilities Fund in the 1996/97 financial year.

Local Government bodies and legally constituted, non-profit making clubs and community groups are invited to submit applications for funding to make modifications and additions to existing facilities and to construct new ones. A third of the total cost of the project may be funded by the State Government and this must be matched by the applicant's own cash contribution to the project, with other funding bodies being sourced as required.

The City Recreation and Cultural Services Manager outlines the procedure for making grant applications to the Community Sporting and Recreation Facilities Fund.

MOVED Cr O'Grady, **SECONDED** Cr Wight that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B144-08/95 be received.

CARRIED

**B145-08/95 MUNICIPAL LAW AND FIRE SERVICES DEPARTMENT -
 ACTIVITIES FROM 1 JULY 1994 TO 30 JUNE 1995 -
 [905-1]**

MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT

The Manager Municipal Law and Fire Services reports on the major activities carried out by the Municipal Law and Fire Services Department for the period 1 July 1994 to 30 June 1995.

MOVED Cr O'Grady, **SECONDED** Cr Wight that MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT B145-08/95 be received.

CARRIED

B146-08/95 **MUNICIPAL LAW AND FIRE SERVICES DEPARTMENT -
ACTIVITIES FROM 1 APRIL 1995 TO 30 JUNE 1995 -
[905-1]**

MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT

The Manager Municipal Law and Fire Services reports on the major activities of the Municipal Law and Fire Services Department from 1 April 1995 to 30 June 1995.

MOVED Cr O'Grady, **SECONDED** Cr Wight that MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT B146-08/95 be received.

CARRIED

B147-08/95 **DOG ACT APPEALS - LOCAL GOVERNMENT MINISTER'S
CRITERIA - [970-2-1]**

MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT

Council at its meeting on 31 May 1995 resolved to write to the Minister for Local Government requesting information on the criteria used by him when upholding an appeal under the Dog Act to keep more than two dogs on residential premises (Item CS81-05/95 refers).

The Manager Municipal Law and Fire Services submits the response which has been received from the Minister for Local Government.

MOVED Cr O'Grady, **SECONDED** Cr Wight that MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT B147-08/95 be received.

CARRIED

C397-08/95 **POLICY COMMITTEE**

MOVED Cr Wood, **SECONDED** Cr Lynn that the Report of the Policy Committee Meeting, held on 16 August 1995 be received.

CARRIED

ATTENDANCES

Councillors:	A V DAMMERS, JP, Mayor - Chairman	Central Ward
	H M WATERS	North Ward
	B A COOPER from 5.45 pm	Central Ward
	K H WOOD	South Ward
	G A MAJOR from 6.10 pm	South-West Ward
	S P MAGYAR - Observer; Deputising for	
	Cr Cooper to 5.45 pm	Central Ward
	A W WIGHT - Deputising for Cr Moloney	
	to 6.45 pm	South Ward
	A G TAYLOR - Observer; Deputising for	
	Cr Moloney from 6.45 pm	South Ward
	M E LYNN, JP - Observer; Deputising	
	for Cr Major to 6.10 pm	South-West Ward
	L O'GRADY - Observer from 6.10 pm	North Ward
	L A EWEN-CHAPPELL - Observer	
	from 5.52 pm	Central Ward
	F D FREAME - Observer	South-West Ward

Town Clerk:	R F COFFEY
Deputy Town Clerk:	R E DYMOCK
City Treasurer:	J TURKINGTON
City Recreation and Cultural Services Manager:	R BANHAM
Committee Clerk:	J HARRISON

APOLOGIES

An apology for absence was tendered by Cr Moloney; Crs Wight and Taylor deputised.

Apologies for absence were tendered by Crs Curtis and Hall.

CONFIRMATION OF MINUTES

The Minutes of Policy Committee Meeting held on 21 June 1995, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF PECUNIARY INTEREST

Nil

MEETING TIMES

Commenced: 5.36 pm

Closed: 6.56 pm

REPORT NO:

P22-08/95 REFUNDS POLICY - RECREATION SERVICES - [260-0]

**CITY RECREATION & CULTURAL SERVICES MANAGER'S
REPORT**

The Recreation and Cultural Services Department has been reviewing the procedure for issuing refunds for various recreation courses and services.

The City Recreation and Cultural Services Manager advises that it has been the practice to recommend refunds in accordance with guidelines that have been informally developed over a period of years.

He suggests that Council formally recognises these practices and adopts the guidelines as its Recreation Refunds Policy.

MOVED Cr O'Grady, **SECONDED** Cr Magyar that Council adopts the "Refunds Policy - Recreation" as outlined in Report P22-08/95 and includes this information in the Policy Manual.

CARRIED

Appendix XVII refers.

**P23-08/95 USE OF RECREATION FACILITIES BY JUNIORS AND
SENIOR CITIZENS - [260-0, 264-2, 330-5-1]**

**CITY RECREATION & CULTURAL SERVICES MANAGER'S
REPORT**

At its meeting on 28 June 1995, Council considered a report advising of inconsistencies that occur as a result of the free use policy. Council requested that costings be obtained for booking recreation facilities in other Local Government areas, and that a further report be considered in conjunction with the 1995/96 Budget (Item P21-06/95 refers).

On several occasions Council has investigated the issues associated with implementing a "user contribution" scheme for all categories of recreation facility use and has withdrawn its resolve due to pressure from self-interest groups.

The City Recreation and Cultural Services Manager outlines a variety of options for Council to introduce a user-pay system to all recreation users and states that the levying of a nominal fee will act as a rationing device, ensuring that groups will only book times that they actually need.

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

- 1 Council forms a sub-committee comprising Crs Cooper, Wood, Ewen-Chappell, Wight and O'Grady and the City Recreation and Cultural Services Manager to:
 - (a) formulate a strategy in relation to the levy of charges for the use of recreation facilities by juniors and senior citizens;
 - (b) following (a) above, meet with larger user groups to outline Council's position in this regard;
- 2 a further report be submitted to Council within three months.

CARRIED

COUNCIL REPRESENTATION - KINGSLEY-WOODVALE COMMUNITY AND RECREATION ASSOCIATION - [330-4]

Cr Dammers referred to the concern raised by Kingsley-Woodvale Community and Recreation Association in relation to the attendance of Councillors to monthly meetings on a rotational basis. A report was submitted to the Finance and Community Services Committee meeting held on 14 August 1995, where consideration was deferred and referred to Policy Committee - Item CS145-08/95 refers.

Town Clerk advised a report will be submitted to Council at its meeting of 23 August 1995 in this regard.

