

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, 25 OCTOBER 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
	L A EWEN-CHAPPELL	Central Ward
	S P MAGYAR	Central Ward
	B J MOLONEY	South Ward
	A W WIGHT	South Ward
	A B HALL from 7.48 pm	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
Deputy City Planner:	J G HUMPHREYS
City Engineer:	R MCNALLY
City Treasurer:	J B TURKINGTON
City Building Surveyor:	R G FISCHER
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:	L TAYLOR

In Attendance

Mr Peter Kyle - to 8.47 pm
Mr Gary Martin - to 8.47 pm

An apology for absence was tendered by Cr Wood.

There were 46 members of the Public and 3 members of the Press in attendance.

The Mayor declared the meeting open at 7.30 pm.

MINUTES OF COUNCIL MEETING, 27 SEPTEMBER 1995

This item was deferred for consideration later in the Meeting, following the Address by Mr Peter Kyle.

SUSPENSION OF STANDING ORDERS

The Mayor, Cr Arnold Dammers, proposed that Council suspend Standing Orders to allow Mr Peter Kyle to address Council and take questions in respect of the reconstituted Inquiry into the City of Wanneroo.

MOVED Cr Taylor, **SECONDED** Cr Moloney that Standing Orders be suspended, to allow Mr Peter Kyle to address Council and take questions in respect of the reconstituted Inquiry into the City of Wanneroo.

CARRIED

ADDRESS BY MR PETER KYLE - INQUIRY INTO THE CITY OF WANNEROO - [702-0]

Mr Peter Kyle gave his thanks for the opportunity to address Council. He stated he had the highest regard for the institution of local government and believed it important that he pay proper and due regard to the status of Council, and that it be recognised as the legitimate and proper authority for good government of the City of Wanneroo. Mr Kyle stated that in compiling his report, which was to be submitted to the Minister by 31 January 1996, he did not want to interfere with the running of the Council.

Mr Kyle said that the Terms of Reference for the Inquiry were the same as those set for his previous Inquiry. He further advised that the objective of the current Inquiry is to determine the nature and extent of any past corruption within the City of Wanneroo, and assured Council that this Inquiry will provide an answer to each and every allegation levelled in any way within the Terms of Reference. He stressed that this Inquiry is an Inquiry into historical facts and not of the current Council.

Mr Kyle referred to the public perception over the past few months that there is still something wrong with the City of Wanneroo or, at least, with the Council of the City of Wanneroo. He regretted his previous report written in 1992 had left

certain matters unclear and led to more questions being asked, however during that period the central figure had not been available to assist in his enquiries.

He advised of his appointment under Section 683 of the Local Government Act, which allows the Minister for Local Government to appoint a person to enquire into any matter relating to local government, and grants the person so appointed with the powers of a Royal Commissioner.

Cr Hall entered the Chamber at this point, the time being 7.48 pm.

There then followed a period of question time, to allow Councillors and Members of the Public to ask questions of Mr Kyle in relation to the continued Inquiry into the City of Wanneroo.

The following questions were raised by Councillors:

Cr Cooper asked whether, at the end of the Inquiry, Mr Kyle will be satisfied with the findings and will Council have a clean bill of health. He further asked whether the Government had put any constraints on Mr Kyle, as it would be very damaging for Council if, at the end of the Inquiry, allegations and innuendos continued.

Mr Kyle replied that the resources put at his disposal were unlimited and believed his only problem might be in relation to the time limit imposed on reporting back to the Minister by 31 January 1996.

Cr Cooper suggested that perhaps Council should resolved to write to the Government requesting that Mr Kyle be given adequate time in order to report properly. Mr Kyle added that at this point, he was not seeking an extension of time.

Cr Curtis asked confirmation on whether this Inquiry will be held both in public and in camera.

Mr Kyle stated that the Inquiry would be held in public wherever possible, however he believed it unfair to put a person in a position where they may be sued for answering. He said that in cases where allegations were proposed to be made, which are at that stage unsubstantiated, then such a statement should not be given in public. However there are, or should be, occasions when it is important that the public and media see the process is fair and complete. He further stressed however that should evidence be given in public which may be damaging to someone, he had the power under the Royal Commissions Act to restrain any person from reporting such evidence.

Cr Curtis asked Mr Kyle whether he believed the terms of reference for the Inquiry are fair in what he wished to achieve.

Mr Kyle said he did believe they were adequate and fair and referred to the wording of the last item within the terms of reference which allowed this Inquiry to investigate any matter connected with the City of Wanneroo.

Cr Cooper questioned whether, given that Mr Kyle's appointment affords him the powers to prevent such publication, would he be in a position of forbidding a particular matter being discussed in Parliament.

Mr Kyle indicated that he did not propose to interfere with the rights of Members of Parliament and believes that the status of both Parliament and Council should be preserved throughout the Inquiry. He added that whilst the question raised some areas of legal and political uncertainty, he did not feel constrained in his role by such issues.

Cr Freame queried whether access to documents and evidence from the previous Inquiry would be available for this Inquiry.

Mr Kyle answered that it would, and that there will be no restriction in a documentary sense. To give some indication of the magnitude of the task, he advised that there was upwards of one million documents which would require to be looked at.

At the conclusion of Councillors' questions, the following members of the public raised questions in relation to the Inquiry and responses were given by Mr Kyle:

Mr Charles Highland, JP:	matters relating to Whitford Senior Citizens Centre;
Mr Nick Trandos, OAM, JP:	ways of ensuring answers are received to questions asked during Inquiry;
Ms Jill Brown:	feasibility of extension of investigation period back to 1980; protection to witnesses giving evidence;
Mr Vic Harman;	the effect legal action between Mr P Kyle and C Edwardes would have on the Inquiry;
Mr Noel Gannon:	commencement of powers under Royal Commissions Act in relation to impounding documentation; powers in relation to immunity from prosecution;
Mrs Audrey Hine:	extent of current Inquiry.

Town Clerk then submitted the following question on behalf of Mrs A Hine of 134 Dundobar Road, Wanneroo for a response by Mr Kyle:

Q1 Sir - How important to the public is it to be seen accountable in the retention processes in Minute keeping?

Do you agree Sir, Mr Kyle?

A1 To my mind it is very important that official proceedings and processes behind the scenes of councils and their administration be properly recorded and those records be properly kept and that those records be available, generally speaking, for perusal to show that matters have been properly recorded.

However, I am not aware of any matter at this stage at least, that relates to the process of Minute keeping or record keeping by the Council insofar as my Inquiry is concerned. So I don't know that it is particularly relevant, at least within my knowledge at the moment. However, I did say in a report on another Inquiry into another local council quite a good deal about the business of record keeping.

Q2 Minutes are supposed to be the prima facie evidence a meeting was held and of business transacted by Council.

Minutes of meetings are not purely an internal record for Councillors and staff but a most important document for electors of the district and the public.

An essential element of property minute recording is that decisions made are clearly understandable to a Reader who was not present at the meeting, at some future time. This requires the decisions to be precise and the information on which the decision was reached to be understandable and comprehensive.

Should Council pass a resolution, when minutes are seen to be incorrect or not quite accurate? Should that then be changed in the Minutes?

A2 I firmly believe that first of all that minutes of Council meetings are part of the public record of the history of Western Australia. This is an official public body and anything it does within a formally constituted meeting is part of the record of the history of the State. It is therefore important that it be kept for that reason alone. It is also important that it be

kept so that the Council can be accountable. I agree that Minutes should be written in a manner that allows the outsider who was not present at the meeting to understand what the Minute means. That is not often done in local government circles, I know. I do not know what is done here but I firmly believe that Minutes need to be far better kept than they are generally throughout local government in this State.

In relation to the question "Should Council pass a resolution, when minutes are seen to be incorrect or not quite accurate? Should that then be changed in the Minutes?" Yes, of course. The objective of the Motion which requires the Council to approve the Minutes of the previous meeting is to ensure that the Council accepts that they are correct. There would not be much point in approving Minutes if they were not correct. And if a Councillor believes they are not, then of course he or she should move an amendment to that Motion to say that the Minutes be approved with the exception of these matters that should be corrected. And if the Council agrees with him or her then that is what would happen. The resolution would be on the books of the Council for the subsequent meeting and the record would be accurate.

Once again, it has got nothing to do with my Inquiry.

Q3 Ref No. Page 3 27.9.95
 C.428-9/95

Will this inquiry into the City of Wanneroo be open to the public and will they have protection of a Royal Commission? and has Mr Kyle got the power to persuade the government that a closed inquiry will be perceived to hide the true facts?

A3 Mrs Hine, I think you will probably agree I have answered that.

There being no further questions the Mayor thanked Mr Kyle for addressing Council.

Mr Peter Kyle and Mr Gary Martin left the Chamber at this point, the time being 8.47 pm.

MOVED Cr Magyar, **SECONDED** Cr O'Grady that Standing Orders be resumed, the time being 8.48 pm.

CARRIED

Town Clerk submitted a following letter dated 25 October 1995 from the Hon Paul D Omodei MLA, Minister for Local Government:

"Dear Mr Coffey

I refer to the visit by Departmental liaison officers, Messrs Forrest and Crothers regarding complaints by Councillors Taylor and Waters concerning the ordinary meeting of Council of 27 September 1995.

I enclose for the information of Council the departmental report (Appendix XXXI refers) and I would appreciate if you would make the report available to all Councillors.

I would also welcome your comments on the report when you have had an opportunity to consider its contents.

Yours sincerely
Paul D Omodei, MLA
Minister for Local Government"

The concern relates to Council's consideration of Item "Requests for Documents - [702-0]" at its Ordinary Meeting of 27 September 1995 and the minute of the discussion.

Debate ensued.

MOVED Cr Taylor, **SECONDED** Cr Waters that the Minutes of Council Meeting held 27 September 1995, be confirmed as a true and correct record with the exception of Item "Requests for Documents - [702-0]", as shown on Page 134.

LOST

A Division was called with the following result:

In Favour of the MOTION: Crs Taylor, Waters, Lynn, Curtis, Major and Wight.

Against the MOTION: Crs Dammers, Freame, O'Grady, Cooper, Magyar, Moloney, Hall and Ewen-Chappell.

The Mayor declared the MOTION

LOST BY DIVISION

MOVED Cr Cooper, **SECONDED** Cr Ewen-Chappell that the Minutes of Council Meeting held 27 September 1995, be confirmed as a true and correct record.

CARRIED

Appendix XXXI refers

MOVED Cr Cooper, **SECONDED** Cr Hall that Council moves a vote of confidence in the Town Clerk, his handling of the Minutes and the general administration of the City of Wanneroo.

CARRIED UNANIMOUSLY

QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN, WITHOUT DISCUSSION

Cr Waters submitted the following questions for the Council meeting of 25 October 1995:

- Q1 Who authorised the verbal agreement between the Wanneroo Coffee Lounge and the Council for the use of the kitchen at the Aquamotion Centre Wanneroo?
- A1 In September 1993, the proprietor of Wanneroo Coffee Lounge approached the Recreation Facilities Manager at Aquamotion with a proposal to operate a kiosk service during the October school vacation period. The details of the proposal were negotiated between the two parties and arrangements were confirmed in writing. Similar agreements have continued each year during various holiday periods. The City Recreation and Cultural Services Manager authorised these arrangements.
- Q2 What payments, if any, are made by the Wanneroo Coffee Lounge for the use of the kitchen?
- A2 A ten percent commission on all products sold is paid to Aquamotion at the conclusion of each vacation period. The commission is calculated from the cash register tape.
- Q3 Does the Aquamotion kitchen meet current health regulations?
- A3 Currently this kitchen is suitable for limited food preparation as a 'Class 3' food premises, eg delicatessen/sandwich bar (lunches) or a lunch bar (sandwich making, heating and serving food).

A Class 3 premises is one which:

- (a) limited food preparation is carried out including heating of food for sale;
- (b) most of the food used is in a prepared form and requires only refrigerated or dry storage; or
- (c) the nature of the activity demands basic finishes and fixtures.

It is understood that the two recent proponents of this premises both wish to engage in extensive food preparation and cooking using foods which are subject to spoilage, rapid bacterial growth and require a high level of protection. EG: sandwiches, burgers, (egg, ham, beef, etc), fried meats, chips, etc and various pastry items.

This would change the premises classification to a Class 1 which would require the following upgrading:

- (a) Extend current wall tiling to full height of walls.
- (b) Upgrade handbasin taps so they can be operated other than by hand.
- (c) Install storage lockers in the existing change rooms for staff clothing, footwear and personal effects.

Q4 Does the business operating from the kitchen at the Aquamotion Centre have adequate public liability insurance?

A4 The letter forwarded to the proprietor of Wanneroo Coffee Lounge in September 1993 states in part "Wanneroo Coffee Lounge is responsible for all insurance pertaining to the staff servicing Aquamotion." However, I am not aware of the extent of the public liability cover.

Q5 Have these documents been sighted by Council?

A5 No.

Q6 If not, who would be responsible for any accident or illness connected to the kitchen at Aquamotion Wanneroo?

A6 As the staff are employed by the proprietor of Wanneroo Coffee Lounge, the proprietor would assume this responsibility.

Q7 After the Council meeting at which the lease of the kitchen at the Aquamotion Centre was deferred, what offers were made to the owner of the Wanneroo Coffee Lounge to placate him for Council's decision?

A7 The original recommendation which appeared in the agenda for the Council meeting on 27 September 1995 indicated

that Council, subject to Ministerial approval, under Section 267 of the Local Government Act, awards a "Licence to Occupy" at a fee of \$185 per week to the Wanneroo Coffee Lounge, as payment for the hire of the kiosk facility in accordance with the Licence forming attachment 3 to Report CS171-09/95 subject to planning approval being granted.

The proprietor became aware of this recommendation following the circulation of the Council agenda. It is understood that he believed he would be in a position to commence his arrangements with Benara Nurseries on Monday, 2 October 1995. He was present at the Council meeting on 27 September 1995 when the above recommendation was deferred.

At the conclusion of the meeting (behind closed doors) Council gave the Town Clerk authority to negotiate with the proprietor to solve the problem caused by the deferral.

The City Recreation and Cultural Services Manager, Recreation Services Co-ordinator and Aquamotion Manager, met with the proprietor and his wife on Friday, 29 September 1995 to clarify the position and attempt to resolve the situation. They strongly believed that Council should allow them to continue in the kiosk following the conclusion of the holiday period, as it would be extremely difficult for them to continue the service to Benara Nurseries from the Wanneroo Coffee Lounge. It was finally decided that a meeting be arranged with the Town Clerk. That discussion took place on 3 October 1995.

During these discussions, the proprietor was informed that whilst Council would like to assist him with a venue to service Benara Nurseries prior to the tender process, it would be inappropriate for Council to allow him to continue at Aquamotion following the conclusion of the school holidays. The proprietor then asked whether any other facilities could be made available during the interim period.

Two possible locations were suggested: Ocean Ridge Community Centre; and the "meals on wheels" kitchen at Mildenhall Senior Citizens Centre. Arrangements were subsequently made with the proprietor to inspect these venues; however, both options were considered unsuitable for various reasons.

Although the proprietor believed that Council should allow him to operate a service at Aquamotion when the school holidays are over, the City Recreation and Cultural Services Manager had no alternative but to recommend to Council that the proprietor of the Wanneroo Coffee Lounge be advised that it would be inappropriate for any person to be conducting a business out of the Aquamotion kiosk while the tender process is occurring.

Q8 Who made the offer?

A8 No offer has been made to allow the proprietor to use Aquamotion kiosk following the expiration of the school holiday arrangements.

Q9 By what authority was the offer made?

A9 Council did authorise the Town Clerk to attempt to provide a venue for the proprietor; however, it was subsequently decided that use of Aquamotion would be inappropriate and, as previously noted, alternative venues were considered unsuitable.

Q10 Has this offer come before Council for authorisation?

A10 No offer has been made, apart from the use of Aquamotion during the recent school holiday period.

Q11 If not, why not?

A11 Because alternative venues were unsuitable to the proprietor and use of Aquamotion Wanneroo was considered inappropriate.

Q12 What equipment in the kitchen of the Aquamotion Centre is the property of the City of Wanneroo?

A12 . Woodson Cat 152TN Double Pan Fryer
. Woodson 4x1 Hot Food Bar
. Woodson Cat 20T Toaster
. Woodson Cat M3 Hog Dog Unit
. Woodson Cat 505 Solid Grill
. Stainless Steel Bench with upstand at rear -
. Galvanised shelf under 1850l x 600w x 900h
. Cool Room shelving 2 x 1000l x 500w
. Woodson Cat RWD single Milk Shaker
. Woodson Cat LT20 20lt Urn

Q13 Is a rental paid by the current user of the kitchen for the use of this equipment?

- A13 The kiosk is, at present, used only during the school holidays. The fee for use of the kiosk is 10% commission on all products, as detailed in the answer to question two.
- Q14 If the current user of the kitchen is not using the equipment, why has this asset not been disposed of by way of sale?
- A14 Irrespective of the answer to Question 13, it was always envisaged that there would, at some stage, be sufficient patronage of Aquamotion to justify reopening the kiosk on a permanent basis.
- Q15 When will the lease of the kitchen at the Aquamotion Centre come before Council again?
- A15 The proposal to lease the kiosk will come before Council this month and, assuming this is endorsed, there will be a tender period with a report to Council in December 1995.
- Q16 Is it not the case that Council's decision to defer the lease of the kitchen at the Aquamotion Centre, Wanneroo, has been breached by allowing the Wanneroo Coffee Lounge to use these premises?
- A16 No. Wanneroo Coffee Lounge is using the kiosk to service pool patrons during the school holidays. This agreement is entirely separate to the proposed tendering of the Aquamotion kiosk lease.

QUESTIONS OF WHICH NOTICE HAS NOT BEEN GIVEN, WITHOUT DISCUSSION

Cr Waters referred to "Questions of Which Due Notice has been Given, Without Discussion" previously submitted (Page 5 hereto refers). With Reference to Question 12, she had been informed that the list of kitchen equipment of the Aquamotion Centre, being the property of the City of Wanneroo, should include a freezer, and believed this had been omitted.

The Town Clerk advised he would investigate this matter.

Cr Lynn asked the City Engineer when work would commenced to reinstate the pathways onto the beaches which have been damaged by erosion due to winter weather.

The City Engineer advised that work has commenced and would be a very lengthy process.

ANNOUNCEMENTS BY THE MAYOR, WITHOUT DISCUSSION

PERRY'S PADDOCK PICNIC DAY

The Fourth Annual Council-sponsored modern day Perry's Paddock Picnic last Sunday was a resounding success.

The weather was magnificent and people turned out in their thousands to enjoy the pleasures of an old fashioned picnic day.

Environment Minister, the Hon Peter Foss unveiled the draft development and management plan for the proposed historic village and this document is now available for public comment with the closing date on 20 November.

Many thanks go to the hard working committee whose members all take on the responsibility of organising separate areas such as the running races, tug-of-war, school room activities or horse events, plus many others.

SENIORS WEEK

Council's contribution to this year's Seniors Week celebration increased substantially with staff members helping senior citizens organisations mount a display at the Great Space at Lakeside Joondalup Shopping City.

Cr Fleur Freame officially opened the display on the Monday and it was my pleasure to present the trophies to the winners of the Seniors Golf Tournament at Marangaroo Golf Course on Wednesday.

MISS WANNEROO SHOW GIRL

Last week at the Wanneroo Agricultural Society's annual dinner dance I enjoyed one of the perks of the Mayoral job, that of announcing the winner of Miss Wanneroo Show Girl.

She is 18-year-old Betty Jambanis of Carabooda, who is a legal secretary in Joondalup and a member of a pioneering market garden family.

PETITIONS, MEMORIALS AND DEPUTATIONS

C477-10/95 LETTER OPPOSING CONVENIENCE STORE - MARINA
BOULEVARD, OCEAN REEF - [30/2355]

Cr Cooper submitted a letter from Ocean Reef Residents Association opposing the proposed convenience store in Marina Boulevard, Ocean Reef.

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

MOVED Cr Freame, **SECONDED** Cr O'Grady that the letter from Ocean Reef Residents Association opposing the proposed convenience store in Marina Boulevard, Ocean Reef be received and referred to Town Planning Department for a report to Council.

CARRIED

C478-10/95 LETTER REQUESTING RETENTION OF BUSHLAND - KORELLA PARK - [061-200]

Cr Magyar submitted a letter from Mullaloo Beach Primary School requesting retention of the bushland in Korella Park.

This letter will be referred to Parks Department for action.

MOVED Cr Freame, **SECONDED** Cr O'Grady that the letter from Mullaloo Beach Primary School requesting retention of the bushland in Korella Park be received and referred to Parks Department for action.

CARRIED

C479-10/95 LETTER REQUESTING PROVISION OF BUS SHELTER AND SEAT - DAMPER AVENUE, KALLAROO - [510-1141]

Cr Curtis submitted a letter from St Ives Northshore Residents' Association Inc requesting the provision of a bus shelter and seat at the bus stop in Dampier Avenue, Kallaroo.

This letter will be referred to Engineering Department for action.

MOVED Cr Freame, **SECONDED** Cr O'Grady that the letter from St Ives Northshore Residents' Association Inc requesting the provision of a bus shelter and seat at the bus stop in Dampier Avenue, Kallaroo be received and referred to Engineering Department for action.

CARRIED

C480-10/95 LETTER REQUESTING COMPENSATION FOR REMOVAL OF TREE STUMP - [808/515/1]

Cr Curtis submitted a letter from A and G Watson of Hillarys requesting compensation for removal of a tree stump outside their property.

This letter will be referred to Parks Department for action.

MOVED Cr Freame, **SECONDED** Cr O'Grady that the letter from A and G Watson of Hillarys requesting compensation for removal of a

tree stump outside their property be received and referred to Parks Department for action.

CARRIED

NAVAL RESERVE ANNUAL PRESENTATION PARADE - FREMANTLE - [426-3]

Cr Freame advised she had the pleasure to represent the Mayor at the Naval Reserve Annual Presentation Parade at Fremantle. She announced that our own TS Marmion won two prestigious awards at this event, the HMAS Leeuwin Award for Training Evolution and the HMAS Stirling Award for Fire Fighting Efficiency.

ABORIGINAL SENIORS CULTURAL DEVELOPMENT AWARD - [429-1-16]

Cr Freame advised she had attended, on behalf of the Mayor, the unveiling of the Aboriginal Seniors Cultural Development Award and reported to Council their wish to donate the two paintings that were achieved as part of the Cultural Development Fund to the City of Wanneroo.

COUNCIL DISPLAYS - [702-0]

Cr Freame commended Council Staff on the displays for Seniors Week and the Wellness Display at Whitford City Shopping Centre. She stated that great public interest was shown in the many displays.

Cr Freame further advised that during this week throughout the three major shopping centres in Wanneroo there were to be Children's Week Displays in the theme "The Children's Literary Awards" and commended them to Council's attention.

WANNEROO BMX CLUB - MEMORIAL OPENING - [432-1]

Cr Wight advised he had attended a Memorial Service at the Wanneroo BMX Club and opened a Memorial in memory of one of their riders, Mr Greg Kitchen, killed in a car accident one year previously.

THANKS FOR GOOD WISHES - [702-3]

Cr Lynn took this opportunity to thank Council for the flowers and good wishes extended to her during her recent stay in hospital.

C481-10/95

**PETITION REQUESTING CLOSURE OF PEDESTRIAN
ACCESSWAY BETWEEN LUSHINGTON DRIVE AND WARBURTON
AVENUE, PADBURY - [510-1811]**

A 9-signature petition has been received from residents of Lushington Drive, Padbury requesting the closure of the

pedestrian accessway between Lushington Drive and Warburton Avenue.

The petitioners request the closure on the grounds of vandalism, littering and anti-social behaviour by youths and state the accessway is seldom used since alterations were made to local bus routes.

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

MOVED Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Lushington Drive, Padbury requesting the closure of the pedestrian accessway between Lushington Drive and Warburton Avenue be received and referred to Town Planning Department for a report to Council.

CARRIED

C482-10/95 PETITION REQUESTING VESTING OF BUSHLAND ADJACENT TO LANDSDALE FARM SCHOOL - [0225/24921/80]

A 22-signature petition has been received requesting that the management of the bush adjacent to Landsdale Farm School be vested with the administration of that school.

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

MOVED Cr Freame, **SECONDED** Cr O'Grady that the petition requesting management of the bush adjacent to Landsdale Farm School be vested with the administration of that school be received and referred to Town Planning Department for a report to Council.

CARRIED

C483-10/95 PETITION REQUESTING SPECIAL MEETING OF ELECTORS TO DISCUSS THE PROPOSED ESTABLISHMENT OF MCDONALDS RESTAURANT/TAKEAWAY FACILITY - PROPOSED SHOPPING CENTRE, BURRAGAH WAY, DUNCRAIG - [30/5160]

A 195-signature petition has been received from residents of Duncraig requesting a Special Meeting of Electors to discuss the proposal for the establishment of a McDonalds Restaurant/Takeaway facility in the proposed shopping centre, Burragah Way, Duncraig.

In accordance with the Provisions of the Local Government Act, a Special Meeting of Electors has been arranged to be held at

7.30 pm on Wednesday 1 November 1995 in the Function Area, Third Floor, Administration Centre, Boas Avenue, Joondalup.

MOVED Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Duncraig be received and, in accordance with the Provisions of the Local Government Act, a Special Meeting of Electors be held at 7.30 pm on Wednesday 1 November 1995 in the Function Area, Third Floor, Administration Centre, Boas Avenue, Joondalup.

CARRIED

C484-10/95 **PETITION REQUESTING SPECIAL MEETING OF ELECTORS
TO DISCUSS THE PROPOSED ESTABLISHMENT OF
MCDONALDS RESTAURANT/TAKEAWAY FACILITY - PROPOSED
SHOPPING CENTRE, BURRAGAH WAY, DUNCRAIG -
[30/5160]**

A 4-signature petition has been received from residents of Duncraig requesting a Special Electors Meeting be held prior to a decision being made in relation to the proposed development in Burragah Way, Duncraig.

The petitioners have been advised that insufficient signatures have been provided to convene a Special Meeting of Electors; however a meeting will be held on Wednesday 1 November 1995 in this regard.

MOVED Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Duncraig requesting a Special Electors Meeting be held prior to a decision being made in relation to the proposed development in Burragah Way, Duncraig be received and referred to Town Planning Department for action.

CARRIED

C485-10/95 **PETITION OBJECTING TO THE ESTABLISHMENT OF
MCDONALDS RESTAURANT/TAKEAWAY FACILITY - PROPOSED
SHOPPING CENTRE, BURRAGAH WAY, DUNCRAIG -
[30/5160]**

A 39-signature petition has been received from Duncraig Child Care Centre Association objecting to the establishment of a McDonalds Restaurant/Takeaway Facility in Burragah Way, Duncraig.

The petitioners object to the proposal on the grounds of increased traffic and noise levels, diminution in property values in the area and the site being adjacent to a retirement village.

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

MOVED Cr Freame, **SECONDED** Cr O'Grady that the petition from Duncraig Child Care Centre Association objecting to the establishment of a McDonalds Restaurant/Takeaway Facility in Burragah Way, Duncraig be received and referred to Town Planning Department for a report to Council.

CARRIED

**C486-10/95 PETITION REQUESTING BEACH ACCESS - FOUR WHEEL
DRIVE VEHICLES - [906-1]**

A 13-signature petition has been received from the Saltwater Angling Club in support of the Foot Hills Four Wheel Drive Club application to allow Four Wheel Vehicles to use certain sections of the beach within the City of Wanneroo.

This petition will be referred to Town Planning Department for action.

MOVED Cr Freame, **SECONDED** Cr O'Grady that the petition from the Saltwater Angling Club in support of the Foot Hills Four Wheel Drive Club application to allow Four Wheel Vehicles to use certain sections of the beach within the City of Wanneroo be received and referred to Town Planning Department for action.

CARRIED

**C487-10/95 PETITION REQUIRING COUNCIL ACTION - HEALTH
HAZARD/DAMAGED FENCING/BULK RUBBISH COLLECTION -
[061-219]**

A 9-signature petition has been received from residents of Girrawheen requesting Council take action in relation to a health hazard, damaged wooden fencing and problems associated with the bulk rubbish collection.

These items will be referred to Health, Building and Engineering Departments respectively for action.

MOVED Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Girrawheen requesting Council take action in relation to a health hazard, damaged wooden fencing and problems associated with the bulk rubbish collection be received and referred to Health, Building and Engineering Departments respectively for action.

CARRIED

C488-10/95

**PETITION REQUESTING INSTALLATION OF ADDITIONAL
STREET LIGHTING - STROMBUS WAY AND BALANUS WAY,
HEATHRIDGE - [510-1321]**

A 15-signature petition has been received from Wayne Smith, MLA, Member for Wanneroo on behalf of residents of Heathridge requesting the installation of additional street lighting on or near the intersection of Strombus Way and Balanus Way, Heathridge.

The petitioners request the additional lighting for security and road safety reasons and state that an inspection by Western Power has indicated that additional lighting is required.

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

MOVED Cr Freame, **SECONDED** Cr O'Grady that the petition on behalf of residents of Heathridge requesting the installation of additional street lighting on or near the intersection of Strombus Way and Balanus Way, Heathridge be received and referred to Engineering Department for a report to Council.

CARRIED

C489-10/95

**PETITION COMPLAINING OF EXCESSIVE NOISE - SHORNE
PLACE, MARANGAROO - [1942/2/7]**

A petition has been received from residents of Marangaroo complaining of excessive noise emanating from a residence in Shorne Place, Marangaroo.

This petition will be referred to Environmental Health Department for action.

MOVED Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Marangaroo complaining of excessive noise emanating from a residence in Shorne Place, Marangaroo be received and referred to Environmental Health Department for action.

CARRIED

C490-10/95

**PETITION COMPLAINING OF EXCESSIVE NOISE - KYLE
COURT, JOONDALUP - [863-1-1]**

A petition has been received from residents of Joondalup complaining of excessive noise emanating from a residence in Kyle Court, Joondalup.

This petition will be referred to Environmental Health Department for action.

MOVED Cr Freame, **SECONDED** Cr O'Grady that the petition from residents of Joondalup complaining of excessive noise emanating from a residence in Kyle Court, Joondalup be received and referred to Environmental Health Department for action.

CARRIED

MINUTES OF MANAGEMENT COMMITTEES, ADVISORY COMMITTEES AND OTHER ORGANISATIONS

MANAGEMENT COMMITTEES

- A GLOUCESTER LODGE MUSEUM MANAGEMENT COMMITTEE
Meeting held on 13 September 1995
- B YANCHEP/TWO ROCKS COMMUNITY BUS MANAGEMENT COMMITTEE
Meeting held on 14 September 1995
- C WHITFORD SENIOR CITIZENS CENTRE MANAGEMENT COMMITTEE
Meeting held on 26 September 1995
- D SHIRE OF WANNEROO AGED PERSONS' HOMES TRUST (INC)
MANAGEMENT COMMITTEE
Meeting held on 28 September 1995

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

CARRIED

ADVISORY COMMITTEES

- A WANNEROO EISTEDDFOD ADVISORY COMMITTEE
Meeting held on 8 June 1995
- B CHILDREN'S SERVICES ADVISORY COMMITTEES
Meeting held on 4 September 1995
- C MULTICULTURAL ADVISORY COMMITTEE
Meeting held on 18 September 1995
- D YOUTH ADVISORY COMMITTEE
Meeting held on 18 September 1995
- E CULTURAL DEVELOPMENT ADVISORY COMMITTEE
Meeting held on 25 September 1995
- F WANNEROO EISTEDDFOD ADVISORY COMMITTEE
Meeting held on 12 October 1995

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

CARRIED

OTHER COMMITTEES

- A KINGSLEY WOODVALE COMMUNITY AND RECREATION ASSOC AGM
Meeting held on 16 August 1995
- B 12TH LOTTERIES HOUSE STEERING COMMITTEE
Meeting held on 17 August 1995
- C JUNIOR COUNCIL
Meeting held on 6 September 1995
- D BURNS RATEPAYERS & RESIDENTS ASSOCIATION (INC)
Meeting held on 21 September 1995

MOVED Cr Freame, **SECONDED** Cr Wight 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.

Ms Jill Brown of Sentron Place, Merriwa submitted the following questions for the Council meeting of 27 September 1995. These questions were taken on notice for a response at the next meeting of Council scheduled for 25 October 1995:

- Q1 Does Wanneroo City Council have a policy not to develop a second residence on blocks of land that are less than 900m² particularly if it is on septic tanks and not deep sewerer?

- A1 Density Policy

Residential density is controlled in the City of Wanneroo by the incorporation of Residential Planning Code provisions into Council's Town Planning Scheme No 1. This takes the form of R Codes of various values to residential areas. In areas allocated the R20 Code a minimum of 450m² area is required per dwelling unit. This results in 900m² being the minimum lot area for a duplex (Two Grouped Dwellings). Council has the discretion to vary the area requirement under its Town Planning Scheme. The Residential Planning Codes do not address the question of sewerage connection as that issue should be addressed in the initial Code selection.

Q2 Are there any regulations regarding the size of a Granny Flat, ie when does a Granny Flat become a second residence? Can it be larger than the existing house?

A2 Granny Flats

Granny Flat is a term used prior to the introduction of the Residential Planning Codes to permit self contained accommodation to adjoin a single residence without having to satisfy the requirements for a duplex. The term was not included in the R Codes but was replaced with the concept of ancillary accommodation.

The R Codes provide (2.3.1) that:

In the case of a lot not large enough to accommodate two or more grouped dwellings, Council may approve the development of ancillary accommodation provided that:

- (a) any occupier shall be a member of the family of the occupier of the main dwelling;*
- (b) parking spaces additional to those required for a single house may be required;*
- (c) Council may require the owner to enter into legal agreement, which shall bind the owner, his heirs and successors in title, requiring that the occupier of the ancillary accommodation shall be a member of the family of the occupier of the main dwelling.*

There are no provisions relating to the maximum size of ancillary accommodation or the size relative to the main dwelling. The only limitation on size is the requirement that 50 percent of the site remain as open space.

Q3 If the second residence is described as a Granny Flat, is it normal to subdivide it from the original property so that both homes may be sold off separately?

A3 Subdivision of Granny Flat

Normally, Council would not support the subdivision or strata subdivision that would separate incidental accommodation from the main dwelling on a lot. The Western Australian Planning Commission is the responsible authority for these matters however and is not bound by Council's recommendation. Such subdivision

could also be approved on appeal by the Minister or the Planning Appeals Tribunal.

Q4 How was it that sometime around March of 1990 Wanneroo City Council gave approval for a second residence, described as a Granny Flat, (in this instance appearing to cover a larger area than the original house, including a large undercroft garage) on 31 Chrisp Place Yanchep which was on a block of less than 900m², zoned R20 and on septic tanks?

A4 In September 1989 Council, through its Development Assessment Unit (DAU) (which has delegated authority) approved a Grouped Dwelling (second unit) on Lot 313 Chrisp Place.

The lot in this instance was some 25m² under 900m² required under the Scheme and Council, in accepting the DAU report, adopted this variation. However the DAU report inadvertently omitted to draw to the attention of Council the variation of lot size. Irrespective of whether the land was sewered a Grouped Dwelling was able to be approved.

Q5 Can you please tell me if the item was debated at Full Council, who was Mayor at the time, what arguments were used to progress this development and which councillors voted in favour of it?

A5 The matter was not debated as Council simply adopted the DAU report which listed a number of applications of which this was one.

Councillor B Cooper was Mayor presiding over Council in September 1989 and would not have known that this lot was marginally undersize.

Ms Jill Brown of Sentron Place, Merriwa submitted the following questions for the Council meeting of 25 October 1995:

Q1 Is it usual for Council to print in the agenda the address of persons who ask questions on notice?

A1 A search of the minutes shows that since the introduction of questions from members of the public, the person has been identified either by the address, the association or group the persons represents. In some cases the number of the address of the person has been recorded.

- Q2 Is it usual for Council to delegate authority to Council staff to authorise approvals on developments as with the Development Assessment Unit?
- A2 This is common practice among Metropolitan Local Authorities.
- Q3 Who set up the DAU and was it set up to fast track approvals?
- A3 Council established the Development Assessment Unit in 1977 to improve the efficiency of its development assessment procedure.
- Q4 What measures do Council take to assure themselves that a second dwelling supposedly built for a relative is in fact for that purpose, and what actions do Council take if that agreement is broken?
- A4 The occupants of second (group) dwellings are not required to have any relationship to the occupants of any other dwelling unit.
- Q5 What recommendations do Council make to the Western Australian Planning Commission to ensure that development on block sizes of under 900m² are in fact subjected to Strata Title agreement, particularly as in the case to which I am referring, the development seemed to have slipped through contrary to the Planning Codes?
- A5 Council does not make recommendations with regard to strata titles but provides a statement to the effect that the building has been constructed in accordance with the approved building plans.
- Q6 When DAU considers development applications under the delegated authority, what is the percentage variation allowed before the issue is rejected or referred back to Council?
- A6 The current practice is that the Development Assessment Unit does not approve variations in minimum lot sizes but refers any such applications to Council for determination.

Mrs A Hine of 134 Dundobar Road, Wanneroo submitted the following questions for the Council meeting of 25 October 1995:

- Q1 TP327-9/95 (745-4)
Craigie Open Space

At T/Planning meeting (Committee) I was present.
Council had a behind closed doors meeting.
(Confidential in Agenda).

By the time I got down the steps Council had finished the discussion. Are the public being misled? as no discussion could have taken place. Where in the minutes of that meeting is any explanation made?

- A1 Item TP327-9/95 - Craigie Open Space - Registrations of Interest - Evaluations of Submissions - was marked CONFIDENTIAL - NOT FOR PUBLICATION because of the commercial contents of the report. It was therefore considered it should be discussed behind closed doors.

As has occasionally occurred, this quite lengthy report did not draw any debate and it and the recommendation was adopted without discussion.

The recommendation was subsequently received and adopted by Council, again without debate.

- Q2 Page 134, item (702-0)
I query again Minutes

Public meeting finished 9.11 pm.
Close of Business declared closed at 10.02 pm

As one of the public, I noticed the Officer and Minute Clerk come out from behind closed doors.

Councillors did not appear till after 11 pm. Nothing recorded in Minutes. Explanation please?

- A2 As I left the meeting at the close of the meeting ie 10.02 pm, I cannot offer an explanation.

FOOD COMPLAINT - SAMPLE NO 72C - ITEM CS188-10/95 REFERS

Mr A Cunningham of Action Food Barns and Mrs Pat Jensen, Whitfords Bakery Manager, have requested permission to address Council at its meeting of 25 October 1995 in relation to Food Complaint - Sample No 72C - Item CS188-10/95 refers.

Mr Cunningham addressed Council and outlined structural changes made to the in-store bakery since an earlier complaint, the introduction of Rentokil to undertake monthly inspection of premises and organising of industrial cleaners to undertake daily cleaning of bakery. Mr Cunningham expressed his shock at this further complaint as he believed every effort had been

made to avoid such a situation and asked Councillors to bear these matters in mind when making its determination on this matter.

Mr Cunningham stressed that, to-date, no further problems have occurred.

DECLARATIONS OF PECUNIARY INTEREST

Cr Dammers declared an interest in Item TP350-10/95

Cr Major declared an interest in Items FA124-10/95 and C510-10/95

Cr Taylor declared an interest in Item CS192-10/95

Cr Hall declared an interest in Item FA130-10/95

BUSINESS REQUIRING ACTION

Legend - Numbering System:

B - Business for Information	OC - Occasional Committee
C - Council	P - Policy
CS - Community Services	TP - Town Planning
FA - Finance & Admin Resources	TS - Technical Services
SC - Special Council	
C491-10/95	TOWN PLANNING COMMITTEE

MOVED Cr Cooper, **SECONDED** Cr O'Grady that the Report of the Town Planning Committee Meeting, held on 9 October 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 - to 7.40 pm	South Ward
	M E LYNN, JP	South-West Ward
	L A EWEN-CHAPPELL - Observer	Central Ward
	S P MAGYAR - Observer	Central Ward
	B J MOLONEY - Observer from 6.25 pm,	South Ward
	Deputising for Cr Wood	
	from 7.40 pm	
	A W WIGHT - Observer	South Ward
	A G TAYLOR - Observer to 7.40 pm	South Ward
	F D FREAME - Observer from 6.01 pm	
	to 7.12 pm	South-West Ward
	G A MAJOR - Observer	South-West Ward

Town Clerk:	R F COFFEY
Deputy Town Clerk:	R E DYMOCK
City Planner:	O G DRESCHER
Deputy City Planner:	J G HUMPHREYS
Committee Clerk:	J HARRISON
Minute Clerk:	S BRUYN

APOLOGIES

An apology for absence was tendered by Cr Curtis.

PUBLIC/PRESS ATTENDANCE

There were 5 members of the Public and 1 member of the Press in attendance.

CONFIRMATION OF MINUTES

MINUTES OF TOWN PLANNING COMMITTEE MEETING HELD ON 11 SEPTEMBER 1995

The Minutes of Town Planning Committee Meeting held 11 September 1995 were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

DEPUTATION - HOMESWEST - [770-0]

Mr C Stapleton addressed the Committee regarding Homeswest's proposals for the refurbishment and redevelopment of Girrawheen/Koondoola which, over the next four years, will upgrade existing homes and improve landscaping in the area.

Mr Stapleton spoke of the need for both Council and community support for this project, the aim of which was to remove the Homeswest "stigma", encourage home ownership, both from private sector and Homeswest tenants and to raise the sense of value in the area. Mr Stapleton outlined the need for the voluntary relocation of tenants and community consultation.

Homeswest presented a video of its project in Kwinana, which is the basis of the Girrawheen/Koondoola project. Mr Stapleton stated that Homeswest will be advertising within the next three to four weeks for a Project Manager and requested Council support for this proposal to refurbish and redevelop Girrawheen/Koondoola.

Following questions from Councillors, the Chairman thanked the deputation for addressing the Committee and for advising Council of this development.

DECLARATIONS OF PECUNIARY INTEREST

Cr Dammers declared an interest in Item TP350-10/95.

MEETING TIMES

Commenced: 6.00 pm
Closed: 8.02 pm

REPORT NO:

TP334-10/95

**CONVERSION OF EXISTING SERVICE STATION TO INCLUDE
A CONVENIENCE STORE: LOT 504 (60) MARANGAROO
DRIVE, GIRRAWHEEN - [30/374]**

CITY PLANNER'S REPORT

ERM Mitchell McCotter have submitted an application on behalf of Riam Pty Ltd and Shell Australia, to include a convenience store within an existing service station on Lot 504 (60) Marangaroo Drive, Girrawheen.

The City Planner provides background details of the proposed convenience store and a description of the site involved. He also reports on advertising undertaken and gives an assessment of the proposal.

He comments that the proposal largely complies with the provisions of the City's Town Planning Scheme No 1 and Amendment No 642. The issues raised by submissions received as a result of advertising have been satisfactorily addressed by modified plans or changes to be included as part of this approval.

COMMITTEE RECOMMENDATION

That Council approves the application submitted by ERM Mitchell McCotter on behalf of Riam Pty Ltd for the conversion of an existing service station to include a convenience store, Lot 504 (60) Marangaroo Drive, Girrawheen subject to:

- 1 no fast food sales;
- 2 submission of a revised site plan accommodating petrol tanker movements and customer circulation to the satisfaction of the City Engineer and City Planner;
- 3 landscaping strip to Balgonie Avenue to be increased in width to a minimum of 3 metres to the satisfaction of the City Planner;
- 4 standard and appropriate conditions.

ADDITIONAL INFORMATION

The Town Planning Committee, at its meeting on 9 October 1995 (TP334-10/95), recommended that Council approves the above development proposal subject to, inter alia, no fast food sales.

As that meeting, the City Planner reported that advice would be obtained from Council's solicitors, McLeod & Co prior to

Council's meeting of 25 October 1995, in relation to consistent wording which may be used when considering applications for the sale of "fast food" and "take-away foods".

That advice has now been received, McLeod & Co suggesting that a new definition "Take-away Food Outlet" be inserted in Town Planning Scheme No 1 (Town Planning Scheme No 1 currently has no definition of either Fast Food or Take-away Foods). The suggested definition is as follows:

TAKE-AWAY FOOD OUTLET means land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises.

There is no planning-related objection to the incidental sale of prepared food from service stations/convenience stores, as currently occurs at several existing establishments. The intent of the condition in this case is to control the establishment of large scale, independent fast food outlets within service stations. It is therefore appropriate to amend the Town Planning Committee recommendation as follows:

"That Council approves the application submitted by ERM Mitchell McCotter on behalf of Riam Pty Ltd for the conversion of an existing service station to include a convenience store, Lot 504 (60) Marangaroo Drive, Girrawheen subject to:

- 1 a maximum of 10m² of floorspace only to be used for the preparation, sale and serving of food to customers in a form ready to be eaten, without further preparation, primarily off the premises;
- 2 submission of a revised site plan accommodating petrol tanker movements and customer circulation to the satisfaction of the City Engineer and City Planner;
- 3 landscaping strip to Balgonie Avenue to be increased in width to a minimum of 3 metres to the satisfaction of the City Planner;
- 4 standard and appropriate conditions."

MOVED Cr Major that the following words be added to the end of Point 1 of the Resolution:

"... and only between the hours of midnight and 6.00 am".

There being no **SECONDER**, the Motion

LAPSED

MOVED Cr Magyar, **SECONDED** Cr O'Grady that Council approves the application submitted by ERM Mitchell McCotter on behalf of Riam Pty Ltd for the conversion of an existing service station to include a convenience store, Lot 504 (60) Marangaroo Drive, Girrawheen subject to:

- 1 a maximum of 10m² of floorspace only to be used for the preparation, sale and serving of food to customers in a form ready to be eaten, without further preparation, primarily off the premises;
- 2 submission of a revised site plan accommodating petrol tanker movements and customer circulation to the satisfaction of the City Engineer and City Planner;
- 3 landscaping strip to Balgonie Avenue to be increased in width to a minimum of 3 metres to the satisfaction of the City Planner;
- 4 standard and appropriate conditions. **LOST**

MOVED Cr Lynn, **SECONDED** Cr Freame that Council does not approve the application submitted by ERM Mitchell McCotter on behalf of Riam Pty Ltd for the conversion of an existing service station to include a convenience store, Lot 504 (60) Marangaroo Drive, Girrawheen.

CARRIED

Crs Magyar and Ewen-Chappell dissented.

TP335-10/95 **RECONSIDERATION OF CAR PARKING REQUIREMENT FOR COVERED STORE: QUINNS SHOPPING CENTRE, LOT 80 (121) QUINNS ROAD, QUINNS ROCKS - [30/2908]**

CITY PLANNER'S REPORT

Council has received a request for the reconsideration of a car parking requirement imposed on a development approval to enclose the hardware storage area at the Quinns Shopping Centre.