POSITION - TOWN CLERK - [702-0]

Town Clerk outlined details received from OCR Pty Ltd, the consultant appointed by Council to provide an independent assessment and review of Senior Managers' levels and in particular to the recommendations for the remuneration levels and performance based contract for the position of Town Clerk. The sub-committee appointed by Council had met to consider a programme to proceed to advertise and make an appointment of a new Town Clerk to allow commencement by about February/March 1996.

He said a report would be submitted to Council at its meeting on Wednesday 23 August 1995.

MINIMUM AGE OF CHILDREN ON COUNCIL'S PUBLIC GOLF COURSES - [622-0]

Cr Ewen-Chappell advised she had been contacted by parents of a 7 year old child who plays golf at Marangaroo Golf Course.

Council at its meeting of 26 July 1995 established a minimum age of 8 years for children to be allowed on Council's public golf courses, and this has presented a problem for this child to continue to play golf.

The Committee stated this policy was not intended to restrict children from playing golf, and suggested the parents be requested to write to Council to have this case considered on its merits.

POLICY MANUAL - [702-1]

Cr Dammers referred to Council's Policy Manual and requested Councillors to advise of any policies which they felt required updating.

C398-08/95 REPORT OF OCCASIONAL COMMITTEE

MOVED Cr O'Grady, **SECONDED** Cr Lynn that the Report of the Joondalup Civic and Cultural Facilities Occasional Committee held on 11 August 1995 be received.

CARRIED

ATTENDANCES

Councillors:	A V DAMMERS, JP - Mayor, Chairman	Central Ward
	L O'GRADY	North Ward
	G A MAJOR to 9.31 am	South-West Ward
	M E LYNN, JP	South-West Ward

Town Clerk:	R F COFFEY
City Treasurer:	J TURKINGTON
City Building Surveyor:	R FISCHER to 9.15 am
City Librarian:	N CLIFFORD
Special Projects Manager:	J SOBON
Committee Clerk:	J HARRISON

IN ATTENDANCE

James Christou	James Christou and Partners
Michael Michelides	"
Jenny Baron-Hay	Baron-Hay and Associates

APOLOGIES

An apology for absence was tendered by Cr Moloney.

CONFIRMATION OF MINUTES

The Minutes of the Joondalup Civic and Cultural Facilities Occasional Committee Meeting held on 7 July 1995 were confirmed as a true and correct record.

DECLARATIONS OF PECUNIARY INTEREST

Nil

MEETING TIMES

Commenced: 8.08 am
Closed: 9.45 am

CITY BUILDING SURVEYOR'S REPORT

At the Joondalup Civic and Cultural Facilities Occasional Committee meeting held on 7 July 1995, consideration was given to the selection of artists. The Committee resolved to prepare a shortlist of artists, selected on the basis of the requirements of the particular commission, previous experience, references and scope of art practice.

A panel consisting of the Project Manager, Architects' representative, a nominee of the City Recreation and Cultural Services Manager and Cr Major has considered proposals for artists' selection.

The panel has selected three artists for each commission who, subject to acceptance by the Occasional Committee, will be required to prepare preliminary design proposals for consideration by the selection jury.

MOVED Cr Lynn, **SECONDED** Cr O'Grady that the Joondalup Civic and Cultural Facilities Occasional Committee, as empowered by Council, endorses the selection of the following artists:

Copper banding:	Helen Taylor Jon Tarry Brian McKay;
Library Entrance and Columns	Miv Egan Stuart Green Steve Tepper;
Council Chamber Entrance Lobby:	Tony Jones Malcolm McGregor Mark Cox;
Council Chamber Glass Window:	Jo Darbyshire Michael Iwanoff Mathew Goodlet;

and seeks preliminary design concepts for presentation to the selection jury.

CARRIED

CITY BUILDING SURVEYOR'S REPORT

Following a meeting of the Joondalup Civic and Cultural Facilities Working Party on 21 July 1995, James Christou and

Partners was requested to investigate the proposition of incorporating a lecture theatre function into the Council Chamber public gallery space. The architects advise that such a function can be incorporated successfully providing there is acceptance that the lecture theatre will have a limited function.

The City Building Surveyor provides details of the costs involved and advises that the proposal could be staged so that the architectural component is carried out during the building project with the provision of equipment at some future time.

MOVED Cr Lynn, **SECONDED** Cr O'Grady that the Joondalup Civic and Cultural Facilities Occasional Committee, as empowered by Council, authorises the Architects to proceed on the basis that the public seating area of the Council Chamber be modified to permit its use as a presentation and seminar room to the extent that the architectural component is incorporated into the works and that provision is made for the future installation of the audio/visual systems.

CARRIED

OC45-08/95 INTERIOR DESIGN - [730-8-8-1]

CITY BUILDING SURVEYOR'S REPORT

The Working Party established by the Occasional Committee has met on a number of occasions to examine the proposals for the interior design prepared by the Consultant Architects and Interior Designer.

The City Building Surveyor reports on the deliberations of the Working Party which has examined the colour boards for the Library, Council Chamber, Mayor and Ward Offices, lounge and dining room. A number of issues are still being addressed including the type of seating, library book shelving and lighting.

The Consultants provided a brief presentation to the Occasional Committee.

MOVED Cr Lynn, **SECONDED** Cr O'Grady that CITY BUILDING SURVEYOR'S REPORT OC45-08/95 be received.

CARRIED

PROGRESS REPORT

A brief verbal report was made by the Architect on the progress of the project.

Mr Christou stated that all matters were progressing well and advised the Committee that the specification will be finalised next week on all major items and the whole document will go to the Quantity Surveyor at the end of the month for preparation of the Bill of Quantities.

C399-08/95 TOWN CLERK'S REPORT

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

CARRIED

C400-08/95 SCHEDULE OF DOCUMENTS EXECUTED BY MEANS OF
AFFIXING THE COMMON SEAL - [200-0-1]

Document: Lease
Parties: City of Wanneroo and Minister for Community Welfare
Description: Pt Lot 2 Ariti Avenue, Wanneroo
Date: 20.7.95

Document: Variation of Lease
Parties: City of Wanneroo and Wanneroo Repertory Inc of Wanneroo
Description: Limelight Theatre, Civic Drive, Wanneroo
Date: 20.7.95

Document: Withdrawal of Caveat
Parties: City of Wanneroo and Australian Housing & Land Pty Ltd
Description: Lot 16 Trappers Drive, Woodvale
Date: 21.7.95

Document: Grant of Easement
Parties: City of Wanneroo and Lai Sheng Chin, Cheng Han P/L, Te Hsen Lin and Lee Wen Yen Lin
Description: Lot 1 Vanden Way, Joondalup
Date: 2.8.95

Document: Deed of Easement
Parties: City of Wanneroo and Gumflower P/L and Biddenham P/L
Description: Lot 85 (6 docs) and Lot 99 (3 docs) Mindarie Keys Harbour
Date: 7.8.95

Document: Grant of Easement
Parties: City of Wanneroo and Town & Country Land Holdings Ltd
Description: Lots 1034, 1035 and 1036 Parkwood Avenue, Woodvale

Date: 7.8.95
 Document: Grant of Easement
 Parties: City of Wanneroo and Eng Jin Teo, En Khyan Chin, Sonny Geok, Ann Tan, Kim Goo, Choon Eng Neo, Poh Choo Yii, Lee Fong Fung and Ah Tong Ho
 Description: Lot 137 Mercer Lane, Joondalup
 Date: 7.8.95

Document: Deed
 Parties: City of Wanneroo and A Antulov, F A Antulov & R Antulov
 Description: Lot 6 and 7 Wanneroo Road, Kingsley
 Date: 7.8.95

Document: Road Maintenance Charge Agreement
 Parties: City of Wanneroo and Eclipse Resources Pty Ltd
 Description: Lots 505 and 508 Pederick Road, Neerabup
 Date: 7.8.95

Document: Deed
 Parties: City of Wanneroo and Elizabeth B Mort
 Description: Copyright Agreement
 Date: 11.8.95

Document: Deed
 Parties: City of Wanneroo and Athanas Vosnacos
 Description: Copyright Agreement
 Date: 11.8.95

Document: Deed
 Parties: City of Wanneroo and Effie Leppinos
 Description: Copyright Agreement
 Date: 11.8.95

Document: Deed
 Parties: City of Wanneroo and Sylvia Mary Gibbs
 Description: Copyright Agreement
 Date: 11.8.95

Document: Deed
 Parties: City of Wanneroo and Lester Grose Leppinos
 Description: Copyright Agreement
 Date: 11.8.95

Document: Deed
 Parties: City of Wanneroo and Archie and Stellar Korovesi
 Description: Copyright Agreement
 Date: 11.8.95

Document: Deed

Parties: City of Wanneroo and Salvatore Rabbone
 Description: Copyright Agreement
 Date: 11.8.95

Document: Deed
 Parties: City of Wanneroo and Nancy Rabbone
 Description: Copyright Agreement
 Date: 11..8.95

Document: Deed
 Parties: City of Wanneroo and Carmelo Salvatore Sidoti
 Description: Copyright Agreement
 Date: 11.8.95

Document: Deed
 Parties: City of Wanneroo and Mohammed Ismail-Zai
 Description: Copyright Agreement
 Date: 11.8.95

Document: Deed
 Parties: City of Wanneroo and William Edward Buck
 Description: Copyright Agreement
 Date: 11.8.95

Document: Withdrawal of Caveat
 Parties: City of Wanneroo and Mobilia
 Description: Lot 256 Badgerup Road, Wanneroo
 Date:

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

CARRIED

C401-08/95 APPOINTMENT OF CONSULTANT - DISABILITY SERVICES
PLAN - [880-8-10]

Tenders for the appointment of consultant to prepare the Council's Disability Services Plan closed on 14 August 1995. The following individuals/agencies submitted proposals.

ERM Mitchell McCotter	\$29,795.00
Jill Cameron & Associates/Jo Stanton Consultancy	\$28,500.00
WORC	\$34,000.00
Geoff White & Associates	\$22,500.00
E-QUAL	\$30,000.00
Ann O'Brian	\$34,900.00
Alison Day & Associates	\$29,500.00
PHCS	\$26,870.00
Michael D Breen }	
Matrix Consulting Group }	\$30,000.00
Ian Cox - Local Government Consultant	\$27,000.00

Of the above the following were short listed for interview by members of the Disability Access Committee:

ERM Mitchell McCotter
Jill Cameron & Associates/Jo Stanton Consultancy
Michael D Breen/Matrix Consulting Group
E-QUAL

Selection was based on:

- . relevant expertise and qualifications;
- . relevant experience;
- . a demonstrated appreciation of the project;
- . cost;
- . clarity of tender submission.

Of those interviewed, the Disability Access Committee is recommending that Jill Cameron and Associates/Jo Stanton Consultancy be awarded the contract. Both consultants have held senior management positions prior to moving into independent consultancies. They have considerable experience working with clients with disabilities and have completed several major projects with a similar brief for both government and non government.

Budget provision of \$30,000 has been made for this consultancy.

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

- 1 enters into a contract agreement with Jill Cameron and Associates and Jo Stanton Consultancy for the purpose of developing a Disability Services Plan for the City of Wanneroo for the sum of \$28,500.00 from Account 26075 - Access Audit Consultancy Fees;
- 2 in this instance sets aside its policy in respect of "Communication of Council Resolutions" to allow for immediate action on this matter.

CARRIED

C402-08/95 COUNCIL REPRESENTATION - [330-4]

At the Finance and Community Services Committee meeting on Monday 14 August 1995, it was resolved that the recommendation of the City Recreation and Cultural Services Manager that:

"Council seeks a reaction from the South Ward members to the Kingsley/Woodvale Community and Recreation Association's request that one delegate be nominated to represent them on a regular basis"

be referred to the Policy Committee for consideration.

This matter arose as a result of the Association writing to Council expressing concern regarding the appointment of Councillors on a rotational basis.

The Association would like to see all South Ward Councillors attend monthly meetings more regularly but fully appreciate that their commitment and demands are such that this will be difficult to achieve.

At the Policy Committee on Wednesday 16 August it was agreed that the Town Clerk prepare a report for consideration by Council.

Councillors may recall that the question of representation on the wide range of Advisory, Association, Management etc Committees has been raised for a number of years and at the meeting of Council in May 1994 it was agreed that in some instances, Council representation be arranged on a rotational basis.

This action was taken because of the other commitments of elected representatives to Council Committees to the wider community and particularly the difficulty of providing regular attendance.

As Councillors expressed the view that they will continue to attend when other commitments allow and that Recreation Department staff attend Recreation Association meetings which maintains a continuous link with Council, an alternative approach might be that Councillors attend meetings when requested to provide input on matters of specific concern, with continuity being maintained by Recreation Staff and circulation of Association Minutes to all Councillors.

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

- 1 Council discontinues the rotational representation to those Associations and Management Committees as resolved in May 1994;
- 2 Councillors continue to attend meetings when commitments allow;
- 3 Councillors be requested to make every endeavour to attend meetings when invited, particularly when matters of particular concern are being discussed;

4 the appropriate Recreation and Management Committees be advised accordingly.

CARRIED

C403-08/95 CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN GAYFORD WAY AND DANBURY CRESCENT, GIRRAWHEEN - [510-1114]

Council resolved to close the accessway between Gayford Way and Danbury Crescent, Girrawheen at its meeting on 26 July 1995 and the Department of Land Administration (DOLA) was requested to commence actions to close the accessway on 2 August 1995.