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

He advises that as the approval contains a condition restricting its use to storage purposes only and there will be no material change to the use of the storage yard once enclosed, it is considered reasonable to approve the variation as requested and delete the commercial car parking requirement of four bays.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council, in respect to its approval dated 20 April 1995 (30/2908 503343) to enclose the hardware storage area at the Quinns Shopping Centre at Lot 80 (121) Quinns Road, Quinns Rocks, exercises its discretion under Clause 9.1(1) of its Town Planning Scheme No 1 and deletes condition No 2 which states "four car bays are required for this development or a cash-in-lieu of parking payment of \$4,450 per bay is to be paid to Council's Treasury" subject to the owners of Lot 80 Quinns Road, Quinns Rocks submitting a written undertaking to the satisfaction of the City Planner acknowledging the continued use of the extension are for storage purposes only and that this information will be conveyed to future tenants and owners.

CARRIED

TP336-10/95 PROPOSED REZONING AND RECODING OF PORTION OF PT LOT M1362 WHITFORDS AVENUE, HILLARYS - [790-706]

CITY PLANNER'S REPORT

The City Planner refers to a request, on behalf of Whitfords Beach Pty Ltd, to rezone and recode portion of Pt Lot M1362 Whitfords Avenue, Hillarys from Hotel to Residential R40. This request was considered by Council at its September meeting (Item TP312-09/95 refers).

The City Planner provides background details of the subject site. He advises that as requested by Council on 27 September 1995, advice has been received from the Ministry of Sport and Recreation that there are no immediate plans to alter the uses of the Ern Halliday Camp adjacent to the subject land.

He comments that in the absence of any immediate alterations to the zoning and/or use of the Ern Halliday Camp, it is recommended that Council does not support this amendment.

RECOMMENDATION

That Council does not support the rezoning and recoding of portion of Pt Lot M1362 Whitfords Avenue, Hillarys from Hotel to Residential R40 on the grounds that the site is considered most suitable for a hotel site in terms of its proximity to Hillarys Boat Harbour, adjacent recreational uses and the coast, and the difficulties associated with acquiring a similar site for this use in the future.

Item TP336-10/95 was reconsidered later in the meeting, following Item TP342-10/95.

TP337-10/95

CLOSE OF ADVERTISING: REZONING OF LOT 79
GNANGARA ROAD, LANDSDALE FROM RURAL TO GENERAL
INDUSTRIAL AND RESIDENTIAL DEVELOPMENT R20 -
[790-720]

CITY PLANNER'S REPORT

Advertising of Amendment No 720, by way of a sign on site, referral and newspaper advertisement, closed on 8 September 1995 and resulted in one submission of concern from a nursery opposite.

The City Planner provides an assessment of the amendment. He advises that given that surrounding lots have already been rezoned under the Metropolitan Region Scheme for residential and industrial uses, it is appropriate to finalise the amendment.

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

- 1 finally adopts Amendment No 720 to rezone Lot 79
Gnangara Road, Landsdale from Rural to General
Industrial and Residential Development R20, subject to:
 - (a) a letter of undertaking being submitted from the landowner stating that he will make the necessary infrastructure contributions for the subject cell on the basis as set out in the State Planning Commission letter to Council dated 3 May 1994, should this lot be subdivided in the future;
 - (b) the land required for the extension of Furniss Road through the southern part of Lot 79 being ceded and dedicated as a public road to the satisfaction of Council. This can be achieved by way of a legal agreement or subdivision;
- 2 following compliance with point 1 above and advice that the Minister for Planning is prepared to finally approve Amendment No 720, authorises the signing of, and affixation of, the Common Seal to the amending documents.

CARRIED

TP338-10/95

MODIFICATIONS TO SPECIAL PROVISIONS OF SPECIAL
RURAL ZONE NO 15 (MEADOWLANDS) NEAVES ROAD,
MARIGINIUP - [790-736]

CITY PLANNER'S REPORT

The City Planner reports that during the processing of Amendment No 694 concerning the relocation of public open space in the Meadowlands Special Rural Zone (No 15), it was discovered that the expected maximum water table levels shown on the Development Guide Map for this area were approximately one metre lower than the highest recorded. Therefore building pad heights for dwellings and placement of effluent disposal chambers need to reflect this difference and are subject of this Amendment.

He provides background details of the Special Provisions. He advises that reference to these issues was removed from Amendment No 694 and is to be dealt with as a separate amendment to adjust the Special Provisions of the Town Planning Scheme for this area.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council, in accordance with Section 7 of the Town Planning and Development Act 1928 (as amended), supports Amendment No 736 to modify Clause 2 of the Special Provisions of Special Rural Zone No 15 (Meadowlands) to read as follows:

"2 As the land is subject to periodic flooding, no dwelling shall be constructed unless it is on at least a 1,000m² portion of the lot, located behind the building setback, which will result in:

- (a) the finished floor level of dwellings being:
 - (i) within areas determined by the City of Wanneroo to be flood prone - a minimum of one (1) metre above the Reduced Level to which flooding may occur (as determined from time to time by the City of Wanneroo);
 - (ii) within areas determined by the City of Wanneroo to not be flood prone - a minimum of three hundred (300) millimetres above natural ground level;
- (b) the underside of effluent disposal chambers or effluent disposal pads servicing dwellings being a minimum of two (2) metres above the estimated maximum water table level as determined from time to time by the Water Authority of Western Australia;
- (c) the effluent disposal chambers of conventional on-site sewage disposal systems servicing dwellings being a minimum horizontal distance of one hundred (100) metres from areas determined

from time to time by the City of Wanneroo to be subject to periodic inundation;

- (d) the effluent disposal chambers or effluent disposal pads of modified, nutrient attenuating on-site sewage disposal systems servicing dwellings being a minimum horizontal distance of fifty (50) metres from areas determined from time to time by the City of Wanneroo to be subject to periodic inundation."

CARRIED

TP339-10/95 PROPOSED SUBDIVISION SWAN LOCATIONS 1534 AND 1792
WIRREGA ROAD, JANDABUP - [740-90823]

CITY PLANNER'S REPORT

The City Planner reports on a proposal to subdivide Swan Locations 1792 and 1534 Wirrega Road, Jandabup into 25 lots of 4 hectares each.

The City Planner provides background details of the proposal and gives an assessment of the site and Scheme amendment.

He advises that Council is in receipt of a response from the Minister for Planning clarifying the method of implementing land use control in this subdivision. It is recommended as a result of that response that Town Planning Scheme No 1 be amended to incorporate suitable land use controls over this land.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council resolves to initiate a Scheme amendment to its Town Planning Scheme No 1 for the purpose of incorporating appropriate land use requirements over those lots to be created by the proposed subdivision of Swan Locations 1534 and 1792 Wirrega Road, Jandabup.

CARRIED

TP340-10/95 CLOSE OF ADVERTISING: AMENDMENT NO 724 TO TOWN
PLANNING SCHEME NO 1 TO REZONE LOTS 4, 5, 8 AND 9
KINGSWAY, LANDSDALE FROM RURAL TO RESIDENTIAL
DEVELOPMENT R25 - [790-724]

CITY PLANNER'S REPORT

Advertising of Amendment No 724 to rezone Lots 4, 5, 8 and 9 Kingsway from Rural to Residential Development R25 concluded on 8 September 1995. Three submissions were received with no specific concerns or objections being raised in relation to the rezoning.

The City Planner provides background details to the subject matter and the submissions received and recommends finalisation.

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

- 1 finally adopts Amendment No 724 to Town Planning Scheme No 1, subject to the satisfactory resolution of the following:
 - (a) an approved local structure plan for the areas bounded by Wanneroo Road, Mirrabooka Avenue alignment, Hepburn Avenue alignment, Gbangara Road and Furniss Road;
 - (b) a letter of undertaking being submitted from the subject landowners stating that they will make the necessary infrastructure contributions for the subject area as set out in the State Planning Commission's letter to Council dated 3 May 1994;
- 2 subject to point 1 above, authorises affixation of the Common Seal to, and endorses, the amending documents;
- 3 forwards the submissions received to the Hon Minister for Planning seeking final approval to Amendment No 724.

CARRIED

**TP341-10/95 PROPOSED CANCELLATION OF PUBLIC RECREATION,
RESERVE 35942 WANGARA - [755-35942]**

CITY PLANNER'S REPORT

To facilitate the development of the lots to the south of Berriman Drive, Wangara for industrial purposes, it is proposed to cancel Reserve 35942 and dedicate the land within the cancelled reserve as part of Berriman Drive.

The City Planner provides background details of the Reserve. He reports that the reserve was created under the Town Planning and Development Act and is therefore subject to stringent conditions set down by the Department of Land Administration.

He advises that the proposed cancellation of the reserve will need to be advertised in the local newspaper and the reserve will need to be sign-posted to gauge the opinions of the property owners in the vicinity.

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

- 1 advertises the proposed cancellation of Public Recreation Reserve 35942 by way of a notice in a local newspaper and by on-site signs;

- 2 (a) subject to no objections being received, requests the Hon Minister for Lands to cancel Reserve 35942 and amalgamate the land with the Berriman Drive road reserve;
- (b) requests the Hon Minister for Lands to dedicate the land contained within Reserve 35942 as a public road in accordance with Section 288 of the Local Government Act.

CARRIED

TP342-10/95 **REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN WELLS PLACE AND CARNEGIE WAY, PADBURY - [510-0714]**

CITY PLANNER'S REPORT

Council, at its meeting on 26 July 1995 (Item TP256-07/95 refers), resolved to initiate preliminary closure procedures for the accessway between Wells Place and Carnegie Way, Padbury by advertising the proposed closure. At the close of the advertising period two objections to the proposed closure were received.

The City Planner makes comments on this application and advises that if closed, the inconvenience to the objectors would be minimal as alternative routes are available.

RECOMMENDATION

That Council agrees to the closure of the pedestrian accessway between Wells Place and Carnegie Way, Padbury subject to the benefiting landowners meeting all of the associated costs in accordance with Council's policy.

MOVED Cr Magyar, **SECONDED** Cr Major that Council does not agree to the closure of the pedestrian accessway between Wells Place and Carnegie Way, Padbury.

LOST

MOVED Cr Taylor, **SECONDED** Cr Freame that Council agrees to the closure of the pedestrian accessway between Wells Place and Carnegie Way, Padbury subject to the benefiting landowners meeting all of the associated costs in accordance with Council's policy.

CARRIED

Cr Magyar dissented.

Cr Curtis requested that further consideration be given to Item TP336-10/95 at this point.

**TP336-10/95 PROPOSED REZONING AND RECODING OF PORTION OF PT
LOT M1362 WHITFORDS AVENUE, HILLARYS - [790-706]**

CITY PLANNER'S REPORT

The City Planner refers to a request, on behalf of Whitfords Beach Pty Ltd, to rezone and recode portion of Pt Lot M1362 Whitfords Avenue, Hillarys from Hotel to Residential R40. This request was considered by Council at its September meeting (Item TP312-09/95 refers).

The City Planner provides background details of the subject site. He advises that as requested by Council on 27 September 1995, advice has been received from the Ministry of Sport and Recreation that there are no immediate plans to alter the uses of the Ern Halliday Camp adjacent to the subject land.

He comments that in the absence of any immediate alterations to the zoning and/or use of the Ern Halliday Camp, it is recommended that Council does not support this amendment.

RECOMMENDATION

That Council does not support the rezoning and recoding of portion of Pt Lot M1362 Whitfords Avenue, Hillarys from Hotel to Residential R40 on the grounds that the site is considered most suitable for a hotel site in terms of its proximity to Hillarys Boat Harbour, adjacent recreational uses and the coast, and the difficulties associated with acquiring a similar site for this use in the future.

MOVED Cr Curtis, **SECONDED** Cr Cooper that Council supports the rezoning and recoding of portion of Pt Lot M1362 Whitfords Avenue, Hillarys from Hotel to Residential R40. **LOST**

MOVED Cr O'Grady, **SECONDED** Cr Moloney that Council does not support the rezoning and recoding of portion of Pt Lot M1362 Whitfords Avenue, Hillarys from Hotel to Residential R40 on the grounds that the site is considered most suitable for a hotel site in terms of its proximity to Hillarys Boat Harbour, adjacent recreational uses and the coast, and the difficulties associated with acquiring a similar site for this use in the future.

CARRIED

TP343-10/95

REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN
POINTER WAY AND BUNTINE WAY, GIRRAWHEEN - [510-
195, 510-196]

CITY PLANNER'S REPORT

Council, at its meeting on 26 July 1995 (Item TP257-07/95 refers), resolved to initiate preliminary closure procedures in respect of the pedestrian accessway between Pointer Way and Buntine Way, Girrawheen. At the close of the advertising period one objection to the closure had been received.

The City Planner makes comments on this application and advises that if the accessway is closed, an alternative route to pedestrians is available and closure of the accessway could therefore be supported.

MOVED Cr Taylor, **SECONDED** Cr O'Grady that Council agrees to the closure of the pedestrian accessway between Pointer Way and Buntine Way, Girrawheen subject to the benefiting landowners agreeing to meet all of the costs associated with the closure in accordance with Council's policy.

CARRIED

Cr Magyar dissented.

TP344-10/95

REQUESTED CLOSURE OF PEDESTRIAN ACCESSWAY BETWEEN
CULWALLA CLOSE AND CULWALLA PARK, KALLAROO -
[510-1170]

CITY PLANNER'S REPORT

Council, at its meeting on 26 July 1995, resolved to initiate preliminary closure procedures by advertising the proposed closure of the pedestrian accessway that runs between Culwalla Close and Culwalla Park (Reserve 34187). At the close of the thirty day advertising period no objection to the closure was received.

The City Planner makes comments on this application and advises that the accessway serves little purpose and closure could therefore be supported.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council agrees to the closure of the pedestrian accessway between Culwalla Close and Culwalla Park (Reserve 34187), subject to the benefiting adjoining owners meeting all of the associated costs in accordance with Council's policy.

CARRIED

CITY PLANNER'S REPORT

A preliminary draft of the Local Rural Strategy has been released to the community and referred to relevant State Government agencies for comment. The comment period has closed and the submissions received are being analysed.

The City Planner makes comments on the subject matter. He advises that the submissions raise a wide range of issues and, in order to progress the Strategy, it will be necessary to develop a response to the issues raised. As an initial step in this regard it is recommended that a further Councillor workshop on the Strategy be conducted.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council holds a further workshop (for Councillors and invited Ministry for Planning officers) on the Local Rural Strategy to consider submissions on the preliminary draft of the Strategy and directions for responding to those submissions.

CARRIED

CITY PLANNER'S REPORT

The City Planner reports that for several years now, Council has been monitoring the situation in respect of a proposed major coastal tourist/recreation development it has envisaged for land the City owns adjacent to the Ocean Reef Boat Launching Facility. Abutting land to the south of the boat launching facility is also intended to be included within the project. Council has received periodic monitoring reports on the matter, reviewing general development prospects and recent relevant occurrences in the area.

The City Planner provides background details of the subject matter. He advises that Council not initiate any further action on the project at present due to a perceived continued general decline in development growth rates.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council requires a further monitoring report in respect of the Ocean Reef Coastal Land project be submitted in April 1996.

CARRIED

CITY PLANNER'S REPORT

The Department of Environmental Protection has released a discussion paper outlining proposals for the assessment and management of contaminated land and groundwater in Western Australia.

The City Planner provides details of the discussion paper. He advises that the proposals outlined in the discussion paper raise several issues with potentially significant implications for Local Government and accordingly, it is recommended that the City of Wanneroo lodge a submission in response to the discussion paper.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council lodges a submission with the Department of Environmental Protection in response to its discussion paper on the assessment and management of contaminated land and groundwater in Western Australia in accordance with Report TP347-10/95.

CARRIED

Appendix I refers.

TP348-09/95 **CLOSE OF ADVERTISING: REZONING OF LOT 65 (48)**
BELGRADE ROAD, WANNEROO, TO ACCOMMODATE A CORNER
STORE - [790-690]

CITY PLANNER'S REPORT

Advertising of Amendment No 690, submitted on behalf of Highpoint Securities (now S A and W E Palmer), closed on 5 September 1995 resulting in five submissions of support.

The City Planner provides background details of the proposed amendment and recommends finalisation.

Cr O'Grady left the Chamber at this point, the time being 10.31 pm.

COMMITTEE RECOMMENDATION

That Council:

- 1 modifies Amendment No 690 in order to rezone Lot 65 (48) Belgrade Road, Wanneroo from "Residential Development" to "Residential Development, Special Zone (Additional use) corner Store, excluding the sale of takeaway foods";

- 2 finally adopts the modified form of Amendment No 690;
- 3 authorises the affixation of the Common Seal to and endorses the signing of the amending documents.

ADDITIONAL INFORMATION

The Town Planning Committee, at its meeting on 9 October 1995 recommended that Council:

- 1 modifies Amendment No 690 in order to rezone Lot 65 (48) Belgrade Road, Wanneroo from "Residential Development" to "Residential Development, Special Zone (Additional use) corner Store, excluding the sale of takeaway foods";
- 2 finally adopts the modified form of Amendment No 690;
- 3 authorises the affixation of the Common Seal to and endorses the signing of the amending documents.

At that meeting the City Planner reported that advice would be obtained from Council's solicitors, McLeod & Co prior to Council's meeting of 25 October 1995, in relation to consistent wording which may be used when considering applications for the sale of "fast food" and "take-away foods".

That advice has now been received, McLeod & Co suggesting that a new definition "Take-away Food Outlet" be inserted in Town Planning Scheme No 1 (Town Planning Scheme No 1 currently has no definition of either Fast Food or Take-away Foods). The definition is as follows:

TAKE-AWAY FOOD OUTLET means land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises.

As Amendment No 690 creates a Special Zone (Additional Use) it will be necessary to adapt the proposed take-away food outlet definition for incorporation in the table of Schedule 1 - additional use permitted.

Therefore the Town Planning Committee's recommendation should now read as follows:

"That Council:

- 1 modifies Amendment No 690 in order to rezone Lot 65 (48) Belgrade Road, Wanneroo from "Residential Development" to "Residential Development, Special Zone (Additional

Use) Corner Store excluding the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises";

- 2 finally adopts the modified form of Amendment No 690;
- 3 authorises the fixation of the Common Seal to and endorses the signing of the amending documents."

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

- 1 modifies Amendment No 690 in order to rezone Lot 65 (48) Belgrade Road, Wanneroo from "Residential Development" to "Residential Development, Special Zone (Additional Use) Corner Store excluding the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises";
- 2 finally adopts the modified form of Amendment No 690;
- 3 authorises the fixation of the Common Seal to and endorses the signing of the amending documents.

CARRIED

TP349-10/95 PROPOSED RURAL SHED OUTSIDE OF BUILDING ENVELOPE
- LOT 107 (29) LEACH WAY, GNANGARA - [30/5105]

CITY PLANNER'S REPORT

An application has been received from Ms Vasilka Liakos and Mr Brent Sexton for a large shed to be located outside of the building envelope designated for this property. Lot 107 is located within Special Rural Zone No 25 which places particular emphasis on the retention of vegetation and the preservation of the rural/natural landscape.

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

He reports that the proposed 19m x 12m x 6m zincalume shed would require the clearing of 230m² of native vegetation together with land required for access. He considers that the location of the proposed shed and the clearing of native vegetation would detract from the visual amenity of the area.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council refuses the application for a rural shed on Lot 107 (29) Leach Way, Gngangara, as submitted by Ms V Liakos and Mr B Sexton on the following grounds:

- 1 the proposed shed is outside the designated building envelope;
- 2 the proposed shed would detract from the existing landscape and the visual amenity of the area;
- 3 the construction of the proposed shed and access thereto would result in the removal of native vegetation;
- 4 the proposal would result in an undesirable precedent for the area.

CARRIED

TP350-10/95 NORTH WEST CORRIDOR OMNIBUS METROPOLITAN REGION
SCHEME AMENDMENT - [319-7-1]

Council is advised that the proposed Major Metropolitan Region Scheme Omnibus Amendment for the North West Corridor (and City of Nedlands) was gazetted on 15 September 1995 in a modified form. This amendment has now been forwarded to both Houses of Parliament where it must remain for twelve sitting days, during which either House may, by resolution, disallow the amendment. Should, however, the amendment go unchallenged during this period it will then take effect with the twelfth sitting day occurring in October/November of this year.

The City Planner provides background information to the proposed Amendment and comments on the six proposals Council is required to give consideration to.

CITY PLANNER'S REPORT recommended that Council writes to all of the landowners affected by the six proposals listed in Report TP350-10/95 and:

- 1 advises them of the progress of the Omnibus MRS Amendment, Council's obligations under the new legislation and its intentions to initiate an Omnibus District Scheme amendment to rezone their respective landholdings as described in Report TP350-10/95;
- 2 provides the landowners with a three week period to make a submission to the Council in respect of point 1 above prior to any rezoning being initiated.

Cr Dammers declared an interest in this item.

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

- 1 writes to all of the landowners affected by the six proposal listed in Report TP350-10/95 and:

- (a) advises them of the progress of the Omnibus MRS Amendment, Council's obligations under the new legislation and its intentions to initiate an Omnibus District Scheme amendment to rezone their respective landholdings as described in Report TP350-10/95;
- (b) provides the landowners with a three week period to make a submission to the Council in respect of point (a) above prior to any rezoning being initiated;

2 subject to 1 above, further considers the introduction of the various zones as outlined in Report TP350-10/95 as part of the review of Town Planning Scheme No 2.

CARRIED

Cr Dammers did not vote.

Appendix II refers.

TP351-10/95 PROPOSED SHOP EXTENSIONS ON LOT 119 (80) OCEAN DRIVE, QUINNS ROCKS - [30/144]

CITY PLANNER'S REPORT

An application has been submitted by Snowball Holdings for an extension to an existing food shop on Lot 119 (80) Ocean Drive, Quinns Rocks. The application was presented to Council's August meeting (Item TP283-08/95 refers) when it was resolved to defer consideration until such time as the owners had discussions with Council's Health Department regarding specific requirements to enable them to submit new plans.

The City Planner provides background details and gives an assessment of the proposal. He reports on advertising and advises that one submission of objection was received from an adjoining landowner and details points of objection.

The City Planner comments that approval would provide the opportunity to coordinate a development that has been disjointed in its appearance and therefore the application is recommended.

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

1 approves the application submitted by Snowball Holdings for an extension of the existing food shop on Lot 119 (80) Ocean Drive subject to:

- (a) verge treatments being carried out to discourage the parking of cars to the satisfaction of the

City Planner, City Engineer and City Parks Manager;

- (b) the completion and implementation of a parking strategy to the satisfaction of the City Engineer and City Planner;
- (c) provision being made for an additional 5 carbays to the satisfaction of the City Planner;
- (d) a maximum of 20 patrons being accommodated by seating at any time (including outside seating arrangements);
- (e) noise and odour emission being maintained to levels that satisfy the City Environmental Health Manager and City Planner;
- (f) an upgrading of the exterior of the existing buildings to co-ordinate with the proposed addition to the satisfaction of the City Planner;
- (g) standard and appropriate conditions;

2 exercises its discretion under Clause 5.9 of Town Planning Scheme No 1 and permits an average front setback of 9 metres with a minimum of 3 metres in this instance.**CARRIED**

TP352-10/95 BADGERUP LAKES SPECIAL RURAL ZONE - REQUEST TO VARY DEED OF AGREEMENT - [951-1]

Council, at its meeting on 24 April 1995 (Item TP147-04/95 refers), resolved not to withdraw any Caveat the City has registered against land held by Messrs Bebich until such time that all of their obligations have been fulfilled. The Bebichs have again requested the City to withdraw its caveats over a portion of the encumbered land on the basis that they enter into a new deed with the City which requires them to meet their obligations immediately. A caveat will remain on the balance of the land to protect the City's interest.

The City Planner provides background details to the subject matter and also details of the new proposal.

He reports that as the proposed new deed will ensure the early settlement of the outstanding obligations by the Bebichs' and the City's interest will still be protected by way of a caveat, it could therefore be supported.

CITY PLANNER'S REPORT recommended that Council agrees to withdraw its caveat over Lots 129, 148 and 135 Benmuni Road, Wanneroo subject to a suitable replacement deed and caveat being prepared and registered to ensure:

- 1 the early construction of the road between Shenton and Nicholas Roads, Wanneroo;
- 2 the immediate vesting in the Crown of the 28.80 hectares of Public Open Space;
- 3 the immediate transfer of Lot 217 Estrel Road to the Crown and subsequent amalgamation of the land with Equestrian Reserve No 40012.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council agrees to withdraw its caveat over Lots 129, 148 and 135 Benmuni Road, Wanneroo subject to a suitable replacement deed and caveat being prepared and registered to ensure:

- 1 the early construction of the road between Shenton and Nicholas Roads, Wanneroo;
- 2 the immediate vesting in the Crown of the 28.80 hectares of Public Open Space;
- 3 the immediate transfer of Lot 217 Estrel Road to the Crown and subsequent amalgamation of the land with Equestrian Reserve No 40012;
- 4 the construction of the road between Calloway Street and Badgerup Road (abutting Little Badgerup Swamp) to Council's satisfaction no later than the time of subdivision of Location 672.

CARRIED

TP353-10/95 DEVELOPMENT ASSESSMENT UNIT - 26 AUGUST 1995 TO
27 SEPTEMBER 1995 - [290-1]

CITY PLANNER'S REPORT

The City Planner submits a resumé of the development applications processed by the Development Assessment Unit and the Delegated Authority Committee from 26 August to 27 September 1995.

RECOMMENDATION

That Council endorses the action taken in relation to the applications described in Report TP353-10/95.

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

- 1 amends Item 30/5204 to Report TP353-10/95 - E & D Grubelich, Lot 262 (28) Vintage Lane, Gngangara on Page 4 of the Development Assessment Unit Applications for the period 26 August 1995 to 27 September 1995 by deleting the words "Setback Relaxation" and inserting "shed be approved";
- 2 subject to Point 1 above, endorses the action taken in relation to the applications described in Report TP353-10/95.

CARRIED

Appendix III refers.

Cr O'Grady entered the Chamber at this point, the time being 10.34 pm.

TP354-10/95 **SUBDIVISION CONTROL UNIT - 26 AUGUST 1995 TO 27 SEPTEMBER 1995 - [740-1]**

CITY PLANNER'S REPORT

The City Planner submits a resumé of the Subdivision Applications processed by the Subdivision Control Unit and Delegated Authority Committee from 26 August to 27 September 1995.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council endorses the action taken in relation to the applications described in Report TP354-10/95.

CARRIED

Appendix IV refers.

TP355-10/95 **TOWN PLANNING SCHEME NO 2 REVIEW - PROGRESS REPORT - [780-2]**

CITY PLANNER'S REPORT

A revised draft of Town Planning Scheme No 2 was submitted to the Ministry for Planning in June 1995. The Ministry has subsequently responded stating that prior to consent to advertise being sought from the Hon Minister for Planning, further modifications need to be made to the Scheme text.

The City Planner provides background details to the Scheme. He advises that as the changes sought are of a major nature,

further assessment and discussions with the Ministry for Planning and Council are required.

MOVED Cr Cooper, **SECONDED** Cr Hall that CITY PLANNER'S REPORT TP355-10/95 be received.

CARRIED

TP356-10/95 INCREASE TO COMMITTEE REPRESENTATION - STANDING
COMMITTEES - [920-2, 702-0]

TOWN CLERK'S REPORT

Council resolved at its 27 September 1995 meeting that a report be submitted to Council in relation to:

- 1 the feasibility of increasing representation on Town Planning, Technical Services, and Finance and Community Services Standing Committees to seven (7); and
- 2 the nomination of deputies of Policy Committee delegates Cr Wood and Cr Curtis.

The Town Clerk provides background details on the subject matter. He reports that whilst an increase in representation may result in an increased workload for some Councillors, the potential exists to achieve a more equitable distribution of the workload and to accelerate the learning process for newly elected Councillors.

MOVED Cr Cooper, **SECONDED** Cr Hall that the Town Planning Committee advises Council it has no objection to the increase in representation of its members to seven (7).

CARRIED

TP357-10/95 LOT 158 (2) SOMERSBY GARDENS, CURRAMBINE -
[30/4614]

Cr Cooper raised concerns regarding the corner store at Lot 158 (2) Somersby Gardens, Currumbine and requested that Council obtain a legal opinion in relation to its operation as a Chinese take-away.

MOVED Cr Cooper, **SECONDED** Cr Hall that Council obtains a legal opinion in relation to the operation of the corner store at Lot 158 (2) Somersby Gardens, Currumbine as a Chinese take-away.

CARRIED

PATIO ADDITION TO LOT 17 (62/7) HARMAN ROAD, SORRENTO - [30/221]

Cr Lynn raised her concerns regarding the delay in approval for a proposed patio at Lot 17 (62/7 Harman Road, Sorrento (Item TP237-07/95 refers). She queried the outcome of an enquiry into homes at Seacrest that have already had patios erected but without Council approval.

The City Planner stated that he would investigate this matter and advise all Councillors by way of a memorandum.

MARMION LIQUOR STORE - CAR PARK - [30/853]

Cr Major asked for an up-date on the recent approval for extensions to the Marmion Village Shopping Centre to provide for the Marmion Liquor Store as he was concerned regarding what had happened in relation to the shortfall for the car parking arrangements.

The City Planner reported that approval had been granted subject to all conditions being complied with by the applicant.

CHILD CARE CENTRE, GLENUNGA WAY, CRAIGIE - [510-1150, 30/398]

Cr Major asked what were the conditions of approval for the Child Care Centre on Glenunga Way, Craigie and queried whether he could see the conditions. He also raised his concerns regarding the car parking arrangements.

The City Planner replied that it was approved under standard conditions and Cr Major was welcome to view them. He also advised Cr Major regarding entry to the car park.

LANDSCAPING - BUSINESS PARK, JOONDALUP & ENTERPRISE PARK, WANGARA - [061-442]

Cr Ewen-Chappell raised her concerns regarding the condition of gardens at premises in Business Park, Joondalup and Enterprise Park, Wangara. She queried whether there could be a system of 'cash in lieu' of landscaping, similar to the Cash in Lieu of Car Parking Policy as many gardens were in a neglected state.

Cr Cooper requested the City Planner to investigate the feasibility of modifications to Council's conditions in relation to landscaping.

PARKING IN JOONDALUP BUSINESS CENTRE - [910-1]

Cr Ewen-Chappell raised her concerns regarding parking in the Joondalup Business Centre and queried what action could be taken in this regard.

The City Planner reported that a meeting will be held with Landcorp on 30 October 1995 and that this issue would be raised.

C492-10/95 TECHNICAL SERVICES COMMITTEE

MOVED Cr Moloney, **SECONDED** Cr Wight that the Report of the Technical Services Committee Meeting, held on 11 October 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 A MAJOR - Deputising for	
	Cr Curtis	South-West Ward
	B A COOPER - Observer	Central
	Ward	
	K H WOOD - Observer	South Ward
	A B HALL - Observer	South
	Ward	
	A W WIGHT - Observer	South Ward
	A G TAYLOR - Observer	South Ward
	F D FREAME - Observer	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
Committee Clerk:	J HARRISON
Minute Clerk:	S BRUYN

APOLOGIES

An apology for absence was tendered by Cr Curtis; Cr Major deputised.

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

PUBLIC/PRESS ATTENDANCE

There were 5 members of the Public in attendance.

CONFIRMATION OF MINUTES

MINUTES OF TECHNICAL SERVICES COMMITTEE MEETING HELD ON
13 SEPTEMBER 1995

The Minutes of the Technical Services Committee Meeting held on 13 September 1995, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF PECUNIARY INTEREST

Cr Magyar declared an interest in Item TS303-10/95.

MEETING TIMES

Commenced:	6.04 pm
Closed:	7.50 pm

REPORT NO:

TS298-10/95

PLANT AND VEHICLES - ADDITIONAL PURCHASES -
TENDER NOS 065, 066, 074 AND 075-95/96 - [208-
065, 066, 074, 075-95/96]

CITY ENGINEER'S REPORT

Tenders were advertised on 2 and 5 September 1995 for the supply and delivery of plant and vehicles.

The City Engineer reports on the tender submissions received.

COMMITTEE RECOMMENDATION

That, as empowered by the September 1995 meeting of Council, the Technical Services Committee accepts the following tenders as outlined in Attachment 1 to Report No TS298-10/95:

<u>Tender No</u>	<u>Company</u>	<u>Changeover</u>
065-95/96	Skipper Trucks	\$206,558.00
066-95/96	Nuford	\$ 31,268.00
074-95/96	Midway Ford	\$ 19,352.00
075-95/96	Prestige Toyota	\$ 18,599.00

ADDITIONAL INFORMATION

The Technical Services Committee, in accordance with the delegated authority vested in it from the September 1995 meeting of Council, resolved to accept the Midway Ford tender at Tender No 074-95/96 (Item TS298-10/95 refers). Midway Ford has now advised that an error has been made in its pricing and wishes to withdraw its tender.

Council is advised that Midway Ford has omitted to include the cost of electric rear vision mirrors in its offer to supply a Ford Laser LXI for the price of \$19,352.00. The additional cost of \$520.00 to provide the mirrors would place Midway Ford behind the low tender of Nuford who have tendered the price of \$19,390.00 inclusive of electric rear vision mirrors.

Midway Ford cannot absorb this cost without suffering a loss and request that Council release it from this contract. With Midway Ford's long standing support in Council tenders, it is considered prudent for Council to accept Midway Ford's request.

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

- 1 agrees to the request of Midway Ford to withdraw its tender for the supply of a Ford Laser LXI sedan for the price of \$19,352.00;
- 2 approves the tender of Nuford at Tender Number 074-95/96 for the supply of a Ford Laser LXI sedan for the price of \$19,390.00;
- 3 ratifies the decision of the Technical Services Committee to accept the following tenders as outlined in Attachment 1 to Report TS298-10/95:

<u>Tender No</u>	<u>Company</u>	<u>Changeover</u>
065-95/96	Skipper Trucks	\$206,558.00
066-95/96	Nuford	\$ 31,268.00
075-95/96	Prestige Toyota	\$ 18,599.00
CARRIED		

Appendix V refers.

TS299-10/95 **PLANT REPLACEMENT RESERVE - TENDER NOS 067-068-95/96 - [208-067-068-95/96]**

CITY ENGINEER'S REPORT

Tenders were advertised on 2 and 5 September 1995 for the supply and delivery of vehicles as part of the Plant Replacement Reserve.

The City Engineer reports on the tender submissions received.

MOVED Cr Moloney, **SECONDED** Cr Wight that, as empowered by the August 1995 meeting of Council, the Technical Services Committee accepts the following tenders as outlined in Attachment 1 to Report No TS299-10/95:

<u>Tender No</u>	<u>Company</u>	<u>Changeover</u>
067-95/96	Midway Ford	\$42,366.00
068-95/96	Prestige Toyota	\$13,206.00
CARRIED		

Appendix VI refers.

TS300-10/95 **PLANT REPLACEMENT RESERVE - TENDER NO 069-95/96 - [208-069-95/96]**

CITY ENGINEER'S REPORT

Tender No 069-95/96 was advertised on 2 and 5 September 1995 for the supply and delivery of three full forward control tandem axle tip trucks of 22,500 GVM.

The City Engineer reports on the tender submissions received.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council delegates its authority to the November 1995 Technical Services Committee to accept tenders at Tender Number 069-95/96 for the replacement of six wheeled tip trucks, plant numbers 97 530, 97 535 and 97 536.

CARRIED

TS301-10/95 **ENGINEERING TENDERS FOR PAVEMENT SWEEPING,
PAVEMENT MARKING AND FENCING - [208-6]**

CITY ENGINEER'S REPORT

Tenders were advertised in September to cover revised specifications and further work services contracts from the period 1 November 1995 to 30 June 1996.

The City Engineer reports on the tender submissions received.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council accepts tenders listed below, as detailed on Attachments 1 to 5 to Report No TS301-10/95:

Tender No 71-95/96 - Sweeping of Kingsway Netball Courts

Cruiser Road Sweepers

Tender No 72-95/96 - Sweeping of Car Parks

Cruiser Road Sweepers

Tender No 73-95/96 - Sweeping of Joondalup City Centre

Cruiser Road Sweepers

Tender No 76-95/96 - Pavement Marking in Various Locations

Statewide Linemarking - car park bays, disabled parking bays, symbols, alphanumeric symbols, white lines and directional arrows.

Road and Traffic Services - long life reflective markings.

Tender No 77-95/96 - Supply and Erection of Road Frontage and Track Pathway Fencing

Treacy Fencing

CARRIED

Appendix VII refers.

TS302-10/95 PRICE INCREASE TO TENDER NO 122-94/95 - [208-122-94/95]

CITY ENGINEER'S REPORT

The City Engineer reports on a price increase to Tender No 122-94/95 (Item TS234-08/95 refers) for the supply of a Nissan Patrol fire unit.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council, in accordance with its policy on manufacturers increased pricing, endorses the City Engineer's approval of the increase to the nett changeover price from \$11,155.00 to \$11,717.00 at Tender No 122-94/95 for the supply and delivery of a Nissan Patrol LWB by Northside Nissan.

CARRIED

TS303-10/95 1995/96 ROAD RESURFACING AND CRACK SEALING PROGRAMMES - [540-2]

CITY ENGINEER'S REPORT

Tender No 78-95/96 was called for the treatment of certain streets under the 1995/96 Crack Sealing Programme.

The City Engineer reports on the tender submissions received.

Cr Magyar referred to his Declaration of Pecuniary Interest on Item TS303-10/95 made at the Technical Services Committee held on 11 October 1995. On further consideration, he did not believe he was required to declare an interest in this item.

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

- 1 accepts the tender of Pioneer Road Surfaces for the crack sealing of roads, as per Tender No 78-95/96 for the lump sum price of \$129,605;
- 2 authorises, in accordance with Section 547(12) of the Local Government Act the reallocation of \$80,000 from Account No 32602 Road Resurfacing Programme to Account No 32604 Crack Sealing Programme.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**TENDER NO 63 - 1995/96 SUPPLY OF GENERAL PLANTS,
LOW SHRUBS, GROUNDCOVER PLANTS AND GREENPLAN
PLANTS - [280-63-95/96]**

Tender No 63-95/96 for the supply of general plants, low shrubs, groundcover plants and Greenplan plants was advertised during August/September.

The City Parks Manager reports on the tender submissions received.

Cr Magyar queried whether a part contract could be awarded to Friends of Yellagonga.

Following discussion, the City Parks Manager was requested to submit a further recommendation to Council at its meeting on 25 October 1995 with regard to the feasibility of Friends of Yellagonga being given preferred supplier status.

CITY PARKS MANAGER'S REPORT recommended that Council:

- 1 accepts the part tenders submitted by Benara Nurseries for supply of general plants, low shrubs and groundcovers for \$55,132.50 and Apaca Aid for supply of Greenplan and special project plants for a total of \$32,160.00 for Tender Number 63-95/96;
- 2 authorises signing of tender documents.

COMMITTEE RECOMMENDATION

That:

- 1 Council:
 - (a) accepts the part tenders submitted by Benara Nurseries for supply of general plants, low shrubs and groundcovers for \$55,132.50 and Apaca Aid for supply of Greenplan and special project plants for a total of \$32,160.00 for Tender Number 63-95/96;
 - (b) authorises signing of tender documents;
- 2 a further recommendation be submitted to Council at its meeting on 25 October 1995 which provides the flexibility to purchase plants from Friends of Yellagonga.

ADDITIONAL INFORMATION

Council, at its Technical Services Committee meeting of 11 October 1995, received the City Parks Manager's Report TS304-10/95. The Committee recommended additional information be submitted to Council at its meeting on 25 October 1995 which provides the flexibility to purchase plants from Friends of Yellagonga.

Parks Department has assessed the tenders submitted by the tenderers to ensure their ability to supply the plant species in the correct pot size - only one tenderer conformed with the pot size.

The tender submitted by the Friends of Yellagonga group offers various options regarding pot size and price. The major factor in assessing this tender was their inability to supply the required plant species and number required.

Within the annual planting programs undertaken by Parks Department there is the opportunity to direct purchase specific plants for small projects. Therefore it is recommended that the Parks Officer who co-ordinates the Greenplan projects be authorised to purchase small amounts of specific species of plants from the Friends of Yellagonga as and when required.

Having regard to the above, the City Parks Manager recommended that Council:

- 1 accepts the part tenders submitted by Benara Nurseries for supply of general plants, low shrubs and groundcovers for \$55,132.50 and Apace Aid for supply of Greenplan and special project plants for a total of \$32,160.00 for Tender Number 63-95/96;
- 2 authorises signing of tender documents;
- 3 authorises the Parks Officer who co-ordinates the Greenplan projects to purchase small amounts of specific species of plants from the Friends of Yellagonga as and when required.

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

- 1 accepts the part tenders submitted for Tender Number 63-95/96 by:
 - (a) Benara Nurseries for supply of general plants, low shrubs and groundcovers for \$55,132.50;
 - (b) Friends of Yellagonga Inc for various species tendered for under the Greenplan and Special Projects grouping for \$4,000;

- (c) Apace Aid Inc for the plants that cannot be supplied by Friends of Yellagonga Inc, tendered for under the Greenplan and Special Projects grouping, for \$32,160;

2 authorises signing of tender documents.

CARRIED

TS305-10/95 METROPOLITAN REGIONAL ROAD PROGRAMME 1996/97 TO 2000/2001 - [540-0]

CITY ENGINEER'S REPORT

Main Roads WA has sought project submissions for the five year rolling Metropolitan Regional Road Programme commencing in 1996/1997. The Improvement and Rehabilitation projects were required to be submitted by 22 September 1995.

The City Engineer reports on road improvement and rehabilitation projects and seeks Council approval for the submitted projects.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council endorses the City Engineer's submission of the following projects to Main Roads WA for consideration for funding as part of the Metropolitan Local Road Funding Programme:

Road Improvement Projects

1996/97 Marmion Avenue - Shenton Avenue to Burns Beach Road
Duplication

1997/98 Hodges Drive - Marmion Avenue to Joondalup Drive
Duplication

Road Rehabilitation Projects

1996/97	Quinns Road	Smales Road to Ocean Drive	Resurface asphalt	30mm
	Marangaroo Drive	Koondoola Avenue to Alexander Drive	Resurface asphalt	30mm
1997/98	Gnangara Road	Wanneroo Road to Hartman Drive	Resurface and part reconstruction	
			1998/99 Alexander Drive Kingsway Road to Hepburn Avenue	
			Resurface 30mm asphalt	
1999/20	Beach Road	Marmion Avenue	Resurface	30mm

00		to Erindale Road	asphalt	
		(Eastbound		
		carriageway)		
2000/20	Warwick Road	Marmion Avenue	Resurface	30mm
01		to Erindale Road	asphalt	
		(Eastbound		
		carriageway)		

CARRIED

TS306-10/95 TRAPPERS DRIVE STREET LIGHTING - [510-1180, 510-1729]

CITY ENGINEER'S REPORT

Council has received a number of requests for improved street lighting in Trappers Drive, Woodvale and in particular at the junctions of Woodvale Drive and Timberlane Drive.

The City Engineer reports on the subject matter. He advises that funds are available to reallocate to street lighting projects such as Trappers Drive, Woodvale.

MOVED Cr Cooper, **SECONDED** Cr Curtis that Council authorises, in accordance with Section 547(12) of the Local Government Act the reallocation of \$15,000 from Account No 37251 Street Lighting Tariff for the installation of street lighting at the Trappers Drive/Woodvale Drive and Trappers Drive/Timberlane Drive junctions.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**TS307-10/95 SPRINGFIELD PRIMARY SCHOOL, BRIDGEWATER DRIVE,
KALLAROO - TRAFFIC CONCERNS - [510-0370]**

A submission has been received on behalf of the Springfield Primary School P & C Association requesting Council to address traffic concerns adjacent to the school on Bridgewater Drive. This was in response to an incident in which a student at the school was hit by a vehicle when crossing Bridgewater Drive. The P & C Association has suggested a number of changes be made on the approaches and adjacent to the school to lessen the likelihood of any future incidents.

The City Engineer outlines the changes requested. He advises that the proposal to extend the existing "NO STANDING" prohibition on the residential side of Bridgewater Drive to the east has some merit and supports this change. He reports that the existing "NO STANDING" prohibition will also be amended to conform to standard school peak times.

CITY ENGINEER'S REPORT recommended that Council:

- 1 amends the existing "NO STANDING 8.00AM - 9.00AM, 3.00PM - 4.00PM MONDAY TO FRIDAY" signs on the south side of Bridgewater Drive at the Springfield Primary School to "NO STANDING 8.15AM - 9.15AM, 2.30PM - 3.30PM MONDAY TO FRIDAY", as shown on Attachment 3 to Report No TS307-10/95;
- 2 authorises installation of "NO STANDING 8.15AM - 9.15AM, 2.30PM - 3.30PM, MONDAY TO FRIDAY" signs, on the south side of Bridgewater Drive along the frontage of Lot 57, as shown on Attachment 3 to Report NO TS307-10/95;
- 3 advises all parties accordingly.

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

- 1 amends the existing "NO STANDING 8.00AM - 9.00AM, 3.00PM - 4.00PM MONDAY TO FRIDAY" signs on the south side of Bridgewater Drive at the Springfield Primary School to "NO STANDING 8.15AM - 9.15AM, 2.30PM - 3.30PM MONDAY TO FRIDAY", as shown on Attachment 3 to Report No TS307-10/95;
- 2 authorises installation of "NO STANDING 8.15AM - 9.15AM, 2.30PM - 3.30PM, MONDAY TO FRIDAY" signs, on the south side of Bridgewater Drive along the frontage of Lot 57, as shown on Attachment 3 to Report NO TS307-10/95;
- 3 advises all parties accordingly;
- 4 writes to Main Roads WA requesting the reduction of speed limits near the school.

CARRIED

Appendix VIII refers.

TS308-10/95 CRAIGIE REGIONAL OPEN SPACE PARKING STATION - [680-1]

CITY ENGINEER'S REPORT

The City Engineer reports that since the construction of the facilities at Craigie Regional Open Space there has been an ongoing problem with patrons parking incorrectly along the access roads instead of within the designated areas.

The City Engineer comments that gazettal of the site as a parking station, along with the appropriate parking restriction signs would allow the City's Municipal Law and Fire Services Department to issue infringements. The parking controls will also enable more effective use of the existing car parks for Leisure Centre Patrons.

He advises that Ministerial approval is required and Council's parking facilities By-laws will also require amendment.

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

- 1 requests Ministerial approval under Section 231 (3) of the Local Government Act for the Craigie Regional Open Space area, as shown on Attachment 1 to Report TS308-10/95, to be established as a parking station;
- 2 subject to the Craigie Regional Open Space being approved as a parking station:
 - (a) amends it By-laws relating to parking facilities at the fifth schedule to include this facility as a parking station;
 - (b) authorises the affixation of the Common Seal to and endorses the signing of the documents;
 - (c) authorises administrative action in accordance with Section 190 of the Local Government Act 1960 to have the amendment promulgated;
- 3 subject to the Craigie Regional Open Space being approved as a parking station:
 - (a) installs "NO STANDING ANY TIME" signs at the Access Road No 1 junction with Whitfords Avenue, as shown on Attachment 2 to Report No TS308-10/95;
 - (b) installs "NO STANDING ANY TIME" signs, 9m from the roundabout approach island on both sides of Access Roads No 1 and No 2, as shown on Attachment 2 to Report No TS308-10/95;
 - (c) installs "NO STANDING ANY TIME" signs at the access roads and car park junctions, as shown on Attachment 2 to Report No TS308-10/95;
 - (d) installs "NO PARKING ANY TIME" signs along both sides of access roads No 1 and No 2, as shown on Attachment 2 to Report No TS308-10/95;

- (e) installs "NO PARKING ANY TIME" signs at the car park circulation roads, as shown on Attachment 2 to Report No TS308-10/95.