This accessway has now been physically closed by the adjoining property owners and some residents have expressed concern as to how the accessway was closed so quickly.

According to verbal advice received from DOLA, the adjoining landowners paid the required monies to DOLA on 3 August and requested DOLA to grant them right of entry to the land to enable them to commence removing the footpath and relocating fences. DOLA granted the adjoining landowners right of entry subject to them accepting all liability.

In instances where the adjoining property owners do not request right of entry, it may take approximately two or three months for DOLA to revest the land within the accessway and prepare the necessary documentation to transfer the ownership of the land to the adjoining property owners. It is then the responsibility of the adjoining property owners to register the documents at the Office of Titles before physically closing the accessway. Presumably, most residents would register the documents immediately.

Where DOLA has granted right of entry to adjoining owners, the revestment action and transfer of the land still has to occur.

Therefore, although the adjoining residents in the Gayford Way/Danbury Crescent accessway have relocated fences, the land has not yet been amalgamated with their Certificates of Title.

MOVED Cr Freame, **SECONDED** Cr Hall that the information received regarding the closure of pedestrian accessway between Gayford Way and Danbury Crescent, Girrawheen be received.

CARRIED

C404-08/95 CIVIC RECEPTIONS AND FUNCTIONS - [703-3]

Council approval is sought for the following functions to be included in the 1995/96 calendar of events.

DATE

<u>1995</u>	<u>FUNCTION</u>	<u>GUESTS</u>	<u>HOST</u>
25 Aug 95	Northern Suburbs Domestic Violence Group - morning tea. 9.30am - 11.30am (requested by Cr Freame)	60-65	Council
31 Aug 95	Rates Incentive Draw - afternoon tea 3.00pm - 4.00pm (requested by Treasury)	28	Council
22 Sept 95	Rates Incentive Winners - cocktail party (Treasury)	120	Council
9 Nov 95	District's Debating Program - Council Chambers 9.00am - 3.00pm (requested by Joondalup District Education Office)	TBA	Council
15 Nov 95 Catering	Presentation evening Northern Writers Association /Joondalup Community Foundation. 7.00pm - 8.30pm (use of Function Area requested by Joondalup Community Foundation)	-	by JCF
Jan/Feb 96	Book Launch - Northern Writers Association/Joondalup Community Foundation. Time : TBA (use of Function Area requested by J.C.F.)		

MOVED Cr Wood, **SECONDED** Cr Cooper that Council approves the following functions for inclusion in the 1995/96 calendar of events:

<u>DATE</u> <u>1995</u>	<u>FUNCTION</u>	<u>GUESTS</u>	<u>HOST</u>
25 Aug 95	Northern Suburbs Domestic Violence Group - morning tea. 9.30am - 11.30am	60-65	Council

(requested by Cr Freame)

31 Aug 95	Rates Incentive Draw - afternoon tea 3.00pm - 4.00pm (requested by Treasury)	28	Council
22 Sept 95	Rates Incentive Winners - cocktail party (Treasury)	120	Council
9 Nov 95	District's Debating Program - Council Chambers 9.00am - 3.00pm (requested by Joondalup District Education Office)	TBA	Council
15 Nov 95	Presentation evening	-	
Catering	Northern Writers Association /Joondalup Community Foundation. 7.00pm - 8.30pm (use of Function Area requested by Joondalup Community Foundation)		by JCF
Jan/Feb 96	Book Launch - Northern Writers Association/ Joondalup Community Foundation. Time : TBA (use of Function Area requested by J.C.F.)		

CARRIED

C405-08/95 PHILIPPINE DELEGATION - [201-1-1]

The Curtin University has requested the City of Wanneroo to again participate in the Philippine Delegation Placement Programme during the months of September and October 1995.

Councillors will recall that in May this year a delegation from the Philippine Local Government authority visited this City to gain first-hand knowledge of developing trends in local Government. This visit was one of several to metropolitan local authorities as part of an intensive one month workshop on Local Government Revenue Raising and Management Procedures. From all reports, it was a resounding success.

A second workshop, this time for an extended visit of 6 weeks, is now proposed with delegates from the Philippines arriving in

September 1995. The organiser, Curtin University, has again sought this City's involvement in the programme.

This course placement will be different than in the past, with Council being requested to host a group of approximately 17 persons on the 13 September 1995 for a general overview and discussion, with further full day placements/workshops on Thursday 28 September, Friday 29 September, Tuesday 3 October and Wednesday 4 October. Four or five individuals will be involved for intensive training in financial management techniques.

The City of Wanneroo has been selected as one of 4 metropolitan local authorities for the full day workshops, the others are:

Claremont
South Perth
Victoria Park

It is anticipated that the format for the 13 September 1995 will be similar to that followed in May, viz:

- Arrival and Welcome
- Overview of City's Land Use Planning and Growth
- Morning Tea
- Building Issues
- Council's Finances
- Tour of Joondalup and Municipality
- Lunch
- Tour of Treasury Department
- End of Tour

MOVED Cr Curtis, **SECONDED** Cr Lynn that Council hosts a Seminar/Workshop session and luncheon on 13 September 1995 and participates in the full day placements between 28 September 1995 and 4 October 1995 for the Local Authority Philippine Delegation.

CARRIED

C406-08/95

INTEGRATED HUMAN SERVICES PROJECT STEERING
COMMITTEE - [012-0-1]

The final meeting of the Integrated Human Services Project Steering Committee will be held on Wednesday 6 September 1995.

The Committee is comprised of representatives of the various State and Federal Government Departments involved in the planning and delivery of human services and facilities, together with the Mayor, Cr O'Grady and Council officers.

The project has made significant progress towards the integration of the planning processes and the final report will shortly be submitted for Council's consideration.

Approval is sought to provide an appreciation luncheon for the Committee at the conclusion of the final meeting on 6 September 1995. Catering will be required for 10 persons.

MOVED Cr Wood, **SECONDED** Cr Lynn that Council approves the appreciation luncheon for the Integrated Human Services Project Steering Committee at the conclusion of the final meeting on 6 September 1995.

CARRIED

C407-08/95 REQUEST FOR COUNCILLORS TO ATTEND A WORKSHOP AT
13TH AUSTRALIAN GROUND WATER SCHOOL - [290-0]

The CSIRO (Water Resources Division) has advised that there is a workshop at the 13th Australian Groundwater School to be held in Perth from 28-29 September 1995. A scheduled of events is attached for information - Appendix XVIII refers.

The CSIRO advises that Council should consider the value of the Workshop on Surface Water - Groundwater Interaction, as this is the first of its kind in Australia and should provide valuable information and insight to those involved in land use planning and wetland management.