CARRIED

Appendices IX and X refer.

TS309-10/95 WARWICK REGIONAL OPEN SPACE PARKING STATION - [745-3-3]

CITY ENGINEER'S REPORT

The City Engineer reports that with the operation of the facilities at Warwick Regional Open Space, there has been some concerns with patron vehicles parking incorrectly along the access roads instead of the designated areas.

The City Engineer comments that gazettal of the site as a parking station, along with the appropriate parking restriction signs, would allow the City's Municipal Law and Fire Services Department to issue infringement to these motorists. The parking controls will also enable more effective use of the existing car parks provided for the open space patrons.

He advises that Ministerial approval is required and Council's parking facilities By-laws will also require amendment.

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

- 1 requests Ministerial approval, under Section 231(3) of the Local Government Act, for the Warwick Regional Open Space, as shown on Attachment 1 to Report No TS309-10/95 to be established as a parking station;
- 2 subject to the Warwick Regional Open Space being approved as a parking station:
 - (a) amends its By-laws relating to parking facilities at the fifth schedule to include this facility as a parking station;
 - (b) authorises the affixation of the Common Seal to and endorses the signing of the documents;
 - (c) authorises administrative action in accordance with Section 190 of the Local Government Act 1960 to have the amendment promulgated;
- 3 subject to the Warwick Regional Open Space being approved as a parking station:

- (a) installs "NO PARKING ANY TIME" signs on both sides of the main access road from Warwick Road to Beach Road, as shown on Attachment 2 to Report No TS309-10/95;
- (b) installs "NO STANDING ANY TIME" signs at the Warwick Road main access road junction, as shown on Attachment 2 to Report TS309-10/95;
- (c) installs "NO STANDING ANY TIME" signs at the Beach Road main access road junction, as shown on Attachment 2 to Report TS309-10/95;
- (d) installs "NO STANDING ANY TIME" signs at the main access road and car park access junctions, as shown on Attachment 2 to Report No TS309-10/95;
- (e) installs "NO PARKING ANY TIME" signs within the designated car park areas, as shown on Attachment 2 to Report No TS309-10/95.

CARRIED

Appendices XI and XII refer.

TS310-10/95 PARKING - GREEN ROAD, HILLARYS - [510-395]

CITY ENGINEER'S REPORT

Concern has been expressed in the form of a petition (Item C180-05/95 refers) by members of the Hillarys Tennis Group at the number of staff from the nearby Whitford City Shopping Centre who are parking on a long term basis along the verge in Green Road adjacent to the tennis courts and in the nearby public car park on James Cook Park. This practice is having an impact on the verge adjacent to the courts and reducing the effective capacity of the car park.

The City Engineer provides details of a parking survey undertaken and of discussions with the Centre Management.

He advises that the dedication of this car park as a parking station would allow the introduction of a four hour parking limit which can be enforced by Council's Law and Fire Services officers.

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

- 1 requests Ministerial approval, under Section 231(3) of the Local Government Act, for the car park within James Cook Reserve, as shown on Attachment 3 to Report No TS310-10/95 to be established as a parking station;

- 2 subject to the car park within James Cook Reserve being approved as a parking station:
- (a) amends its By-laws relating to parking facilities at the fifth schedule to include this facility as a parking station;
 - (b) authorises the affixation of the Common Seal to and endorses the signing of the documents;
 - (c) authorises administrative action in accordance with Section 190 of the Local Government Act 1960 to have the amendment promulgated;
- 3 subject to the car park within James Cook Reserve being approved as a parking station:
- (a) installs a four hour parking limit within the car park as shown on Attachment 3 to Report No TS310-10/95;
 - (b) installs "NO PARKING ANY TIME CARRIAGEWAY OR VERGE" 6~signs on the east side of Green Road from Banks Avenue to 40 metres south of the existing car park access point, as shown on Attachment 3 to Report No TS310-10/95;
- 4 advises all interested parties accordingly.

CARRIED

Appendix XIII refers.

TS311-10/95 DAVALLIA PRIMARY SCHOOL - EMBAYMENT PARKING -
TRENTON WAY, DUNCRAIG - [510-0683]

Residents of Trenton Way, Duncraig have petitioned Council to implement a proposal to 'rationalise' school related parking in their street (Item C335-07/95 refers). The proposal suggested an extension to the existing 90 degree parking on the school side of Trenton Way and provision of a dual use footpath link along the existing footpath system. In a letter to Council, the Davallia Primary School P & C Association has also expressed its support for the proposal.

The City Engineer submits details of a traffic survey conducted along Trenton Way and of existing parking arrangements. He advises that while there is clearly a lack of parking available for parent motorists along Trenton Way, the provision of additional right angle embayments adjacent to the existing 90 degree embayments cannot be supported on traffic safety aspects.

He reports that the provision of additional parking on school grounds should be pursued further with the Education Department.

CITY ENGINEER'S REPORT recommended that Council:

- 1 does not approve the construction of additional 90 degree embayments in Trenton Way;
- 2 initiates discussion with the Education Department on the provision of a 48 bay car park for parent motorists with access off Trenton Way, as shown on Attachment 3 to Report No TS311-10/95;
- 3 advises all interested parties accordingly.

ADDITIONAL INFORMATION

The City Engineer advised that further to the report on Embayment parking proposals for Davallia Primary School (TS311-10/95 refers), a meeting between Davallia Primary School P & C Association officials, Traffic Engineering Section staff, an Education Department official, nearby resident and Councillor Moloney was held at the school on 10 October 1995. The school representatives sought to discuss alternative traffic solutions prior to Council's consideration of the matter.

Concern about Trenton Way parking practises was discussed and general agreement reached on the need for some form of off-street parking facility. Report TS311-10/95 identifies a 48 bay facility on Education Department land. However, a smaller car park facility, differently configured is possible. Also, a small car park located on adjacent reserve land, as shown on Appendix XIV, is feasible. This latter option could be potentially divisive for the local community and would require consultation with the surrounding residents. Therefore, the options on provision of off-street car parking facilities need to be further investigated.

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

- 1 does not approve the construction of additional 90 degree embayments in Trenton Way;
- 2 authorises the City Engineer to investigate the provision of a car park for parent motorists on either Education Department land or recreation reserve in the vicinity of Davallia Primary School;
- 3 advises all interested parties accordingly.

CARRIED

Appendix XIV refers.

CITY ENGINEER'S REPORT

Council has received a ten signature petition from residents opposite Camberwarra Primary School seeking the installation of parking restrictions along the residential side of Currajong Crescent to alleviate the current parking problems. The residents' main concerns relate to difficulties in accessing their properties and the potential danger to children crossing the road to parked vehicles during peak periods (Item C347-07/95 refers).

The City Engineer reports on the parking situation at the school and comments on a survey conducted of parking patterns during the afternoon peak period.

He advises that the installation of a "NO STANDING CARRIAGEWAY OR VERGE" prohibition is not supported by the school P & C Association and therefore is not recommended. Individual residents may elect to control verge parking by registering their verges with Council's Parks Department. In addition, the pavement marking of "NO STANDING" areas 3 metres either side of driveways can also be implemented at the request of residents.

He reports that the provision of additional parking on school grounds should be pursued with the Education Department.

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

- 1 does not approve the installation of a "NO STANDING CARRIAGEWAY OR VERGE" prohibition on the northern side of Currajong Crescent, Craigie;
- 2 authorises the pavement marking of "NO STANDING" areas 3 metres either side of driveways in Currajong Crescent subject to the agreement of the affected residents;
- 3 initiates discussion with the Education Department on the provision of a parent car park on the south west corner of the school, as shown on Attachment 2 to Report No TS312-10/95;
- 4 advises all interested parties accordingly.

CARRIED

Appendix XV refers.

CITY ENGINEER'S REPORT

The Wangara Stormwater Drainage Sump, which is located on the east side of Walluburnup Swamp, near Wanneroo Road and Prendiville Drive, overflowed on the 8 and 9 June 1995 following several days of heavy rain. During this overflow, part of the western embankment outfall structure collapsed and was washed away. No major damage occurred to properties.

The City Engineer reports on damage to property and reparation works to date. He submits details of an investigation undertaken by a consultant on the cause of failure, to evaluate options for reconstruction and provide design and documentation of a replacement spillway structure. A concrete spillway was recommended as it would have a life of at least 50 years and require very little maintenance other than vegetation removal and checking of down stream erosion control.

The City Engineer recommends that Council approve the concrete spillway option and that these works be undertaken by contract construction.

Cr Magyar requested the City Engineer to investigate the feasibility of a boom being incorporated on this drainage structure to trap debris.

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

- 1 approves construction of the Wangara Stormwater Drainage Sump Concrete Spillway Structure at an estimated cost of \$133,000;
- 2 authorises, in accordance with Section 547(12) of the Local Government Act the reallocation of \$133,000 from the Wangara Industrial Estate Reserve for the construction of the Wangara Stormwater Drainage Sump Concrete Spillway Structure.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**TS314-10/95 PETITION STORMWATER DRAINAGE - STUART PLACE, TWO
ROCKS - [510-0554]**

CITY ENGINEER'S REPORT

A petition has been submitted by the residents of Stuart Place, Two Rocks expressing concerns about a drainage problem which occurs at the intersection of Stuart Place and Forrest Grove.

The City Engineer provides details of the drainage problem. He comments that the most viable solution is to provide a piped stormwater drainage connection from the isolated low points to the existing drainage system in Whitfield Street.

He recommends that unexpended funds be reallocated and the Stuart Place improvement works be included in the drainage programme for November.

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

- 1 constructs the drainage improvement works in Forrest Grove and Stuart Place, Two Rocks as shown on Attachment 1 to Report No TS314-10/95;
- 2 authorises, in accordance with Section 547(12) of the Local Government Act the reallocation of \$12,000 from Account No 34182 Pelham Way, Drainage, to the construction of drainage works in Forrest Grove and Stuart Place, Two Rocks.
- 3 advises the petitioners accordingly.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XVI refers.

**TS315-10/95 REVISED GREENHOUSE STRATEGY FOR WESTERN AUSTRALIA
1994 - [508-4]**

CITY ENGINEER'S REPORT

The Greenhouse Coordination Council has distributed the Revised Greenhouse Strategy for Western Australia 1994 for information and comment.

The City Engineer provides details of the document and comments on proposals suggested to reduce emissions of greenhouse gases.

He reports that the appropriate action at this stage would be to advise of Council's support for the immediate implementation of 'no regrets' strategies for reducing the greenhouse effect and the need for ongoing policy development and community consultation to meet Australia's long term commitments under the Framework Convention on Climate Change.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council advises the Greenhouse Co-ordination Council of its support for the immediate implementation of 'no regrets' strategies for reducing the greenhouse effect and the need for ongoing policy development and

community consultation to meet Australia's long term commitments under the Framework Convention of Climate Change.

CARRIED

TS316-10/95 PROPOSED EXTENSIONS TO DWELLING: LOT 517 (6) CAPE COURT, SORRENTO - [1944/517/6]

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted seeking approval to construct extensions to the dwelling at Lot 517 (6) Cape Court, Sorrento. The proposed garage portion of the extensions has a zero front setback.

The City Building Surveyor provides background details of the proposed extensions and gives an assessment of the proposal. He considers that the proposed garage with a zero front setback does not comply with Council's Policy and should be refused.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council refuses the application for approval in principle for a garage to be constructed at Lot 517 (6) Cape Court, Sorrento and advises the applicants that they have the right of appeal to the Minister for Planning.

CARRIED

TS317-10/95 PETITION FOR PLAY EQUIPMENT - STANFORD PARK, KALLAROO - [061-332]

CITY PARKS MANAGER'S REPORT

A petition containing 42 signatures was received on 18 September 1995 requesting that Council provide play equipment on Stanford Park, Kallaroo.

The City Parks Manager outlines play equipment presently at the park. He advises that as these pieces of equipment are approximately 15 years old, the request for play equipment is justified.

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

- 1 advises the petitioners that funds are not available in the 1995/96 Budget for the purchase of additional play equipment;
- 2 lists the play equipment for Stanford Park, Kallaroo on the 1996/97 Draft Budget for Council's consideration.

CARRIED

Council's existing tennis facility at Timberlane Park, Woodvale comprises ten courts. In the 1994/95 budget an amount of \$60,000 was allocated by Council for the Stage 5 construction of an additional two courts to bring the total number of courts to an ultimate twelve court complex, as envisaged in the original Parks Department concept plan. This amount has been carried over to 1995/96.

Council has approved the allocation of a further \$60,000 in the 1995/96 budget to bring the total funding to \$120,000. This total amount will be required for the construction of two illuminated tennis courts, extensive earthworks and retaining walls, relocation of park furniture and a fenced play equipment area and significant landscape rehabilitation.

The City Engineer provides details of the two options submitted for locating the new tennis courts. He advises that the outcome of a meeting held on site on 6 July 1995, involving four South Ward Councillors and representatives from Council's Recreation and Engineering Departments, was that Option A be adopted as the preferred option. This option was for a single court to be constructed at the east and west ends of the existing north bank of courts.

Cr Taylor submitted a plan showing revised playground area and contours (Appendix XVII refers), which had the support of the Tennis Club and Woodvale Family Playgroup and requested this option be investigated.

CITY ENGINEER'S REPORT recommended that Council:

- 1 approves the construction of two new tennis courts at Timberlane Park, Woodvale in accordance with the locations shown as Option A on the plan at Attachment 1 to Report No TS318-10/95;
- 2 authorises the Engineering Department to proceed with the design and documentation for the construction of Tennis Courts on Timberlane Park in accordance with Option A shown on Attachment 1 to Report No TS318-10/95.

COMMITTEE RECOMMENDATION

That consideration of the construction of two new tennis courts at Timberlane Park, Woodvale be deferred for one month, and a further report be submitted to Technical Services Committee in relation to the proposal submitted by Cr Taylor.

ADDITIONAL INFORMATION

At its meeting of 11 October 1995, the Technical Services Committee considered Report TS318-10/95 from the City Engineer regarding two options for locating the two new tennis courts to be constructed at Timberlane Park, Woodvale.

At that meeting, Councillor Taylor submitted a plan showing a revised proposal and requested that this option be investigated, (Appendix XVII refers).

The committee recommended that consideration of the construction of two new tennis courts at Timberlane Park, Woodvale be deferred for one month and a further report be submitted to the Technical Services Committee in relation to the proposal submitted by Councillor Taylor.

An on-site meeting was held at Timberlane Park on 18 October 1995 to discuss the revised proposal. This meeting involved representatives from the Kingsley Tennis Club, the Woodvale Family Playgroup and from Council's Recreation, Parks, Building and Engineering Departments.

While general agreement was reached by most of those present at the meeting in favour of the revised proposal, the Tennis Club and Playgroup requested extra time to consult with their respective committees before submitting their final opinions in writing to Council. It appears that this information may not be available for the November meeting.

It would, therefore, be preferable to defer consideration on the final location of the two new courts for another month to enable the views of all the interested parties to be considered in a further report to the Technical Services Committee.

Having regard to the above, the City Engineer recommended that consideration of the construction of two new tennis courts at Timberlane Park, Woodvale be deferred for two months and a further report be submitted to the December meeting of the Technical Services Committee in relation to the proposal submitted by Councillor Taylor.

Subsequent to the above, Cr Taylor advised he had obtained the required information from the Tennis Club and Playgroup and requested that a report be submitted to the Technical Services Committee scheduled for 8 November 1995.

MOVED Cr Taylor, **SECONDED** Cr Waters that consideration of the construction of two new tennis courts at Timberlane Park, Woodvale be deferred for one month, and a further report be submitted to

Technical Services Committee in November 1995 in relation to the proposal submitted by Cr Taylor.

CARRIED

Appendix XVII refers.

TS319-10/95 PETITION - ROAD CLOSURE - GLENUNGA WAY, CRAIGIE -
[510-1150]

Residents of the eastern portion of Glenunga Way, Craigie have petitioned Council to seek the closure and division of the street into eastern and western sections between Lot 92 and Lot 74.

The City Engineer provides details of the proposal and reports that Council considered this matter in July 1995 (Item TP230-07/95 refers) and did not support the application.

He advises that as the overall view of Glenunga Way residents' has not been provided on this proposal, it is considered this matter should be deferred pending comments being sought from all street residents.

CITY ENGINEER'S REPORT recommended that Council:

- 1 defers consideration of the proposed closure of Glenunga Way, Craigie pending comments being sought from the local street residents on the western section of Glenunga Way;
- 2 advises the petitioners accordingly.

RECOMMENDATION

That Council:

- 1 defers consideration of the proposed closure of Glenunga Way, Craigie pending a meeting being held, by invitation, with the local residents in Glenunga Way and Chadstone Road (between Eddystone Avenue and Deyoung Road) to discuss the proposal to close the road;
- 2 advises the petitioners accordingly.

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

- 1 defers consideration of the proposed closure of Glenunga Way, Craigie pending a meeting being held, by invitation, with the local residents in Glenunga Way and Chadstone Road (between Eddystone Avenue and Deyoung Road) and Ward Councillors to discuss the proposal to close the road.
- 2 advises the petitioners accordingly.

TS320-10/95 RETAINING WALLS - CURRAMBINE STAGE 7 - [740-95557]

CITY ENGINEER'S REPORT

Council, at its July meeting (Item TP260-07/95 refers), considered an application on behalf of Town and Country Bank to construct a retaining wall exceeding 2 metres in height in Stage 7 of the Currumbine subdivision. The wall is proposed at the rear of four residential lots on the boundary with the Joondalup Golf Course.

The City Engineer provides background details on the subject matter.

He advises that the proposed retaining wall can be approved on the basis that the adjoining owner previously agreed to the construction of the wall, rather than requiring specific written approval from the adjoining owner. He comments that Council's resolution will be required to be amended accordingly.

COMMITTEE RECOMMENDATION

That Council:

- 1 rescinds its resolution TP260-07/95 that:

 "Council authorises the City Engineer to approve a retaining wall of over 2 metres in height in Stage 7 Currumbine subdivision subject to receipt of written approval from the Joondalup Country Club for construction of the wall";
- 2 authorises the City Engineer to approve a retaining wall of over 2 metres in height for the Stage 7 Currumbine subdivision on the boundary of the Joondalup Golf Course;
- 3 advises the Joondalup Country Club accordingly.

ADDITIONAL INFORMATION

Further to Report TS320-10/95 submitted to the Technical Services Committee regarding an application for a retaining wall in Currumbine Stage 7, the City Engineer advised that written advice has been subsequently received from Joondalup Resort International.

It has been indicated that there is no objection to the construction of the retaining wall. However, the Joondalup Resort considers that the current fencing is sufficient for the purpose of the Golf Course and therefore any removal and re-erection of

the existing fence is the responsibility of the adjacent Developer (Town & Country).

The City's consideration of the application relates to the height of the retaining wall. The retaining wall exceeding two metres in height can therefore be approved. The issue over the fence is a matter to be resolved between the Developer and the Joondalup Resort International in accordance with the Dividing Fence Act.

As written advice has now been received from Joondalup Resort International raising no objection to the retaining wall there is no need to rescind Council's previous resolution to Report TP260-07/95.

The recommendation for Report TS320-10/95 should be amended to "City Engineer's Report TS320-10/95 be received".

MOVED Cr Cooper, **SECONDED** Cr Ewen-Chappell that CITY ENGINEER'S REPORT TS320-10/95 be received.

CARRIED

TS321-101/95 **JOONDALUP DRIVE/BURNS BEACH ROAD REALIGNMENT - [510-1665, 510-239]**

CITY ENGINEER'S REPORT

In April 1993 the Department of Planning and Urban Development advised that a traffic study of the Joondalup area identified the need to reassess the Burns Beach Road, Joondalup Drive alignments.

The analysis of this study recommended Joondalup Drive be upgraded to six lanes. Under this proposal, Burns Beach Road, west of Joondalup Drive, would terminate at a roundabout adjacent to the former T-junction intersection.

The City Engineer provides details of the proposal and of negotiations being carried out with certain landowners.

He advises that tenders for this contract 62-95/96 closed on Friday, 15 September 1995 and are being currently evaluated and seeks Council approval to accept the tender for this contract.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council delegates authority, to the Technical Services Committee at its 8 November 1995 meeting, to accept the tender for Contract No 62-95/96 Joondalup Drive/Burns Beach Road Realignment.

CARRIED

TS322-10/95 **BUILDING INFRINGEMENTS; LOT 166 (125) LYELL GROVE, WOODVALE - [2293/166/125]**

CITY BUILDING SURVEYOR'S REPORT

The builder of additions to the dwelling at Lot 166 (125) Lyell Grove, Woodvale, has departed from the approved plans by locating a carport in a non-complying location and enclosing the original garage without approval. The carport wall has also been extended forward and is marginally short of the front boundary.

The City Building Surveyor provides background details of the subject matter and gives an assessment of the infringement.

He advises that it is considered that prosecution proceedings should be taken against the builder.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council instigates prosecution proceedings under Section 374 (1)(b) of the Local Government Act against the builder of unauthorised additions at Lot 166 (125) Lyell Grove, Woodvale.

CARRIED

TS323-10/95 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 September 1995, building control activity, swimming pool inspections and Council's building works programmes.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council endorses the action taken in relation to the issuing of licences as set out in Attachment 'A' to Report No TS323-10/95.

CARRIED

Appendix XVIII refers.

TS324-10/95 PROPOSED DWELLING; LOT 892 (7) MINDEN RISE, SORRENTO - [3091/892/7]

CITY BUILDING SURVEYOR'S REPORT

An application has been submitted for approval to construct a dwelling at Lot 892 (7) Minden Rise, Sorrento, with a reduced front building setback and marginally higher than 6 metres.

The City Building Surveyor provides background details to the subject site, an assessment of the proposal and details of submissions received from surrounding owners.

He reports that although the location of the proposed carport does not comply with Council's Policy, the design of the carport and the reduced setback complies with the Residential Planning Codes and accordingly approval is recommended.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council approves the proposed dwelling to be constructed at Lot 892 (7) Minden Rise, Sorrento.

CARRIED

TS325-10/95 INCREASE TO COMMITTEE REPRESENTATION - STANDING COMMITTEES - [920-2, 702-0]

TOWN CLERK'S REPORT

Council resolved at its 27 September 1995 meeting that a report be submitted to Council in relation to:

- 1 the feasibility of increasing representation on Town Planning, Technical Services, and Finance and Community Services Standing Committees to seven (7); and
- 2 the nomination of deputies of Policy Committee delegates Cr Wood and Cr Curtis.

The Town Clerk provides background details on the subject matter. He reports that whilst an increase in representation may result in an increased workload for some Councillors, the potential exists to achieve a more equitable distribution of the workload and to accelerate the learning process for newly elected Councillors.

MOVED Cr Moloney, **SECONDED** Cr Wight that the Technical Services Committee advises Council it has no objection to the increase in representation of its members to seven (7).

CARRIED

TS326-10/95 PARKS ADVISORY COMMITTEES GREENPLAN AND HEPBURN HEIGHTS - TERMS OF REFERENCE - [253-4, 745-7]

CITY PARKS MANAGER'S REPORT

Council, at its meeting held in May, 1995 (Item C228-05/95 refers) resolved several issues in relation to the functions of the Green Plan Management Advisory Committee, Greening Australia and Hepburn Heights Advisory Committee and other related matters involving these Committees.

The City Parks Manager provides details of the Committees and reports on changes recommended to the resolutions.