Following on from the Parliamentary Select Committee's report on Metropolitan Development and Groundwater Supplies and the subsequent Government response to Parliament, Government agencies will soon commence the preparation of a Land Use/Groundwater Strategy for the Ghangara Mound. Council officers will need to be closely involved with this study and their ability to participate effectively would be enhanced through their attendance at the Workshop.

The Workshop takes place over two days, 28-29 September 1995, and costs \$400 per person. Specific funds have not been allocated from the Members of Council Conference Account, however a contingency amount is available to facilitate attendance.

It is considered appropriate that Council be represented by two Councillors to ensure effective representation at the future Gngangara Mound study.

Cr Magyar nominated Cr Waters.

Cr Wood nominated Cr Major.

Crs Waters and Major declared an interest in this item.

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

- 1 nominates Councillors Waters and Major to attend the Workshop at the 13th Australian Groundwater School to be held in Perth over the period 28-29 September 1995;
- 2 authorises the payment of related expenditure from Allocation 20006 - Members of Council Conferences Account.

CARRIED

Crs Waters and Major did not vote.

Appendix XVIII refers.

C408-08/95 NOMINATION FOR DANGEROUS GOODS LIAISON COMMITTEE
- MEMBER AND DEPUTY MEMBER - [312-2]

Due to a recent resignation in the Dangerous Goods Liaison Committee a vacancy has arisen for both a member and deputy member.

Council has been invited to nominate Members for these positions. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of Local Government.

The current membership of the committee is comprised of a number of diverse industries including the Department of Mines and Energy, DOHSA and the WA Farmers Federation. The terms of reference for the committee are to provide advice to the Minister for Mines in relation to dangerous goods legislation and to provide advice to the Department on the direction and strategies of the Explosives and Dangerous Goods Division.

There is no specific criteria for membership, however nominees should at least have an interest in the issues relating to dangerous goods.

Cr Lynn nominated Cr Major.

MOVED Cr Lynn, **SECONDED** Cr Curtis that Council nominates Cr Major for consideration of appointment to position of Member - Dangerous Goods Liaison Committee.

CARRIED

C409-08/95 APPOINTMENT OF ADVISORY COMMITTEE - CONNOLLY -
[324-13]

The Connolly Residents Association has written referring to a suggestion to establish a Committee comprising representatives of Council, Landcorp and the Association, concerning facilities in Connolly with particular reference to verges and fences on Fairway Circle.

As funds have now been provided in the recently adopted 1995/96 Budget to undertake various works in Connolly and Landcorp has previously agreed to fund the painting of fences in Fairway Circle, it is now appropriate to proceed to establish a "Committee".

The Association pointed out the suggestion of the "Committee" was raised at a meeting of the Association and was endorsed by Councillor Brian Cooper.

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

- 1 pursuant to the provisions of Section 180 of the Local Government Act, agrees to the appointment of an Advisory Committee comprising representatives of Council, Landcorp and the Connolly Residents Association to meet as and when required to advise Council on verge treatments and maintenance items for Connolly;
- 2 invites Landcorp and the Connolly Residents Association to nominate representatives (2) for appointment to the Advisory Committee;
- 3 appoints Councillors Dammers and Cooper to the Advisory Committee.

CARRIED

C410-08/95 REQUEST TO ATTEND NATIONAL GENERAL ASSEMBLY OF
LOCAL GOVERNMENT - [202-1-1]

The Australian Local Government Association (ALGA) has invited participation in the National General Assembly of Local Government to be held in Canberra over the period 12-15 November 1995.

The General Assembly will be debating the latest policy issues affecting Local Government, review and update the National Agenda for Australian Local Government, recommend ALGA priorities for the next 12 months and consider case studies of Councils putting the Agenda into effect.

In addition delegates will also have the opportunity to attend two special conferences on an area of special interest. Some of the topics covered include regional development, people and community, environment, transport and infrastructure and urban affairs.

The schedule of events is attached for information - Appendix XIX refers.

The course fee of \$450 plus accommodation of \$405 for 3 nights, together with the airfare of \$1,478 puts the total cost of attendance at \$2,333 per person.

Funds have been allocated in the 1995/96 Budget, within the Members of Council and General Administration Conference Accounts to facilitate attendance.

It is considered appropriate that Council be represented at the General Assembly by the Mayor, a Councillor and the Town Clerk.

Crs Cooper and Waters reported on the format of last year's National General Assembly and stated that it was impossible to attend all the workshops, as many were run concurrently. They suggested that a minimum of two Councillors and the Town Clerk attend this year's National General Assembly.

Cr Dammers nominated Cr Cooper.

Cr Lynn nominated Cr Waters.

Crs Dammers, Cooper and Waters and Mr R Coffey, Town Clerk declared an interest in this item.

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

- 1 nominates the Mayor, Councillors Cooper and Waters and the Town Clerk to attend the National General Assembly of Local Government to be held in Canberra over the period 12-15 November 1995;
- 2 authorises the payment of related expenditure from Allocation 20006 - Members of Council - Conferences and 20151 - General Administration Conferences, respectively.

CARRIED BY AN

Crs Dammers, Cooper and Waters did not vote.

Appendix XIX refers.

C411-08/95 REQUEST TO ATTEND PUBLIC LIBRARIES CONFERENCE
1995 - [202-1-1]

The Australian Library and Information Association has invited participation in the Public Libraries Conference 1995 to be held in Sydney over the period 12-15 November 1995.

The conference will look at the cultural, social, economic, educational and informational worth of local libraries, with the major theme being to show how the local public library is a vital link to the rest of the world. Various reports from the Cultural Minister's Council will be discussed, as well as a plan of action to show how to further develop Australia's network of public libraries.

The schedule of events is attached for information - Appendix XX refers.

The course fee is in the order of \$930 plus accommodation of \$720 for 4 nights, which together with the airfare of \$1,608 puts the total cost of attendance at \$3,258 per person.

Funds have been allocated in the 1995/96 Budget, within the Members of Council and General Administration Conference Accounts to facilitate attendance.

It is considered appropriate that Council be represented at the Public Libraries Conference by a Councillor and the Deputy City Librarian.

As Council is no doubt aware, a tender was let recently for construction of a new Mobile Library. The successful contractor is based in Melbourne and as such regular site visits will be required during construction. The Transport Manager advises fit-out stages should have commenced at the time of the Conference and it is considered appropriate to use this opportunity for the first Libraries Department site visit at this time.

The Deputy City Librarian is listed to attend the Conference. Mrs Caddy has relatives in Melbourne who would provide her accommodation. Additional costs for a Melbourne stopover for Mrs Caddy on the Friday prior to the Conference would involve approximately \$400 for airfares and three days living allowance of \$150.