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

1 rescinds Items 1 and 4 being part only of Report C228-05/95;

2 adopts the following:-

The Greenplan Advisory Committee and the Hepburn Heights Advisory Committee remain as individual committees meeting concurrently;

3 adopts the Terms of Reference as outlined on Appendix XIX hereto for the Greenplan Advisory Committee;

4 adopts the Terms of Reference as outlined on Appendix XX hereto for the Hepburn Heights Advisory Committee;

5 requests a report be submitted to Council identifying the responsibilities of the Environmental Advisory and Greenplan Advisory Committees following consultation between both groups.

CARRIED

Appendices XIX and XX refer.

TS327-10/95 ACCESS TO HEPBURN AVENUE - [510-1]

Cr Freame raised her concerns regarding the difficulty of gaining access to Hepburn Avenue between Marmion Avenue and Sorrento Quay for residents in surrounding suburbs.

She requested a report on the feasibility of making some improvements on the junction on Hepburn Avenue.

MOVED Cr Moloney, **SECONDED** Cr Wight that a report be submitted to Council on improving access from existing roads to Hepburn Avenue, between Marmion Avenue and Whitfords Avenue.

CARRIED

COOK AVENUE - SPEEDING - [510-0]

Cr Freame raised her concerns regarding speeding in Cook Avenue and requested the City Engineer investigate the current status of the need for traffic control in Cook Avenue.

TS328-10/95 STREET LIGHTING - OCEANSIDE PROMENADE - [221-2]

Cr Cooper submitted a letter from Mr N Liddelow requesting the continuation of street lighting from 82 Oceanside Promenade to the Korella Street intersection.

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

MOVED Cr Moloney, **SECONDED** Cr Wight that the letter from Mr N Liddelow in connection with the continuation of street lighting be received and referred to the Engineering Department for a report to Council.

CARRIED

TS329-10/95 SPEED LIMITS AROUND SCHOOLS - [218-1-1]

Cr Cooper raised his concerns in relation to speed limits generally around schools and requested that Council writes to the Ministers for Police and Education for a reduction in the speed limits around schools.

MOVED Cr Moloney, **SECONDED** Cr Wight that Council writes to the Ministers for Police and Education in regard to reduction of the speed of traffic around schools.

CARRIED

TS330-10/95 APPOINTMENT OF HONORARY PARKING INSPECTORS AT SCHOOLS - [910-1]

Cr Cooper raised the question of whether changes can be made to the Bylaws to enable Honorary Parking Inspectors to be appointed at schools and requested a report in this regard.

MOVED Cr Moloney, **SECONDED** Cr Wight that a report be submitted to Council on the feasibility of Honorary Parking Inspectors being appointed at schools.

CARRIED

TS331-10/95 UPKEEP OF VERGES - [512-0]

Cr Cooper raised his concerns regarding the untidy nature of some verges in the Connolly and Joondalup region and suggested the need to generally look at the question of verges. He suggested the use of coloured bitumen between the road and the footpath, with trees and bushes planted in the middle.

Cr Cooper suggested the formation of a committee consisting of Councillors and staff, to look at a better form of treatment for verges and provide a recommendation to Council.

Cr Freame stated she had previously made a similar request in relation to the "Tidy Towns" Scheme - Item C121-03/95 refers.

MOVED Cr Moloney, **SECONDED** Cr Wight that a report be submitted to Council in respect to resolving the problems with verge treatments

and canvassing the option of setting up a sub-committee consisting of Councillors and staff.

CARRIED

REMOVAL OF SIGNS - [219-1]

Cr Cooper raised his concerns regarding the removal by Council of an illegal sign from a Unit in Joondalup. He requested if possible could we advise people when a sign is being taken away.

The City Engineer replied that the by-laws were currently being remodelled to allow the option of moving the sign back to the correct place and were attempting to define a line forward of the road reserve line which did not clutter the reserve.

SPECIAL ELECTORS MEETING - BURRAGAH WAY SHOPPING CENTRE [801-2, 30/5160]

Cr Major reported that he had received a request for Council to provide a bus to assist elderly ratepayers to attend the Special Electors Meeting on 1 November 1995, in connection with the proposed establishment of a McDonalds Restaurant/Takeaway facility at Burrarah Way, Duncraig.

TS332-10/95 STRAY DOG - YANCHEP & TWO ROCKS - [903-2-1]

Cr O'Grady submitted a letter from Mr S Daley in connection with dogs wandering the streets of Yanchep and Two Rocks.

This letter will be referred to Municipal Law and Fire Services for action.

MOVED Cr Moloney, **SECONDED** Cr Wight that the letter from Mr S Daley in connection with dogs wandering the streets of Yanchep and Two Rocks be received and referred to Municipal law and Fire Services for action.

CARRIED

TS333-10/95 LANDSCAPING OF DRAINAGE SUMP - DUNSCORE WAY, KINROSS - [502-15]

Cr Magyar raised the subject of landscaping adjoining the drainage sump on Dunscore Way, Kinross, which was recently extensively damaged by a works crew from this Council.

He also raised a point about four small oleander bushes which were planted to replace grevilleas and other native plants.

MOVED Cr Moloney, **SECONDED** Cr Wight that a report be submitted to Council on:

- 1 the possible legal liability that Council faces from
planting toxic exotic plants such as Oleander;
- 2 the possibility of planting a few indigenous trees on the
top quarter of the slopes of drainage sumps on Dunscore
Way, Kinross where such plantings could enhance the visual
amenity of the locality.

CARRIED

FENCE PAINTING - CONNOLLY - [325-31]

Cr Moloney raised the question of the painting of fences around Connolly and asked if it was only the fences around Fairway Circle which were to be painted.

Cr Cooper replied that the fences being painted were the ones that had been painted previously in Mission Brown and this was being done by Landcorp.

DRAIN - HUNTINGDALE CRESCENT, CONNOLLY - [506-1]

Cr Moloney raised her concerns in relation to a drain in Huntingdale Crescent, Connolly.

She stated that children playing in the nearby park often lost balls into the drain and queried whether some form of grating could be implemented.

The City Engineer advised he would investigate this matter.

C493-10/95 FINANCE & COMMUNITY SERVICES COMMITTEE

MOVED Cr Waters, **SECONDED** Cr Hall that the Report of the Finance and Community Services Committee Meeting, held on 16 October 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
	A B HALL - from 6.05 pm	South
	Ward	
	F D FREAME	South-West Ward
	B J MOLONEY - Observer, Deputising	
	for Cr Hall from 6.02 pm	
	to 6.05 pm	South Ward
	S P MAGYAR - Observer	Central
	Ward	

K H WOOD - Observer from 6.31 pm	South
Ward	
A W WIGHT - Observer	South Ward
A G TAYLOR - Observer	South Ward
G A MAJOR - Observer	South-West Ward
M E LYNN, JP - Observer	South-West
Ward	

Town Clerk:	R F COFFEY
Deputy Town Clerk:	R E DYMOCK
City Treasurer:	J TURKINGTON
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
Committee Clerk:	J HARRISON
Minute Clerk:	S BRUYN

APOLOGIES

An apology for absence was tendered by Cr Cooper.

An apology for late attendance was tendered by Cr Hall; Cr Moloney deputised.

An apology for late attendance was tendered by Cr Wood.

PUBLIC/PRESS ATTENDANCE

There was 1 member of the Public in attendance.

CONFIRMATION OF MINUTES

MINUTES OF FINANCE AND COMMUNITY SERVICES COMMITTEE MEETING HELD ON 18 SEPTEMBER 1995

The Minutes of the Finance and Community Services Committee Meeting held on 18 September 1995, were confirmed as a true and correct record.

PETITIONS AND DEPUTATIONS

Nil

DECLARATIONS OF PECUNIARY INTEREST

Cr Major stated his intention to declare an interest in Item FA124-10/95 at the next meeting of Council.

Cr Taylor stated his intention to declare an interest in Item CS192-10/95 at the next meeting of Council.

Cr Wood stated his intention to declare an interest in Item FA124-10/95 at the next meeting of Council.

CONFIDENTIAL BUSINESS

The following Items were considered Behind Closed Doors.

CS203-10/95 - COMMUNITY SPORTING AND RECREATION FACILITIES FUND
- SUBMISSION PRIORITISATION - [260-0]

CS204-10/95 - APPOINTMENT OF HONORARY PARKING INSPECTORS -
GLENGARRY SHOPPING CENTRE, DUNCRAIG - [30/0653]

MEETING TIMES

Commenced: 6.02 pm
Closed: 7.45 pm

FINANCE & ADMINISTRATIVE SECTION

REPORT NO:

FA121-10/95 GLOBAL BUSINESS INNOVATION CENTRE - [730-8-1]

In December 1994, Council considered Report I91258 that outlined a proposal for the establishment of a 'Business Incubator' in Joondalup prepared by the Wanneroo Goes For Jobs Task Force. That submission suggested a project partnership between Edith Cowan University, Landcorp, the City of Wanneroo and a fourth partner then to be determined, each contributing funds in the order of \$760,000.

The Town Clerk provides details of a proposal by Edith Cowan University which seeks to offer access to business management expertise, facilities and accommodation/work space to meet the needs of new and growing technology-oriented firms.

He reports on the financial commitment asked of Council for the proposal and advises that it is intended that consideration be given to Council's capital contribution in either the 1997/98 or 1998/99 budget deliberations.

He comments that as the project has obvious merit, it is considered prudent to contribute \$20,000 towards the preparation of a comprehensive business plan, which funds can be reallocated from account 20114.

TOWN CLERK'S REPORT recommended that Council:

- 1 authorises, **BY AN ABSOLUTE MAJORITY**, in accordance with Section 547 (12) of the Local Government Act, the reallocation of \$20,000 within Account 20114, Professional Retainer/Consultancy Fees, Town Clerk's Department - Executive from the "Corporate Planning/Structural Efficiency" project to the "Global Business Innovation Centre Business Plan" project;
- 2 advises Edith Cowan University that whilst a \$20,000 contribution will be made to the preparation of a comprehensive business plan for the Global Business Innovation Centre, Council is unable to commit to a contribution of \$1 million for capital costs at this point in time, however, consideration will be given to the inclusion of this initiative in Council's 1997/98 Draft Budget upon receipt of an acceptable business plan.

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

- 1 subject to the approval of the Minister for Local Government under the provisions of Section 529 (e) authorises, in accordance with Section 547 (12) of the Local Government Act, the reallocation of \$20,000 within Account 20114, Professional Retainer/Consultancy Fees, Town Clerk's Department - Executive from the "Corporate Planning/Structural Efficiency" project to the "Global Business Innovation Centre Business Plan" project;
- 2 advises Edith Cowan University that whilst a \$20,000 contribution will be made to the preparation of a comprehensive business plan for the Global Business Innovation Centre, Council is unable to commit to a contribution of \$1 million for capital costs at this point in time, however, subject to a firm commitment by other funding government agencies, consideration will be given to the inclusion of this initiative in Council's 1997/98 Draft Budget upon receipt of an acceptable business plan.

**CARRIED BY AN
ABSOLUTE MAJORITY**

**FA122-10/95 INCREASE TO COMMITTEE REPRESENTATION - STANDING
COMMITTEES - [920-2, 702-0]**

TOWN CLERK'S REPORT

Council resolved at its 27 September 1995 meeting that a report be submitted to Council in relation to:

- 1 the feasibility of increasing representation on Town Planning, Technical Services, and Finance and Community Services Standing Committees to seven (7); and
- 2 the nomination of deputies of Policy Committee delegates Cr Wood and Cr Curtis.

The Town Clerk provides background details on the subject matter. He reports that whilst an increase in representation may result in an increased workload for some Councillors, the potential exists to achieve a more equitable distribution of the workload and to accelerate the learning process for newly elected Councillors.

MOVED Cr Waters, **SECONDED** Cr Wight that the Finance and Community Services Committee advises Council it has no objection to the increase in representation of its members to seven (7).

CARRIED

FA123-10/95 OUTSTANDING GENERAL DEBTORS - SEPTEMBER 1995 -
[020-0]

CITY TREASURER'S REPORT

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

He makes comments on the action being taken with long outstanding accounts and recommends the write-offs of debts totalling \$126.35.

MOVED Cr Waters, **SECONDED** Cr Wight that Council writes out of its general debtors ledger an amount of \$126.35, representing debts considered irrecoverable, as detailed in Attachment B to Report FA123-10/95.

CARRIED

Appendix XXI refers.

FA124-10/95 WARRANT OF PAYMENTS FOR THE PERIOD ENDING 30
SEPTEMBER 1995 - [021-1]

CITY TREASURER'S REPORT

The City Treasurer submits the Warrant of Payments for the period ending 30 September 1995, the total sum expended being \$28,966,123.50.

Cr Major declared an interest in this item.

MOVED Cr Waters, **SECONDED** Cr Taylor that Council passes for payment the following vouchers, as presented in the Warrant of Payments to 30 September 1995, certified by the Chairman of Finance and Community Services Committee and City Treasurer, and totalling \$28,966,123.50:

<u>Funds</u>	<u>Vouchers</u>	<u>Amount - \$</u> <u>\$ c</u>
Advance Account No 1	19073 - 20348	6,464,539.50
Municipal	00146 - 00167B	22,501,584.00
Trust		-
		<hr/>
		\$28, 966,123.50
		CARRIED

Cr Major did not vote.

Appendix XXII refers.

CITY TREASURER'S REPORT

The City Treasurer submits details of requests for authorisation to reallocate funds within the 1995/96 Budget.

He reports that the net result of these reallocations and adjustments is a budget surplus of \$4,225.

MOVED Cr Waters, **SECONDED** Cr Taylor that Council authorises, in accordance with Section 547 (12) of the Local Government Act, amendments to the adopted 1995/96 Budget, as detailed in the Schedule of Budget Reallocations Requests - 16 October 1995.

**CARRIED BY AN
ABSOLUTE MAJORITY**

Appendix XXIII refers.

**FA126-10/95 SHIRE OF WANNEROO AGED PERSONS HOMES TRUST (INC)
- BORROWING - [30/1084]**

CITY TREASURER'S REPORT

The Shire of Wanneroo Aged Persons' Homes Trust (Inc) seeks Council approval, in accordance with clause 33 of the Constitution, to borrow \$350,000 from the National Australia Bank to assist with the construction of a 15 bed special dementia unit to Jacaranda Lodge.

The City Treasurer advises that as this request is merely a procedural matter, it is recommended that Council approval be granted.

Cr Cooper wished it noted that he is Chairman of the Shire of Wanneroo Aged Persons' Homes Trust (Inc); however he has no pecuniary interest in this matter.

MOVED Cr Waters, **SECONDED** Cr Wight that Council grants approval to the Shire of Wanneroo Aged Persons' Homes Trust (Inc) to borrow \$350,000 from the National Australia Bank by way of mortgage over Lot 138 Belgrade Road, Wanneroo.

CARRIED

**FA127-10/95 APPLICATION FOR FUNDING A SCHOOL CHAPLAIN -
DUNCRAIG SENIOR HIGH SCHOOL - [485-6]**

Mrs Catherine Plowman, Chairperson Carine/Duncraig District Council of Churches' Commission on Education (Inc), has recently

submitted an application for a \$6,000 contribution towards a school chaplain at the Duncraig Senior High School.

The City Treasurer reports on Council's policy in relation to assistance to schools. He advises that whilst the work carried out by school chaplains is valuable in terms of providing support to young people in the local area, it is not usual practice of the City to support such initiatives.

Cr Major requested the Town Clerk to make enquiries from other Councils in relation to funding of school chaplains.

CITY TREASURER'S REPORT recommended that Council advises the Chairperson of the Carine/Duncraig District Council of Churches' Commission of Education (Inc) that while the work undertaken by school chaplains is commendable and has value in terms of providing support to young people, it considers it is not the role of local government to provide funds for this purpose.

ADDITIONAL INFORMATION

At the October meeting of the Finance and Community Services Committee held on 16 October 1995, Councillor Major requested details of contributions made by other local governments to the funding of school chaplains at metropolitan high schools.

The City Treasurer advises that contact with the relevant authorities indicates the following:

Cockburn City Council

Hamilton Senior High School	1992/93	\$1,000
	1993/94	\$3,000
	1994/95	\$4,000
	1995/96	\$5,000

Belmont City Council

Kewdale Senior High School	1995/96	\$6,000
Belmont Senior High School	1995/96	\$6,000

South Perth City Council

Como Senior High School	1995/96	\$1,700
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MOVED Cr Major, **SECONDED** Cr Taylor that Council donates the sum of \$6,000 to the Carine/Duncraig District Council of Churches' Commission of Education (Inc) as a contribution towards a school chaplain at the Duncraig Senior High School. **LOST**

MOVED Cr Cooper, **SECONDED** Cr Moloney that Council advises the Chairperson of the Carine/Duncraig District Council of Churches' Commission of Education (Inc) that while the work undertaken by school chaplains is commendable and has value in terms of providing support to young people, it considers it is not the role of local government to provide funds for this purpose.

CARRIED

**FA128-10/95 ORDERS FOR GOODS AND SERVICES -
APPROVING/REQUISITIONING OFFICERS - [010-0-1]**

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

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 Deputy Aquatic Manager, Programme Development Co-ordinator and Kiosk Supervisor at Craigie Leisure Centre on the Register of Officers authorised to requisition goods and services to a limit of \$1,500, \$1,500 and \$1,000 respectively.

It was requested that the Supervisor Maintenance, Greg Johns, be deleted from the register of officers authorised to requisition goods and services as he was no longer employed by Council.

The City Treasurer was asked what the limit was for requisition officers where figures were not quoted. The City Treasurer took this question on notice.

CITY TREASURER'S REPORT recommended that Council includes the Deputy Aquatic Manager (\$1,500), Programme Development Co-ordinator (\$1,500) and Kiosk Manager (\$1,000) at Craigie Leisure Centre on the register of officers authorised to requisition goods and services.

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

- 1 includes the Deputy Aquatic Manager (\$1,500), Programme Development Co-ordinator (\$1,500) and Kiosk Manager (\$1,000) at Craigie Leisure Centre on the register of officers authorised to requisition goods and services;
- 2 deletes the Supervisor Maintenance, Greg Johns, from the register of officers authorised to requisition goods and services.

CARRIED

CITY TREASURER'S REPORT

Council, at its meeting held on 27 September 1995, requested a report on suggested methods of improving debt collection procedures in relation to commercial refuse collections.

The City Treasurer provides details of commercial refuse collections and advises of procedures to be implemented, in an effort to improve debt collection in relation to commercial refuse charges.

MOVED Cr Waters, **SECONDED** Cr Wight that Council implements a debt recovery system for commercial refuse collection as outlined in Report No FA129-10/95.

CARRIED

Appendix XXIV refers.

FA130-10/95 DISPOSAL OF SURPLUS ASSETS - [010-0-2]

The City Treasurer reports on trailers which are surplus to Council requirements due to age and condition.

He advises that consideration should be given to donating these trailers to voluntary service organisations with the instruction that repairs, maintenance, insurance and registration be the responsibility of the recipient organisation.

CITY TREASURER'S REPORT recommended that Council:

- 1 offers to voluntary service organisations throughout the municipality the old surplus trailers detailed in Report No FA130-10/95 on the condition that the recipient organisation be responsible for the repairs, maintenance, insurance and registration of the trailers;
- 2 removes the five trailers from Council's Plant and Fixed Asset Registers.

Cr Hall declared an interest in this item.

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

- 1 calls for expressions of interest from voluntary service organisations throughout the municipality for the old surplus trailers detailed in Report No FA130-10/95 on

the condition that the recipient organisation be responsible for the repairs, maintenance, insurance and registration of the trailers;

- 2 removes the five trailers from Council's Plant and Fixed Asset Registers.

CARRIED

Cr Hall did not vote.

Appendix XXV refers.

FA131-10/95 DONATIONS - [009-1]

CITY TREASURER'S REPORT

The City Treasurer reports on requests for financial assistance for representatives at the National Road Cycling Championships, Adelaide and the Australian Karate Team, Asia Pacific Championships, Malaysia.

MOVED Cr Waters, **SECONDED** Cr Wight that Council donates \$50.00 to each of the following persons to assist with costs to participate in his/her respective sport:

Mr Aaron Corner
Mr Liam Martin
Mr Rick Kaminski

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

CARRIED

FA132-10/95 AUDIT - 1994/95 FINANCIAL REPORT - [002-1]

CITY TREASURER'S REPORT

Council's Auditor, Mr Graham McHarrie of Deloitte Touche Tohmatsu, Chartered Accounts, has completed the audit of Council's records for the 1994/95 financial year.

The City Treasurer provides details of the report and advises that this report and the Financial Report pertaining to the 1994/95 year will be presented to Council's Finance and Community Services Committee and Council in November 1995.

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

- 1 convenes the 1994/95 Annual General Meeting of Electors for Monday, 18 December 1995 at 7.30 pm in the Council Chamber;
- 2 advertises the meeting in The West Australian and local press, and all registered Elector/Ratepayers Associations be notified accordingly.

CARRIED

COMMUNITY SERVICES SECTION

CS188-10/95 FOOD COMPLAINT - SAMPLE NO 72C - [851-1]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The City Environmental Health Manager reports on a complaint regarding a cockroach found in a birthday cake manufactured by and purchased from Action Food Barns, Whitford City.

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

Crs Magyar and Hall left the Chamber at this point, the time being 11.07 pm.

MOVED Cr Major, **SECONDED** Cr Cooper that Council, in accordance with the provisions of the Health Act 1911, instigates legal proceedings against Action Food Barns (WA) Pty Ltd with respect of Food Sample No 72C.

CARRIED

CS189-10/95 FOOD COMPLAINT - SAMPLE NO 74C - [851-7, 30/3515]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The City Environmental Health Manager reports on a complaint regarding a band-aid found in a loaf of bread manufactured by and purchased from Coles Lakeside Joondalup Shopping Centre.

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 Wight that Council, in accordance with the provisions of the Health Act 1911, instigates legal proceedings against Coles Supermarkets Australia Pty Ltd trading as Coles Supermarkets with respect of Food Sample No 74C.

CARRIED

CS190-10/95 FOOD COMPLAINT - SAMPLE NO 78C - [30/3513-67]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The City Environmental Health Manager reports on a complaint regarding a foreign object found in a vegetable pattie manufactured by Edgell Birdseye and sold to a consumer by Advantage Supermarket, Joondalup.

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 Wight that Council, in accordance with the provisions of the Health Act 1911, instigates legal proceedings against either:

- 1 the proprietors of Advantage Supermarket Pty Ltd; or
- 2 the proprietors of PSL Industries Ltd, trading as Edgell Birdseye, 19-25 Camberwell Road, Hawthorn, East Victoria 3123;

in respect of Sample No 78C.

CARRIED

CS191-10/95 DEPOSIT OF OIL/SOLVENT IN STREET GULLY -
[2432/486/1]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

The City Environmental Health Manager reports on a complaint received from a Council Patrol Officer after having witnessed a Heathridge resident cleaning a motor car engine suspended above a street gully outside his home.

He seeks Council approval to instigate legal proceedings against the resident in accordance with Section 93 of the Health Act.

MOVED Cr Waters, **SECONDED** Cr Wight that Council, in accordance with Section 93 of the Health Act 1911, instigates legal action against Mr Andrew Gilbert Clark of 1 Fairlawn Gardens, Heathridge for allowing engine oil and solvent to pass into the local authority's storm water drainage system.

CARRIED

CS192-10/95 UNAUTHORISED LEACH DRAIN - LAKELANDS CARAVAN
VILLAGE - [30/95]

CITY ENVIRONMENTAL HEALTH MANAGER'S REPORT

On 18 September 1995 an Environmental Health Officer visited the Lakelands Caravan Village and verified the construction of a new 50 metre leach drain at the western aspect of the park. The drain was constructed without any prior approval of Council which is contrary to the Bacteriolytic Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations.

The City Environmental Health Manager provides background details of the drain.

He advises that this incident is viewed as a breach of the relevant regulations and will create a precedent if not acted upon.

Cr Taylor declared an interest in this item.

MOVED Cr Lynn, **SECONDED** Cr Curtis that Council instigates legal action against the owner of person authorised to act on behalf of the owner of the Lakelands Caravan Village, Lot 10 Sydney Road, Wanneroo for alterations or deviation to the approved plans of the western septic system without approval of the local authority, contrary to the Bacteriolytic Treatment of Sewage and Disposal of Effluent and Liquid Waste Regulations.

CARRIED

Cr Taylor did not vote.

CS193-10/95 APPLICATION FOR FUNDING - ABORIGINAL SENIORS GROUP - [880-8-4]

The Aboriginal Seniors Group in Girrawheen is requesting that Council act as sponsor for a grant being sought from the Lotteries Commission for the purchase of furniture and equipment.

The Manager Welfare Services provides details of the application.

She advises that the group is requiring a sponsor to administer the grant on its behalf because it is not an incorporated body and does not have a management structure.

MANAGER, WELFARE SERVICES' REPORT recommended that Council agrees to act as a sponsor for the Aboriginal Seniors Group and to administer grant funding from the Lotteries Commission for the purchase of furniture and equipment.

MOVED Cr Waters, **SECONDED** Cr Wight that Council agrees to the request from the Aboriginal Seniors Group to administer the funding from the Lotteries Commission for the purchase of furniture and equipment.

CARRIED

CS194-10/95 LIBRARY DEVELOPMENT PROGRAMME 1996-2001 - [240-2]

CITY LIBRARIAN'S REPORT

The City Librarian reports on correspondence received from the Library and Information Service of Western Australia seeking submissions to the Library Board for additional stock for 1996/97 and the four out years to 2001.

She submits details of the recommended stock applications for the years 1996 to 2001.

MOVED Cr Waters, **SECONDED** Cr Wight that Council submits applications to the Library Board Development Programme requesting:

1	1996/97	Woodvale Library	- 2,006	volumes
		Wanneroo Library	- 7,197	"
		Joondalup Library	- 20,000	"
		(less 1995/96 Development stock)		
		Tamala Park/Clarkson Library	- 11,099	"
2	1997/98	Woodvale Library	- 321	volumes
		Wanneroo Library	- 1,789	"
		Joondalup Library	- 1,661	"
		Tamala Park/Clarkson Library	- 11,099	"
3	1998/99	Whitford Library	- 630	volumes
		Woodvale Library	- 321	"
		Wanneroo Library	- 1,788	"
		Yanchep/Two Rocks Library	- 151	"
		Joondalup Library	- 1,661	"
		Tamala Park/Clarkson Library	- 2,991	"
4	1999/00	Whitford Library	- 711	volumes
		Woodvale Library	- 321	"
		Wanneroo Library	- 1,789	"
		Yanchep/Two Rocks Library	- 238	"
		Joondalup Library	- 1,661	"
		Tamala Park/Clarkson Library	- 2,991	"
		Butler Library	- 14,899	"
5	2000/01	Whitford Library	- 714	volumes
		Woodvale Library	- 325	"
		Girrawheen/Alexander Heights Library	- 4,438	"
		Wanneroo Library	- 1,791	"
		Yanchep/Two Rocks Library	- 238	"

Joondalup Library	- 1,661	"
Tamala Park/Clarkson Library	- 2,994	"
Butler Library	- 14,899	"
CARRIED		

CS195-10/95 MATTERS ARISING FROM MANAGEMENT AND ADVISORY COMMITTEES - [264-3]

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

The City Recreation and Cultural Services Manger reports on matters arising from the Management meetings of the Historical Sites and Cultural Development Advisory Committees.

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

- 1 (a) refers the "Review of WA's Heritage Legislation" to WAMA, requesting it be circulated to all Local Government Authorities for comment;
- (b) requests WAMA considers the necessity of conducting a seminar for local government to address the issues raised in the responses;
- (c) requests WAMA investigates methods by which Local Authorities can strengthen their powers to protect their local historical sites;
- 2 engages Mr Bob Brittain to prepare a submission on the cottage at Perry's Paddock for consideration in the Heritage Conservation and Property Value Awards.

CARRIED

CS196-10/95 MULTICULTURAL FESTIVAL 1996 - [880-9-3]

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

The Office of Multicultural Interests, and organiser of Multicultural Week in Western Australia, assesses submissions from bidding agencies to host highlights of this popular annual festival.

The City Recreation and Cultural Services Manager provides details of this event and of the City of Wanneroo's involvement in the festival to date.

He reports that the City of Wanneroo and the Multicultural Arts Centre of WA have been collaborating with Sorrento Quay to promote another attraction in March 1996 to be called the "Festival of Fire".

He advises that Council, at its meeting on 26 July 1995, agreed to support this event provided it coincides with Multicultural Week (Item B120-07/95 refers). The sum of \$5,000 has been listed in the 1995/96 Budget for this purpose.

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

- 1 hosts the 1996 Multicultural "Festival of Fire" to be held on Saturday, 16 March 1996, at Sorrento Quay, irrespective of the dates of Multicultural Week next year;
- 2 (a) advises the Multicultural Arts Centre of WA to provide more information to the City of Wanneroo Multicultural Advisory Committee on how local multicultural groups can be involved in the 1996 "Festival of Fire" programme;
- (b) submits the ideas proposed by the City of Wanneroo Junior Council to the Multicultural Arts Centre WA for possible inclusion in the "Festival of Fire" programme.

CARRIED

CS197-10/95 **AQUAMOTION KIOSK - [690-5]**

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

At its meeting on 27 September 1995, Council resolved to:

- 1 defer Item CS171-09/95 and refer the matter back to the Finance and Community Services Committee;
- 2 seek the Committee's direction on whether Council should make the kiosk at Aquamotion Wanneroo available for the purpose of food preparation or lease the area to an independent operator for the purpose of providing a service to patrons of the centre; and
- 3 invite public tenders for the kiosk according to the outcomes from these discussions.

The City Recreation and Cultural Services Manager provides background details of the subject matter and gives an assessment of the options proposed.

He advises that the kiosk would need to be upgraded to comply with the prerequisites of a Class 1 Food Premise under the Health (Food Hygiene) Regulations 1993. Any upgrading should be at the successful tender's expense.

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

- 1 calls public tenders for the operation of the kiosk at Aquamotion on the basis of servicing the Centre patrons and the preparation of foodstuffs to be sold off-site;
- 2 incorporates in the tender document appropriate conditions to reflect the concerns expressed by the various Council Officers detailed in Report No CS197-10/95;
- 3 advises the Proprietor of the Wanneroo Coffee Lounge it is inappropriate for any person to be conducting a business out of the Aquamotion Kiosk while the tender process is occurring.

CARRIED

Appendix XXVI refers.

CS198-10/95 MODIFICATIONS TO CRAIGIE LEISURE CENTRE POOL
OPERATING HOURS - [680-1]

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

Following a review of Craigie Leisure Centre's hourly attendance figures over the previous year, it is recommended the standard Monday - Friday hours of operation be altered as follow:

Current: Monday - Friday 6.00am to 9.45pm

Proposed: Monday - Friday 5.30am to 9.30pm

The City Recreation and Cultural Services Manager provides background details of current pool sessions and gives an assessment of the earlier opening and closing times.

He reports that it is anticipated that the modified hours will commence Monday 7 November 1995 on a permanent basis.

MOVED Cr Waters, **SECONDED** Cr Wight that Council endorses Craigie Leisure Centre's swimming pools hours of operation as follows:

Monday - Friday 5.30 am to 9.30 pm

commencing Monday, 7 November 1995.

CARRIED

CS199-10/95 JOINT VENTURE - WRITERS CENTRE - [429-1-30]

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

As a result of discussions between representatives of the English Department, Edith Cowan University, and officers from the Recreation and Cultural Services Department, it has been agreed that the development of a Writers Centre would be beneficial to the communities they serve within the City of Wanneroo.

The City Recreation and Cultural Services Manger advises of a proposal to reassemble Edith Cowan's house at the Joondalup Campus of Edith Cowan University and to be used as a Writers Centre.

He reports that if this is to occur, an agreement between Council and the University needs to be developed for the respective responsibilities in relation to the establishment and operation of the Centre and he provides details of the draft joint management arrangements.

He comments that the proposal has been discussed by the Cultural Development Advisory Committee and it has endorsed the proposal.

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

- 1 endorses the draft Joint Management Arrangements for the establishment of a Writer's Centre at Joondalup Campus, Edith Cowan University, between Council and Edith Cowan University;
- 2 lists the sum of \$9,000.00 in the Draft 1996/97 Budget;
- 3 seeks Ministerial approval under Section 529(e) of the Local Government Act 1960 to expend funds for the operation of the Writer's Centre;
- 4 arranges a joint press release with Edith Cowan University announcing the establishment of a Writer's Centre in the City of Wanneroo.

CARRIED

**CS200-10/95 HIRE FEES - WARWICK LEISURE CENTRE FUNCTION ROOM
- [745-3-3]**

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

The City Recreation and Cultural Services Manager advises that it has become apparent the hire charges for social functions held in the Function Room at Warwick Leisure Centre are not meeting all the costs associated with the venue. This stems from the high labour costs due to the need to have a staff member on duty for such functions.

He provides background details of the Function Room and advises that it would seem appropriate to upgrade the Warwick Leisure Centre Function Room to a type "A" classification from a type "C" classification in order to cover the costs associated with labour.

He reports that this fee change will require advertising in the Government Gazette and Wanneroo Times. The new fee should come into effect from 1 December 1995.

MOVED Cr Waters, **SECONDED** Cr Wight that Council amends the Schedule of Charges for the hire of Warwick Leisure Centre Function Room for social functions, from type "C" to type "A", being \$33.40 per hour, effective 1 December 1995.

CARRIED

**CS201-10/95 REFUND OF HIRE FEES - INNER WHEEL CLUB OF WANN-
GARA - [009-1, 262-2-1]**

A request has been received from The Inner Wheel Club of Wann-Gara and Wanneroo Rotary Club to refund the hire fee for its combined Australia Remembers dance held in the Wanneroo Civic Centre on 2 September 1995.

The City Recreation and Cultural Services Manager provides details of the request.

He advises that the funds raised will be used for community projects in Wanneroo and a refund would greatly assist the club's efforts in this regard.

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

recommended that Council agrees to refund \$145.50 to the Inner Wheel Club of Wann-Gara, being 50% of fees paid to hire the Wanneroo Civic Centre on 2 September 1995 for an Australia Remembers dance, such refund to be made from Account Number 29439.

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

- 1 agrees to refund \$145.50 to the Inner Wheel Club of Wann-Gara, being 50% of fees paid to hire the Wanneroo Civic Centre on 2 September 1995 for an Australia Remembers dance, such refund to be made from Account Number 29439;
- 2 considers an amendment to its policy for hire charges to reflect that "the reduced rate will not apply to commercial or commercial fund raising programmes/events".

CARRIED

CS202-10/95 REDUCTION OF HIRE FEES - SATHYA SAI BABA GROUP - [261-2-1]

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

A request has been received from the Sathya Sai Baba group of Warwick to assist with the hire charges for rooms at Warwick Leisure Centre for its marathon 24 hour prayers and hymn signing for world peace from 5.00 pm, 4 November 1995 to 7.00 pm, 5 November 1995.

The City Recreation and Cultural Services Manager provides details of the request.

He advises that in February 1995 (Item G30215 refers), Council resolved to charge 50% of the applicable hourly function rate for those groups conducting full day community events at indoor recreation facilities. As the event is being conducted over 24 hours, the group qualify for a reduction.

MOVED Cr Waters, **SECONDED** Cr Wight that Council reduces the hire charge by 50%, to \$202.80, for Activity Rooms 1 and 2 at Warwick Leisure Centre to be used by the Sathya Sai Baba group for a 24 hour prayer and hymn singing event for world peace from 4-5 November 1995, such donation to be made from Account Number 29439 - Recreation Facility Subsidy.

CARRIED

CS203-10/95 COMMUNITY SPORTING AND RECREATION FACILITIES FUND - SUBMISSION PRIORITISATION - [260-0]

CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT

The Minister for Sport and Recreation has allocated \$8 million from the Community Sporting and Recreation Facilities Fund for the 1996-97 round of applications.

The City Recreation and Cultural Services Manager provides details and gives an assessment of the various applications.

He reports on the recommended order of priority for Community Group Projects and Council projects.

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

- 1 endorses the applications for Community Group Projects CSRFF grants with the following rankings and ratings:

Organisation	Rating
1 Northern Districts Croquet Club	High
2 Edith Cowan University - Joondalup Campus	Medium/High
3 Wanneroo District Netball Association	Medium/High
4 West Australian Field and Game Association	Medium/High
5 West Perth Football Club	Medium/High
6 Warwick Bowling Club	not recommended
7 Olympic Kingsway Sports Club	Medium/Low
8 Shire of Wanneroo Aged Persons Home Trust (Inc)	Medium/High
9 Australian Anglo-Indian Association	Medium/Low

- 2 endorses the following rankings and ratings for Council projects:

(a)	Warwick Open Space Facility Extensions	High
(b)	Iluka Sportsman's Club	High

- 3 forwards all the applications to the Ministry of Sport and Recreation.

Cr Magyar entered the Chamber at this point, the time being 11.14 pm.

Cr Hall entered the Chamber at this point, the time being 11.15 pm.

COMMITTEE RECOMMENDATION

- 1 endorses the applications for Community Group Projects CSRFF grants with the following rankings and ratings:

Organisation	Rating
--------------	--------

1	Northern Districts Croquet Club	High
2	Wanneroo District Netball Association	Medium/High
3	West Australian Field and Game Association	Medium/High
4	West Perth Football Club	Medium/High
5	Warwick Bowling Club	not recommended
6	Olympic Kingsway Sports Club	Medium/Low
7	Shire of Wanneroo Aged Persons Home Trust (Inc)	Medium/High
8	Australian Anglo-Indian Association	Medium/Low

- 2 endorses the following rankings and ratings for Council projects:

(a)	Warwick Open Space Facility Extensions	High
(b)	Iluka Sportsman's Club	High

- 3 forwards all the applications to the Ministry of Sport and Recreation;

- 4 acknowledges the receipt of the application from Edith Cowan University, which has merit and is supported by Council.

MOVED Cr Waters, **SECONDED** Cr Taylor that Point 1, Item 6 of the Recommendation be amended to read:

"6 Olympic Kingsway Sports Club Medium/High"

LOST

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

- 1 endorses the applications for Community Group Projects CSRFF grants with the following rankings and ratings:

	Organisation	Rating
1	Northern Districts Croquet Club	High
2	Wanneroo District Netball Association	Medium/High
3	West Australian Field and Game Association	Medium/High
4	West Perth Football Club	Medium/High
5	Warwick Bowling Club	not recommended
6	Olympic Kingsway Sports Club	Medium/Low
7	Shire of Wanneroo Aged Persons Home Trust (Inc)	Medium/High
8	Australian Anglo-Indian Association	Medium/Low

- 2 endorses the following rankings and ratings for Council projects:

(a)	Warwick Open Space Facility Extensions	High
(b)	Iluka Sportsman's Club	High

- 3 forwards all the applications to the Ministry of Sport and Recreation;
- 4 acknowledges the receipt of the application from Edith Cowan University, which has merit and is supported by Council.

CARRIED

**CS204-10/95 APPOINTMENT OF HONORARY PARKING INSPECTORS -
GLENGARRY SHOPPING CENTRE, DUNCRAIG - [30/0653]**

MANAGER, MUNICIPAL LAW AND FIRE SERVICES' REPORT

The Manager Municipal Law and Fire Services nominates Vincent William Butler and John Edward Anderson as Honorary Parking Inspectors for the Glengarry Shopping Centre for a 12 month period. The applicants are of good character and there appears to be no impediment to their honorary appoints.

The positions, 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 669

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

- 1 in accordance with Section 669DA of the Local Government Act 1960 appoints Vincent William BUTLER and John Edward ANDERSON as Honorary Parking Inspectors for the Glengarry Shopping Centre, Duncraig for a 12 month period, subject to renewal;
- 2 in accordance with the provisions of the Justices Act 1902, authorises the withinmentioned Honorary Parking Inspectors to act under and enforce the Parking By-laws for the City of Wanneroo only within the boundaries of the Glengarry Shopping Centre, Duncraig, as detailed hereunder:
- (a) Parking Facilities By-laws No 19;
- (b) Local Government Uniform General (Parking for Disabled Persons) By-laws 1988.

CARRIED

CIRCULAR LETTER REGARDING RUBBISH COLLECTION - [508-1]

Cr Moloney raised her concerns in relation to the general circular letter which Council sends out regarding rubbish collection. She was not happy with the wording of the letter.

The City Treasurer advises that this was a standard letter sent to all recipients of Council's commercial refuse services.

SWIMMING POOLS - CHILD SAFETY - [210-8-1]

Cr Major queried whether there was a maximum number of persons allowed at Council's pools.

The City Recreation and Cultural Services Manager advised he would investigate this matter.

CS205-10/95 DEVELOPMENT OF SANDALFORD PARK, BELDON - [061-339]

Cr Magyar submitted a letter received from Mr R Stankowski in relation to the building of a quarter basketball court at Sandalford Park.

MOVED Cr Waters, **SECONDED** Cr Wight that the letter from Mr R Stankowski in relation to the building of a quarter basketball court be received and referred to the Parks Department for action.

CARRIED

CS206-10/95 OFF ROAD VEHICLE COMPLAINT, LAKE GNANGARA - [906-2]

Following a complaint from a Lake Gngangara resident in relation to 4 wheel drivers, Cr Magyar requested that a report be submitted to Council in relation to off road vehicles around Lake Gngangara.

MOVED Cr Waters, **SECONDED** Cr Wight that a report be submitted to Council in respect of off road vehicles around Lake Gngangara.

CARRIED

DECLARATION OF INTEREST - CR WOOD

Cr Wood stated his intention to declare an interest in Item FA124-10/95 at the next meeting of Council.

OFFICE ACCOMMODATION - [770-20]

The Town Clerk advised that the City Building Surveyor had prepared a number of alternatives for the office accommodation

requirements and members of the Sub Committee i.e. Cr Dammers, Cr Freame, had met on the 11th October to consider the various options.

Arising out of those discussions the City Building Surveyor had been asked to prepare a further report on the preferred option.

The Town Clerk advised that the report would be circulated to all Councillors and listed for discussion at the next meeting of Council and in the meantime if Councillors had any queries would they please contact the City Building Surveyor.

CS207-10/95 AUSTRALIA DAY CELEBRATIONS - [301-5-1]

Cr Dammers raised the suggestion of holding a breakfast on Australia Day in Neil Hawkins Park, instead of an evening function at Mawson Park as has been previously held. He further suggested that the "VIP tent" was not necessary.

Cr Freame recalled that Girrawheen/Koondoola Recreation Association made a similar request, and believed consideration should be given to the feasibility of rotating this function at various venues.

She requested research be undertaken regarding this request, to ascertain whether Council had made a commitment to the Recreation Association.

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

- 1 subject to no commitment being made to the Girrawheen/Koondoola Recreation Association, hosts an Australia Day Breakfast at Neil Hawkins Park;
- 2 advises Recreation Associations of 1 above and informs them that the venue of future Australia Day events will be on a rotational basis.

CARRIED

Cr Ewen-Chappell left the Chamber at this point, the time being 11.21 pm.

C494-10/95 BUSINESS FOR INFORMATION

MOVED Cr Waters, **SECONDED** Cr Hall that the Business for Information Reports be received.

CARRIED

REPORTS

TOWN PLANNING COMMITTEE

B172-10/95 DEVELOPMENT ENQUIRIES - AUGUST 1995 - [290-0]

CITY PLANNER'S REPORT

The City Planner submits a Schedule of Development enquiries received during August 1995, together with a resumé of advice given by the Town Planning Department.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY PLANNER'S REPORT B172-10/95 be received.

CARRIED

**B173-10/95 URBAN DEVELOPMENT INSTITUTE OF AUSTRALIA (UDIA)
CONFERENCE "DUE DILIGENCE, WHO NEEDS IT?" - [202-1-2]**

CITY PLANNER'S REPORT

The Urban Development Institute of Australia held a conference at the Esplanade Hotel, Fremantle on the weekend of 19-20 August 1995. Councillor Cooper and the City Planner attended the conference.

The City Planner reports on the conference and advises that the weekend provided an insight into the land development industry from the perspective of the developer. Councillor Cooper and the City Planner wish to thank Council for the opportunity to attend.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY PLANNER'S REPORT B173-10/95 be received.

CARRIED

**B174-10/95 APPEAL DETERMINATION - PROPOSED CONSULTING ROOMS
ON LOT 367 (50) ARNISDALE ROAD, DUNCRAIG -
[30/4455]**

CITY PLANNER'S REPORT

The City Planner advises that in September 1993, Council refused a similar application on Lot 367, Arnisdale Road, Duncraig on the grounds that it contravened Council's Consulting Rooms Policy with respect to lot size, location and setbacks. Council has since reconsidered its policy to include an "Arnisdale Road Consulting Rooms Precinct" to meet a perceived need for consulting rooms in close proximity to the Glengarry Hospital with reduced standards.

The City Planner reports that the Minister for Planning accepted Lot 367 as an appropriate site for consulting rooms with approval subject to conditions imposed by the City of Wanneroo.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY PLANNER'S REPORT B174-10/95 be received.

CARRIED

B175-10/95 **APPEAL DETERMINATION: LOT 84 (167) CASUARINA WAY, WANNEROO - [740-97102]**

CITY PLANNER'S REPORT

The City Planner advises that this application has been approved on appeal by the Minister for Planning, on compassionate grounds.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY PLANNER'S REPORT B175-10/95 be received.

CARRIED

B176-10/95 **APPEAL DETERMINATION - PROPOSED SUBDIVISION, PT SWAN LOCATION 5425 KILN ROAD, CARABOODA - [740-95331]**

CITY PLANNER'S REPORT

The City Planner advises that the appeal against Western Australian Planning Commission's refusal was upheld, as the Minister for Planning considered that the decision was soundly based.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY PLANNER'S REPORT B176-10/95 be received.

CARRIED

TECHNICAL SERVICES COMMITTEE

B177-10/95 **ENGINEERING CURRENT WORKS - [202-0]**

CITY ENGINEER'S REPORT

The City Engineer reports on current work undertaken by the Engineering Department for the period ending 22 September 1995.

MOVED Cr Waters, **SECONDED** Cr Cooper that Council investigates the provision of an additional light for the bus terminus in Mirrabooka Avenue.

CARRIED

B178-10/95 1995/96 STATE FUNDED ROAD PROJECTS - [540-0]

CITY ENGINEER'S REPORT

The Minister for Transport has recently approved funding for road projects within the City of Wanneroo.

The City Engineer reports on these projects.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY ENGINEER'S REPORT B178-10/95 be received.

CARRIED

B179-10/95 STORMWATER RUNOFF FROM PRIVATE PROPERTY (RURAL) - [502-2]

CITY ENGINEER'S REPORT

The City Engineer reports that in the design of the City's road systems, stormwater runoff from private properties has been generally excluded with all properties in the City of Wanneroo being required to contain all stormwater runoff within their boundaries. The control of stormwater runoff from paved areas or buildings on rural properties is similarly conditioned on the building licence on the basis that most of the stormwater runoff absorbs into natural ground.

The City Engineer provides details of stormwater runoff in some rural areas and reports that residents at rural low points have complained about the quality and the excessive amount of stormwater coming from some properties and that runoff is being permitted to discharge onto the road system.

He reports on legal advice received relating to this matter and advises that the New Local Government Act is expected to be promulgated in 1996 which will enable Local Laws to be made.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY ENGINEER'S REPORT B179-10/95 be received.