The Town Clerk reported that a study tour was to be conducted immediately following the conference, at an extra cost of \$710.

Cr Waters nominated Cr O'Grady.

Cr O'Grady declared an interest in this item.

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

- 1 nominates Councillor O'Grady and the Deputy City Librarian to attend the Public Libraries Conference 1995 and two day study tour to be held in Sydney over the period 12-15 November 1995;
- 2 authorises the Deputy City Librarian to stopover and perform a site visit in Melbourne for the new Mobile Library;
- 3 authorises the payment of related expenditure from allocation 20006, Members of Council - Conference and 20151, General Administration - Conference Accounts.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Cr O'Grady did not vote.

Appendix XX refers.

C412-08/95 URBAN ANIMAL MANAGEMENT CONFERENCE - [202-1]

Urban Animal Management have invited participation in the Urban Animal Management Conference to be held in Melbourne over the period 1-3 November 1995.

The Conference covers a range of topics including designing parks for dog and non dog owners, new identification systems, clearing stray cat colonies and performance indicators for Urban Animal Management.

The schedule of events is attached for information - Appendix XXI refers.

The course fee of \$350 plus accommodation of \$432 for three nights together with the airfare of \$1,442 puts the total cost of attendance at \$2,224 per person.

Funds have been allocated in the 1995/96 Budget, within the Members of Council and General Administration Conference Accounts to facilitate attendance.

It is considered appropriate that Council be represented at the Conference by a Councillor and the Manager, Municipal Law and Fire Services (or his nominee).

At its meeting of 26 July 1995 (Item C375-07/95 refers) Council resolved to nominate Cr Lynn for consideration of appointment as the WAMA delegate to the AMREX Steering Committee. Subsequent to that resolution, WAMA has written to Council advising that the Executive have approached Cr Lynn to serve as an interim committee member until such time as an appointment is made - Appendix XXII refers.

Cr Waters nominated Cr Lynn.

Cr Lynn declared an interest in this Item.

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

- 1 nominates Councillor Lynn and the Manager, Municipal Law and Fire Services (or his nominee) to attend the Urban Animal Management Conference, to be held in Melbourne over the period 1-3 November 1995;
- 2 authorises the payment of related expenditure from allocation 20006, Members of Council - Conferences and 20151, General Administration Conferences, respectively.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Cr Lynn did not vote.

Appendices XXI and XXII refer.

**C413-08/95 NOMINATION FOR KEEP AUSTRALIA BEAUTIFUL COUNCIL
MEMBER AND DEPUTY MEMBER - [312-2]**

Following a recent term expiry of a previous member, a vacancy has arisen in the Keep Australia Beautiful Council, for both a member and deputy member.

Council has been invited to nominate Members for these positions. The selection of Council members will be conditional on the basis that nominees and delegates will resign when they are no longer elected members or serving officers of Local Government.

The current membership of the committee is comprised of a number of diverse industries including the Conservation Council of WA, Consumers Association and the Chamber of Commerce. The terms of reference for the committee are to educate, encourage recycling, develop community pride and promote litter law enforcement.

There is no specific criteria for membership, however nominees should at least have an interest in the issues relating to keeping Australia beautiful.

Cr Cooper nominated Cr Curtis.

Cr Lynn nominated Cr Wight.

MOVED Cr Cooper, **SECONDED** Cr Magyar that Council nominates Cr Curtis for consideration of appointment to the position of Member and Cr Wight for consideration of appointment to the position of Deputy Member - Keep Australia Beautiful Council.

CARRIED

C414-08/95 LEAVE OF ABSENCE - CR LYNN - [702-3]

Cr Lynn has requested Leave of Absence from Council duties for the period from 30 August 1995 to 30 September 1995 inclusive.

MOVED Cr Hall, **SECONDED** Cr Waters that Council approves the Leave of Absence requested by Cr Lynn for the period from 30 August 1995 to 30 September 1995 inclusive.

CARRIED

C415-08/95 LEAVE OF ABSENCE - CR WIGHT - [702-3]

Cr Wight has requested Leave of Absence from Council duties for the period from 24 September 1995 to 3 October 1995 inclusive.

MOVED Cr Wood, **SECONDED** Cr Taylor that Council approves the Leave of Absence requested by Cr Wight for the period from 24 September 1995 to 3 October 1995 inclusive.

CARRIED

C416-08/95 CHEMICAL TERMITE BARRIERS APPEALS - [865-2-2]

SUMMARY

At its meeting on 26 July, 1995, Council resolved to refuse applications where chemical termite barriers are proposed that do not provide for effective re-treatment of the soil (TS226-07/95 refers). The Minister for Local Government has upheld a number of appeals against Councils refusal of the chemical treatment. It is considered that the Minister should be advised of Councils concerns.

BACKGROUND

For each appeal lodged, the response to the Ministers questionnaire is shown on Attachment 'A' pages 1 to 3. The advice from the Minister to the applicant that the appeal was upheld is shown on page 4 of Attachment 'A'.

Council's attention is drawn to the conditions of approval imposed by the Minister which do not address the re-treatment of the underside of the floor slab where the treatment breaks down and infestation occurs.

ASSESSMENT

Council has obtained a legal opinion from its solicitors which indicates that if Council was to approve a chemical barrier system that had a latent defect there would be a good basis for a claim of negligence against Council. Also that Council at common law owes a duty of care to ensure current and future owners of the dwelling do not suffer damage which is reasonably foreseeable to Council at the time approval was given.

If Council was to approve applications for the use of a chemical barrier on the basis that appeals had been upheld by the Minister it would be held responsible in the event of termite infestation and damage occurring. This is because the Minister's decision in considering appeals doesn't create a precedent.

The number of appeals is quite high. Those builders that wish to treat the soil with termiticide without providing a means of re-treatment will need to appeal if Council maintains its current position. The appeal process is time consuming. A further concern is that if the Minister continues to uphold appeals, future owners may be unprotected in the event of the chemical barrier breaking down.

It is considered that these concerns should be referred to the Minister for Local Government and those authorities involved in the current legislation, the Standards Association Committees who framed As 3660.1 - 1995 - Protection of buildings from subterranean termites, the Western Australian Municipal Association who recently distributed a questionnaire on the chemical treatment, the National Registration Authority for Agricultural and Veterinary Chemicals who approved the use of the termiticide and the Australian Building Codes Board

CITY BUILDING SURVEYOR'S REPORT recommended that Council writes to the Minister for Local Government, Standards Association of Australia, Western Australian Municipal Association, the National Registration Authority and the Australian Building Codes Board, voicing its concerns about chemical treatment

systems that do not provide for re-treatment and Council's duty of care and the common law obligations.

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

- 1 Council writes to the Minister for Local Government, Standards Association of Australia, Western Australian Municipal Association, the National Registration Authority and the Australian Building Codes Board, voicing its concerns about chemical treatment systems that do not provide for re-treatment and Council's duty of care and the common law obligations;
- 2 a report be submitted to Council on possible ways of ensuring future owners of dwellings are made aware of the status of termite treatment undertaken.

CARRIED

Appendix XXIII refers.

C417-08/95 **PROPOSED HYDROPONIC SHADEHOUSES - LOT 7 (12)**
DIMITRIOS COURT, HOCKING - N & S TRANDOS -
[30/266]

BACKGROUND

At its meeting on 22 March 1995 (TP63-02/95) Council refused a similar application on this lot for the following reasons:

- 1 The proposed use is considered to be a rural use which is not a use ancillary to the residential use of Lot 7.
- 2 The structures concerned are excessively large and their obtrusive nature will have a detrimental effect on the amenity of the residential neighbourhood.
- 3 Residents in Dimitrios Court have raised valid objections against the proposal.

Residents of Dimitrios Court were contacted and four complaints were received.

The applicants appealed to the Town Planning Appeals Tribunal against Council's decision but the hearing was deferred pending a voluntary conference. At that conference a possible compromise was discussed and has been incorporated in a fresh application received on 3 August 1995.

APPLICATION

This application differs from the previous one in that the two proposed shadehouses have been reduced in height from 4.2 metres to 3.2 metres, have been set back 4.0 metres in place of 2.0 metres from the boundaries and provided with screening by conifers and passionfruit vines on trellis, and the applicants seek approval for three years only.

The application has been distributed to the residents in Dimitrios Court and four objections have again been received (see Attachment No 1). The grounds for objection raised are:

- 1 The use is not suitable for a residential area;
- 2 approval would set a precedent for further approvals;
- 3 the applicant could accommodate the use on his rural property;
- 4 possible increase in traffic;
- 5 visual intrusion even though measures have been taken to minimise this.

One objector demands the rates be changed to agricultural if this use is approved and requests that the existing shadehouse frames be removed.

ASSESSMENT

The site is included in the Residential Development zone and a rural use is not permitted in this zone without Council's approval. When Town Planning Scheme No 1 was devised, the Residential Development zone was included as a transitional zone to accommodate all of the various uses likely to occur in an area undergoing rapid development. After development has occurred the zone should be replaced with more specific zones but this has not been done in this instance.

Ideally, this use would be better located in a rural area but the applicant has proposed significant changes to the proposal to decrease the impact on the amenity of the area. If this compromise proposal is refused the Tribunal will proceed to hear the appeal and could approve the proposal as previously submitted, approve a development similar to this proposal or dismiss the appeal.

MOVED Cr Cooper, **SECONDED** Cr Magyar that Council approves the development application submitted by N and S Trandos for hydroponics shadehouses on Lot 7 (12) Dimitrios Court, Hocking, subject to:

1the hydroponics shadehouses being removed no later than three years from the date of this approval;

2the applicants entering into a legal agreement to Council's satisfaction to remove the hydroponics shadehouses as required under Condition 1;

3 planting of advanced trees to the satisfaction of the City Parks Manager;

4 standard and appropriate development conditions.

CARRIED

Appendix XXIV refers.

C418-08/95 POSITION - TOWN CLERK - [702-0]

MOVED Cr O'Grady, **SECONDED** Cr Wood that consideration of this matter be held behind closed doors.

CARRIED

C419 -08/95 CATERING CONTRACT - [208-038-95/96]

MOVED Cr O'Grady, **SECONDED** Cr Wood that consideration of this matter be held behind closed doors.

CARRIED

C420-08/95 CITY ENVIRONMENTAL HEALTH MANAGER - APPOINTMENT - [404-0]

MOVED Cr O'Grady, **SECONDED** Cr Wood that consideration of this matter be held behind closed doors.

CARRIED

MOTIONS FOR FURTHER ACTION

Nil

MOTIONS FOR REPORT

C421-08/95 SITE OFFICES - WHITFORD CINEMA DEVELOPMENT, WHITFORDS AVENUE, HILLARYS - [30/300]

Cr Freame requested that a report be submitted to Technical Services Committee on the feasibility and legal ramifications of Council permitting the developers of Whitford Cinema Complex to install site offices on road verges adjoining the construction site.

Cr Cooper declared an interest in this Item.

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

- 1 a report be submitted to Technical Services Committee on the feasibility and legal ramifications of Council permitting the developers of Whitford Cinema Complex to install site offices on road verges adjoining the construction site;
- 2 Council delegates power to Technical Services Committee to approve the installation of site offices on road verges for the Whitford Cinema Complex where necessary, subject to there being no legal ramifications and the developers entering into a written agreement to move the site offices should this be required.

CARRIED

Cr Cooper did not vote.

C422-08/95 NARROW FORESHORE ON CITY OF WANNEROO STRUCTURE PLANS - [765-12]

Cr Magyar requested that a report be submitted to Council on what action Council can take to remedy the inadequacies of the narrow foreshore reserve that the State Government has imposed on the future structure plans in Wanneroo.

RESOLVED that a report be submitted to Council on what action Council can take to remedy the inadequacies of the narrow foreshore reserve that the State Government has imposed on the future structure plans in Wanneroo.

C423-08/95 DOG EXERCISE PARKS - [250-1]

Cr Freame requested a report be submitted to Council on the feasibility of introducing "children free" parks where dogs can be exercised and children are cautioned not to play as this is a "dog exercise area".

RESOLVED that a report be submitted to Council on the feasibility of introducing "children free" parks where dogs can be exercised and children are cautioned not to play as this is a "dog exercise area".

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

C424-08/95 NOTICE OF MOTION - CR MAGYAR - [702-0, 745-4]

Cr Magyar has given notice of his intention to move the following Motion at the Council meeting to be held on 23 August 1995:

"That Council does not allow the development of further recreation or sporting facilities on Craigie Open Space".

Cr Magyar advised he wished to withdraw his original motion and replace it with "that Council saves for future generations the natural and historical heritage area of Craigie Open Space".

MOVED Cr Magyar, **SECONDED** Cr Curtis that Council saves for future generations the natural and historical heritage area of Craigie Open Space.

LOST

A Division was called with the following result:

In Favour of the MOTION: Crs Magyar, Curtis and Major

Against the MOTION: Crs Dammers, Freame, O'Grady, Waters, Taylor, Moloney, Wood, Lynn, Hall, Cooper and Wight

The Mayor declared the MOTION

LOST BY DIVISION

C425-08/95 NOTICE OF MOTION - CR O'GRADY - [702-0, 510-342]

Cr O'Grady has given notice of her intention to move a Motion to rescind Council's resolution in relation to item TP264-07/95 - Proposed Increase in Fence Height: Hurst Trail, Clarkson - at the next Ordinary Meeting of Council to be held on Wednesday 23 August 1995.

ADDITIONAL INFORMATION

The City Planner submitted the following information for Council's consideration.

3When the engineering drawings were released by the City Engineer in late December 1989, Hurst Trail's cul-de-sac interface with Hester Avenue was approved on the basis of a pine log post and rail fence which did not deny public access.

4The City Planner has been unable to determine what authority was given, if any, to the filling-in of the cul-de-sac head by LandCorp. There appears to be no liaison with the City prior to its installation. It is also difficult to determine when the fence on the cul-de-sac head was built.

5LandCorp's recollection of the matter was that after the sale of the land and the establishment of some of the residences, the purchasers requested the filling of the cul-de-sac head from a safety and residential amenity point of view.

6Discussions with McLeod & Company, Council's solicitors, indicate that Council is quite able to approve a fence to restrict pedestrian access, if it so wishes, between the two road reserves, ie Hurst Trail and Hester Avenue.

The subdivisional design intended that there be no vehicle access and that has been maintained, however with the issue of the engineering drawings determined that public access (pedestrian access) would not be restricted.

7Prior to the Merriwa Primary School being established, the Merriwa children were required to attend the Clarkson Primary School which had been built, and this may have been the reason for some of the pedestrian movement between Clarkson and Merriwa residential areas. Merriwa now has its own primary school, hence some of the pedestrian movement would have declined.

8There is provision, in the long term, for an underpass to be established between Willoughby Retreat and Merriwa residential area to the north.

Therefore, Council, if it wishes, may:

.1Leave the existing low fence as is currently constructed, which the residents have experienced over the past five years or so, however, Council will need to resolve that it accepts the fence remaining.

.2Require the removal of the fence in accordance with the engineering drawings issued in 1989.

.3Leave the majority of the fence at the cul-de-sac head in place and open a short section for pedestrian movement and install a pathway between Hurst Trail and Hester Avenue.

.4Allow the raising of the fence to the standard height along Hester Avenue. This would also require Council's resolution to leave the fence in that location.

MOVED Cr O'Grady, **SECONDED** Cr Waters that Council rescinds its Resolution TP264-07/95, viz:

"That Council:

- 1 does not support the request by the residents of Hurst Trail, Clarkson, for increasing the height of the fencing at the head of this cul-de-sac as this would:
 - (a) further compromise this important link in the pedestrian/cycle network for this area;
 - (b) result in the loss of the only break in a continuous length of high uniform fencing along Hester Avenue for a distance of around 800 metres;
- 2 authorises the City Engineer to arrange for the removal of a portion of the subject fence and construction of an access path between the road pavement of Hurst Trail and the dual use paths on either side of Hester Avenue."

CARRIED

MOVED Cr O'Grady, **SECONDED** Cr Waters that Council accepts that the existing low fence as currently constructed in Hurst Trail, Clarkson, which the residents have experienced over the past five years or so, remain.

CARRIED

Cr Major dissented.

NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING

Nil

Cr Wight left the Chamber at this point, the time being 11.05 pm.

PUBLIC QUESTION/COMMENT TIME

Cr Waters left the Chamber at this point, the time being 11.07 pm.

THERE THEN FOLLOWED A 15-MINUTE PERIOD OF QUESTION/COMMENT TIME, DURING WHICH QUESTIONS WERE PUT OR COMMENTS MADE BY THE PUBLIC ON BUSINESS DISCUSSED DURING THE COURSE OF THE MEETING.

Crs Wight and Waters entered the Chamber at this point the time being 11.12 pm.

MOVED Cr O'Grady, **SECONDED** Cr Wood that the Meeting be held behind closed doors, the time being 11.16 pm.

CARRIED

The public and members of the press left the Chamber at this point.

Cr Taylor left the Chamber at this point, the time being 11.17 pm.

CONFIDENTIAL BUSINESS

C418-08/95 POSITION - TOWN CLERK - [702-0]

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

- 1 TOWN CLERK'S MEMORANDUM (attached hereto in the Minute Book - Appendix XXV refers) be received;
- 2 Council advertises widely throughout Australia inviting applications for consideration for appointment to the position of Town Clerk of the City of Wanneroo under the following terms:
 - (a) remuneration package \$150,000 (negotiable);
 - (b) five (5) years performance based contract commencing 6 July 1996;
 - (c) a remuneration package being negotiated for a period of approximately four (4) months commencing February/March 1996 such period being for familiarisation purposes and to undertake a review of the management structure.

CARRIED

Appendix XXV refers

Cr Taylor entered the Chamber at this point, the time being 11.18 pm.

C420-08/95 CITY ENVIRONMENTAL HEALTH MANAGER - APPOINTMENT - [404-0]

At its meeting on Wednesday, 31 May 1995 Council delegated to the Sub Committee as recommended under Town Clerk's Report Item C275-05/95, i.e. the Mayor, Councillor Dammers, Councillors Freame, Cooper and Major to interview and recommend an appointment for the position of City Environmental Health Manager.

The position which was widely advertised throughout Australia attracted seventeen (17) applications. Initially, a short list of four (4) have been selected for interview and it is anticipated a recommendation could be determined within a few days.

As the next ordinary meeting of Council is not until Wednesday, 27 September, it is suggested Council delegate to the Sub Committee to make an appointment to the position of City Environmental Health Manager.

Standing Order By Law 199 provides that Council may by resolution, delegate the power of interview and appointment to a Sub Committee or to the Town Clerk.

MOVED Cr Wood, **SECONDED** Cr Lynn that Council delegates power to the sub-committee comprising the Mayor, Crs Freame, Cooper, Major and the Town Clerk to make an appointment to the position of City Environmental Health Manager.

CARRIED

C419-08/95 CATERING CONTRACT - [208-038-95/96]

MOVED Cr Wood, **SECONDED** Cr Lynn that:

- 1 DEPUTY TOWN CLERK'S MEMORANDUM (attached hereto in the Minute Book - Appendix XXVI refers) be received;
- 2 Council accepts the tender from Beaumonde Catering for the provision of catering services over the period 1 September 1995 to 31 August 1996, with an option to extend for twelve months.

CARRIED

Appendix XXVI refers

MOVED Cr Wood, **SECONDED** Cr Taylor that the Meeting be held with the doors open.

CARRIED

DATE OF NEXT MEETING

The next Ordinary Meeting of Council has been scheduled for **WEDNESDAY 27 SEPTEMBER 1995.**

CLOSE OF BUSINESS