CARRIED

B180-10/95 WANNEROO YOUTH ACTIVITIES CENTRE - [312-4, 512-0]

CITY ENGINEER'S REPORT

Council resolved, at its August meeting, to refer a letter from the Lions Club of Wanneroo seeking bollards around the Wanneroo Youth Activities Centre to protect the garden, to the Engineering Department for a report (Item C387-98/95 refers).

The City Engineer reports that discussions on site with the Centre Co-ordinator has determined the need for a nine metre length of bollards and two pedestrian rails to resolve this problem.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY ENGINEER'S REPORT B180-10/95 be received.

CARRIED

B181-10/95 **EIGHTH NATIONAL LOCAL GOVERNMENT ENGINEERING
CONFERENCE - QUEENSLAND GOLD COAST - 27 AUGUST TO
1 SEPTEMBER 1995 - [202-1-4]**

CITY ENGINEER'S REPORT

The Eighth National Local Government Engineering Conference with the theme "Local Government Engineers Serving the Community" was held at Conrad Jupiters on Queensland's Gold Coast from 27 August to 1 September 1995. Councillor B Moloney and the City Engineer represented the City of Wanneroo.

The City Engineer reports on the conference and advises that the conference was a success and gave the opportunity to mix with a wide range of practitioners. Councillor Moloney and the City Engineer wish to thank Council for the opportunity to attend.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY ENGINEER'S REPORT B181-10/95 be received.

CARRIED

B182-10/95 **CAVEATS AND MEMORIALS, NOTATIONS ON TITLE - [210-01]**

CITY BUILDING SURVEYOR'S REPORT

At its meeting on 23 August 1995, Council requested a report on the means of placing a notation on a property title with respect to building issues etc. At this stage there are no means of placing a notation on a title.

The City Building Surveyor provides background details of the subject matter. He advises that the Minister of Lands has been requested to give consideration to such a requirement in the proposed amendments to the Transfer of Land Act 1893 and a further report will be submitted to Council when a response is received.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY BUILDING SURVEYOR'S REPORT B182-10/95 be received.

CARRIED

FINANCE AND COMMUNITY SERVICES COMMITTEE

B183-10/95 FINANCIAL REPORT FOR THE QUARTER ENDED 30
SEPTEMBER 1995 - [002-3]

CITY TREASURER'S REPORT

The City Treasurer submits the financial statements for the September quarter ended 30 September 1995.

He advises that at this early stage no real expenditure or revenue trends are apparent.

Rates collection at 30 September 1995 was \$28,369,702, which represented 60.8% of total rates due.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY TREASURER'S REPORT B183-10/95 be received.

CARRIED

B184-10/95 MAJOR CAPITAL PROJECTS - COST/BUDGET COMPARISON -
[006-1]

CITY TREASURER'S REPORT

The City Treasurer submits a comparison between committed expenditure and adopted budgets relating to major capital projects undertaken this financial year.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY TREASURER'S REPORT B184-10/95 be received.

CARRIED

B185-10/95 1995/96 RATE INCENTIVE SCHEME - PRIZEWINNERS -
[018-20]

CITY TREASURER'S REPORT

The Acting City Treasurer reports on a Cocktail Party held on Friday 22 September 1995 for the nine prizewinners of the 1995/96 year rate incentive scheme, together with prize donors.

He reports on the drawing of prizes and advises that letters of appreciation have been forwarded to all sponsors thanking them for their involvement and support in the 1995/96 rate incentive scheme and advising them of the winner's particulars.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY TREASURER'S REPORT B185-10/95 be received.

CARRIED

B186-10/95 PAYMENT OF RATES IN ADVANCE - [018-7]

CITY TREASURER'S REPORT

At the August 1995 Council meeting (Item C333-07/95 refers), a report was requested on the consideration of monthly or quarterly payments of rates in advance by ratepayers.

The City Treasurer provides details of the use of "debit cards" by Telstra and Western Power.

He reports that whilst recognising the convenience of the cards to ratepayers, the cost of administering such a scheme would exceed the benefits extended to ratepayers. Council's current instalment plan which enables rates to be paid by two instalments, or in cases of extreme financial hardship - a number of instalments - appears adequate and has, over the years, proved most satisfactory.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY TREASURER'S REPORT B186-10/95 be received.

CARRIED

B187-10/95 STAFF AND OUTSIDE WORKERS' OVERTIME - SEPTEMBER 1995 - [404-10]

CITY TREASURER'S REPORT

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

MOVED Cr Waters, **SECONDED** Cr Hall that CITY TREASURER'S REPORT B187-10/95 be received.

CARRIED

B188-10/95 MOBILE LIBRARY OFF-ROAD MAINTENANCE - [240-8]

CITY LIBRARIAN'S REPORT

The City Librarian reports on the urgent need for an off-road period for the Mobile Library in order to overhaul the fuel pump and injection system to eliminate exhaust smoke emissions.

She reports that it will be necessary to take the Mobile Library out of service for one week from Monday 23 October to Friday 27

October 1995. The library will return to service for the busy Saturday morning Quinns stop.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY LIBRARIAN'S REPORT B188-10/95 be received.

CARRIED

B189-10/95 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 of the Recreation and Cultural Services Department during October 1995.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B189-10/95 be received.

CARRIED

B190-10/95 WA RECREATION INDUSTRY AWARDS - [260-0]

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

The Ministry of Sport and Recreation and the Institute of Recreation (WA) have combined to jointly present the 1995 Touch Screen Systems WA Recreation Industry Awards.

This year, the Awards have been broadened to recognise achievement in nine different categories. These categories reflect the scope and diversity of the recreation industry and important areas of development.

The City of Wanneroo has submitted entries in two award categories - The Major Facilities Management Award (Craigie Leisure Centre) and the Publications Award (Recreation and Cultural Services Guide).

The City Recreation and Cultural Services Manager provides details of the principal aims and nine categories in the 1995 Awards.

He advises that nominations for all Awards closed on 6 October 1995. Council will be advised of the outcome of judging in due course.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B190-10/95 be received.

CARRIED

B191-10/95

**COMMUNITY VALUE OF RECREATION AND ITS
RELATIONSHIP TO WELLBEING - [323-1]**

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

The Ministry for Sport and Recreation recently undertook research into the " Community Value of Recreation and its Relationship to Wellbeing".

The City Recreation and Cultural Services Manager reports on the results of this research which concluded that if satisfaction with recreation (including sport) is increased, wellbeing increases and so too does one's quality of life.

He advises that it is reasonable to assume, therefore, that Council is making a substantial contribution to the quality of life for residents, through the provision of its recreation and cultural services.

MOVED Cr Waters, **SECONDED** Cr Hall that CITY RECREATION AND CULTURAL SERVICES MANAGER'S REPORT B191-10/95 be received.

CARRIED

C495-10/95

REPORT OF OCCASIONAL COMMITTEE

MOVED Cr O'Grady, **SECONDED** Cr Wight that the Report of the Joondalup Civic and Cultural Facilities Occasional Committee held on 29 September 1995 be received.

CARRIED

ATTENDANCES

Councillors:	A V DAMMERS, JP - Mayor, Chairman	Central Ward
	L O'GRADY	North Ward
	B J MOLONEY	South Ward

City Treasurer:	J TURKINGTON
City Building Surveyor:	R FISCHER
City Librarian:	N CLIFFORD
Special Projects Manager:	J SOBON
Committee Clerk:	J HARRISON

IN ATTENDANCE

Bob Britton	Ralph and Beattie Bosworth
John Main	James Christou and Partners

APOLOGIES

Apologies for absence were tendered by Cr Lynn, Cr Major and Town Clerk.

CONFIRMATION OF MINUTES

The Minutes of the Joondalup Civic and Cultural Facilities Occasional Committee Meeting held on 11 August 1995 were confirmed as a true and correct record.

DECLARATIONS OF PECUNIARY INTEREST

Nil

MEETING TIMES

Commenced:

8.07 am

Closed:

8.41 am

OC54-09/95

JOONDALUP CIVIC AND CULTURAL FACILITIES PROJECT - STAGE 1
EXTERNAL TEMPORARY CAR PARKING - [730-8-8-1]

At the informal meeting of the Joondalup Civic and Cultural Facilities Occasional Committee held on 22 September 1995 discussion was held in relation to the carparking area outside of the Library building. A query was raised on the feasibility of increasing the amount of car bays, and the Architect was requested to investigate this matter and report back to the Committee.

Drawings were presented by the Architect outlining the original option, which provided 20 car bays at mid level, a second option which provided 48 car bays at mid level, and a further option which increased the number of bays to approximately 85 by reducing the levels to the service level.

Discussion ensued in relation to the lower level option. However as this option would be more expensive, affect access and involve work to the front of the building it was considered preferable that the existing plans remain unchanged.

Mr Main suggested a reconfiguration of the car parking bays be carried out, thereby allowing flexibility for extending towards Boas Avenue at some future date. The City Building Surveyor advised he would investigate this option.

MOVED Cr O'Grady, **SECONDED** Cr Wight that the Joondalup Civic and Cultural Facilities Occasional Committee, as empowered by Council:

1
agrees to establish the external temporary Library and Civic Building car park at similar levels to the existing Council carparking;

2
provides landscaping to the western facade of the Library;

3
seeks a report on further expansion of carparking for the Civic and Cultural Facilities Project when the tender sum for Stage 1 is known.

CARRIED

C496-10/95

TOWN CLERK'S REPORT

MOVED Cr Magyar, **SECONDED** Cr Moloney that the Town Clerk's Report be received.

CARRIED

C497-10/95

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

Document:
Easement

Parties:
H M Queen Elizabeth II and Minister for Lands and City of Wanneroo
Description:
Closed Pedestrian Accessway - Lots 320/321 Andrews

Drive, Yanchep
Date:

27.9.95

Document:
Deed of Covenant
Parties:
Permanent Trustee Australia Ltd and City of Wanneroo
Description:
Lot 6, Cnr Endeavour Road/Whitford Avenue, Hillarys
Date:

20.9.95

Document:
Deed
Parties:
City of Wanneroo and Edith May Brown
Description:
Copyright Agreement - Oral History
Date:

27.9.95

Document:
Deed

Parties:
City of Wanneroo and Nick Jambanis
Description:
Copyright Agreement - Oral History
Date:

27.9.95

Document:
Deed
Parties:
City of Wanneroo and Con & Sophie Vosnacos
Description:
Copyright Agreement - Oral History
Date:

27.9.95

Document:
Deed
Parties:
City of Wanneroo and Phillip Herbert Renkin
Description:
Copyright Agreement - Oral History
Date:

27.9.95

Document:
Surrender of Easement
Parties:
City of Wanneroo and L E & L J Searson
Description:
Lot 250 Badgerup Road, Wanneroo
Date:

3.10.95

Document:
Licence
Parties:
City of Wanneroo and Lions Club of Girradoo Inc
Description:
Pt Lot 1 Wade Court, Girrawheen
Date:

3.10.95

Document:
Transfer of Land
Parties:

City of Wanneroo and O A Zagar
Description:
Lot 435 Gibbs Road, Nowergup
Date:

5.10.95

Document:
Grant of Easement
Parties:
City of Wanneroo and Gillon and Osboine Pty Ltd and E J R & M M
Reilly
Description:
Pt Lot 2 Arnisdale Road, Duncraig
Date:

16.10.95

MOVED Cr Cooper, **SECONDED** Cr O'Grady that the Schedule of Documents executed by means of Affixing the Common Seal, be received.

CARRIED

C498-10/95

INQUIRY INTO THE CITY OF WANNEROO - [702-8]

By letter dated 9 October 1995, the Hon Paul Omodei MLA, Minister for Local Government has advised that Mr Peter Kyle has been appointed to carry out further enquiries as to the matters investigated by him in 1992.

The Minister also advised the details of the persons to be made available to assist Mr Kyle as well as the Terms of Reference (Appendix XXVII refers).

In addition Mr Kyle wrote to the Mayor, Cr Dammers, enclosing a copy of his appointment (Appendix XXVIII refers) and indicating that he would be happy to attend a meeting of Council to properly inform it of the reasons for this further inquiry and the manner in which he proposed it be conducted.

Mr Kyle also states:

"it is of course most unfortunate that my previous report did not apparently lay to rest public concern in respect of some of the matters the subject of the report. I have already expressed to the Minister how important it is that this further inquiry completes that task. Accordingly it is vital that if you, your Councillors or the officers of the City are aware of any matters coming within my original terms of reference which warrant further investigation I should be informed of those matters as soon as possible.

I intend to invite public submissions by advertisement in the newspaper."

Arrangements have therefore been made for Mr Kyle to address both Councillors and members of the public at an open meeting of Council on Wednesday 25 October 1995 and to respond to questions.

The Mayor therefore proposes that Standing Orders be suspended immediately the formalities of opening the meeting etc are completed for this purpose to be followed by a fifteen minute (15) question time.

I have also taken the opportunity to assure the Minister for Local Government and Mr Kyle that the Council and staff of the City of Wanneroo will extend full co-operation to assist the inquiry.

MOVED Cr Cooper, **SECONDED** Cr O'Grady that the information regarding the Inquiry into the City of Wanneroo be received.

CARRIED

Appendices XXVII and XXVIII refer.

C499-10/95

CONNOLLY ADVISORY COMMITTEE - [325-31-1]

Council resolved to appoint an Advisory Committee at its meeting on 23 August 1995 to consider a range of issues dealing with verge treatments and the re-painting of uniform fencing in Connolly. The Committee included Councillors Dammers and Cooper, LandCorp and 2 representatives from the Connolly Residents Association.

The first meeting of the Committee held on 3 October 1995 dealt with the following:

1

CONNOLLY VERGE TREATMENTS

The City Engineer submitted a report detailing works identified at a previous on-site meeting with Association representatives and allowed for in the 1995/96 Budget. The Committee agreed that Council should proceed with the works outlined but resolved removal of existing ground cover from the western verge of Fairway Circle between Royal Melbourne Avenue and Portmarnock Circuit be referred to the Residents Association for comment. The Association has since advised the shrubs should be removed back ten (10) metres from each corner to improve sight distance but that shrubs should remain until agreement is reached on suitable replacement ground cover. This matter will be pursued by the City Parks Manager.

2

MAINTENANCE OF UNIFORM FENCING

Councillor Cooper advised that quotes had been received in relation to re-painting the fencing along Fairway Circle and that samples of painted timber were available to assist the Association in choosing a suitable colour. The estimated cost of fence painting was between \$13,000 and \$14,000. The meeting agreed that on selection of colour and paint type and agreement to extent of the work by the Association, Council would commission the painting of fencing and invoice LandCorp accordingly. The Association is to meet with Councillor Cooper to select the colour.

3

VERGE PLANTINGS AND MAINTENANCE

The City Parks Manager advised that maintenance crews and Community Service Groups would be undertaking maintenance and weeding commencing late October. Plants would be selected and purchased for Fairway circle from the plant tender but planting would not be undertaken at this time of year. Planting will be on-going and in the long term Council will continue to remove old woody plants and replace them with grass and trees.

4

JOONDALUP RESORT HOTEL ENTRY STATEMENT

Councillor Cooper raised the subject of the Joondalup Resort Hotel Entry Statement for comment.

The Association has since confirmed its view that the words "CONNOLLY" and "JOONDALUP" on the statement should be equal in size.

5
LETTER FROM MINISTER FOR LANDS

Mr Tom Carstairs tabled a letter from the Minister for Lands regarding the sale of Joondalup Golf Course and has provided a copy of the Connolly Residents Association's response. This issue will be further considered at the next meeting of the Committee.

6
COMMUNITY BUILDING - CONNOLLY

The Resident's Association requested that Council lists on the Draft Budget funds for the provision of a Community Building for Connolly. The history of this matter will be investigated by the City Building Surveyor for consideration at the next meeting of the Committee.

7
CONNOLLY RESIDENTS ASSOCIATION REPRESENTATION

Mr Tom Carstairs, President of the Association, confirmed the Association wished to nominate Tom Carstairs, Frank Nelson and Peter Egerton as its representatives on the Advisory Committee.

MOVED Cr Cooper, **SECONDED** Cr O'Grady that the information regarding the first meeting of the Connolly Advisory Committee, held on 3 October 1995, be received.

CARRIED

C500-10/95

**SUB-COMMITTEE TO FORMULATE A UNIFORM PRICING POLICY FOR
RECREATION FACILITIES IN THE CITY OF WANNEROO - [260-0, 264-2,
330-5-1]**

At the meeting of the Sub-Committee to Formulate a Uniform Pricing Policy for Recreation Facilities, held on 9 October 1995, it was concluded that due to the amount of work involved in generating unit income and expenditure estimates for all facilities in the municipality, the timeframe should be extended.

Council resolved at its meeting of 23 August 1995 that a report be submitted within a three month period.

MOVED Cr Cooper, **SECONDED** Cr O'Grady that Council authorises the Sub-Committee to Formulate a Uniform Pricing Policy for Recreation Facilities to extend the date to report back to Council should the Committee find it becomes necessary.

CARRIED

C501-10/95

**PLANNING FOR THE PERFORMING ARTS FACILITIES IN THE JOONDALUP
CIVIC AND CULTURAL FACILITIES PRECINCT - [730-8-8-1]**

During the launch of Stage One of the Joondalup Civic and Cultural Facilities Project, there was discussion between the Mayor and the Minister for Arts about the need to advance the planning for the performing arts facilities.

Council will recall that "Joondalup, a Cultural Plan" and the Master Plan propose a number of facilities including a museum, art gallery, youth centre and performing arts theatres. In order to advance the planning to the next stage, it is proposed a consultant is engaged to:

- 1
Investigate the short and long term demands for performing and collection spaces;
- 2
Develop a short and long term building development programme;
- 3
Establish an architectural brief of floor space requirements in the short and long term and document where community and cultural development activities can be housed permanently and temporarily in the performing arts building;
- 4
Develop a short and long term plan for a performing arts complex and locate it within the Civic and Cultural Facilities Master Plan.

The Master Plan for the Civic and Cultural Facilities addressed many of these issues in a global sense and it would be a natural progression to engage the same consultant, Hames Sharley, to undertake this work. Hames Sharley have also been engaged by the State Government from time to time to advise it on similar matters. In consultation with the Mayor, a submission and quotation has been obtained from Hames Sharley. The cost would

be \$21,000. The outcome would be used as the basis of submissions for funding.

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

1
engages Hames Sharley to proceed with the development of a report and plan that:

(a)
explores the short and long term demands for performing and collection spaces in the Joondalup Civic and Cultural Facilities precinct;

(b)
establishes a building development programme;

(c)
includes an architectural brief of floor space requirements;

(d)
develops a short and long term plan for the development of a performing arts complex within the Civic and Cultural Centre Master Plan;

2
accepts the quotation of \$21,000;

3
authorises the expenditure from Allocation No 20114 - Consultancy fees.

CARRIED

C502-10/95

JOONDALUP BUSINESS PARK - NORTHERN ACCESS ROAD TO SHENTON AVENUE
- [061-442]

Council approved the provision of a left in/left out access road from Shenton Avenue to Winton Road at a cost of \$318,943 based on land acquisition \$200,000 and road construction \$118,943. It was agreed that the total cost of the project would be funded on a dollar for dollar basis between LandCorp and the City of Wanneroo, with LandCorp responsible for arranging the land acquisition and road construction.

MOVED Cr Cooper, **SECONDED** Cr Moloney that Council authorises, in accordance with Section 547(12) of the Local Government Act the reallocation of \$11,000 from Account No 33188 - Regional Road Junction Improvements for the additional construction costs of Pontica Way, Joondalup Business Park.

CARRIED BY AN

ABSOLUTE MAJORITY

C503-10/95

GOVERNMENT SEWERAGE POLICY PERTH METROPOLITAN REGION - [308-1, 506-4]

SUMMARY

The State Government has recently released a revised Government Sewerage Policy - Perth Metropolitan Region taking effect from 1 October 1995.

The Policy has implications for owners of unsewered residential properties within the City of Wanneroo.

BACKGROUND

In March 1982 the Government released its Sewerage Policy for land development in the Perth Metropolitan Region, providing that unless special conditions exist, the provision of reticulated sewerage is mandatory to all new subdivisions in the region.

In 1990 the Sewerage Policy was amended to allow a three year trial of small scale unsewered density developments to either R20 or R30 depending on the location and suitability of the land. However, it was concluded that R20 and R30 development is too high a density for unsewered areas, primarily because lot sizes proved to be of insufficient area to satisfactorily dispose of effluent without giving rise to health risks.

ISSUES

The revised Policy incorporates the following provisions:

1.
For the application of the Policy the Metropolitan Region has been divided into inner and outer regions. Within the City of Wanneroo the dividing line is Hepburn Avenue placing the suburbs of Duncraig, Marmion and Sorrento (portions of which are unsewered) in the inner region. The suburbs of Mullaloo, Wanneroo, Quinns Rocks, Yanchep and Two Rocks fall within the outer region.

2.

Except where certain discretionary provisions may apply (such as aged persons accommodation) all subdivision or development is to be provided with reticulated sewerage.

3.

Unsewered subdivision or development is not to exceed a density greater than R12.5 (700m² per dwelling unit) in the inner metropolitan region.

4.

Unsewered subdivision or development is not to exceed a density greater than R5 (2000m² per dwelling unit) in the outer metropolitan region.

It should be noted that the Policy does not apply to development on an existing vacant lot of a single house.

The most obvious implication for City of Wanneroo ratepayers is those landowners who have purchased unsewered lots with the expectation that grouped dwelling development could occur in those localities that are coded R20 or higher under Town Planning Scheme

No 1. For instance a large proportion of lots in the affected localities have sufficient area to permit the development of two grouped dwellings, ie 900m² for two units. Under the revised policy 1400m² and 4000m² in the inner and outer regions respectively, would be required.

There are some exceptions to the mandatory provisions, however, they do not appear to apply (on face value) to unsewered lots within the City of Wanneroo.

The Government has advised that the revised Government Sewerage Policy will be implemented via the town planning process. Accordingly, the provisions of the Policy will be implemented through application of the Western Australian Planning Commission's existing Residential Subdivision (Policy No DC 2.2) which states, in Clause 3.2.4, that "in its consideration of applications for the creation of residential lots in unsewered areas of the Metropolitan Region, the Commission will apply the Government's Sewerage Policy". The Commission will also have regard to the Policy in considering town planning schemes and related matters. The policy is to be reviewed after three years.

It should be noted that there would not necessarily be any town planning grounds for refusing an application which complies with the provisions of the City's Town Planning Scheme No 1 and as such an approval could be granted. However, there seems little point in a proponent receiving a planning approval only to have

it refused at the Building Licence stage by the Health Department of Western Australia.

In light of the above, it is intended that any planning applications that are received after 1 October 1995 for density development in unsewered areas and do not comply with the Sewerage Policy will be refused, thus opening up a right of appeal to either the Minister for Planning or the Town Planning Appeal Tribunal.

Where practicable, enquirers at the City of Wanneroo will be advised of the Sewerage Policy as well as appeal rights should an application be lodged and subsequently refused.

MOVED Cr Cooper, **SECONDED** Cr O'Grady that the information regarding the Government Sewerage Policy Perth Metropolitan Region be received.

CARRIED

C504-10/95

PURCHASE OF SINGLE OPERATOR RUBBISH TRUCKS FROM THE TOWN OF VICTORIA PARK - [508-3]

As part of the split up of the old City of Perth, each of the new towns have been supplied with two new single operator rubbish trucks. The Town of Victoria Park has decided to contract out its rubbish collection and to sell the two new trucks by public tender. Tenders close Friday, 3 November 1995.

Council's Waste Management Section has a use for one of these trucks for its rural collection run. This report reviews the truck fleet and the operational needs of the section during this summer. It is recommended that a tender be submitted for the purchase of one of the trucks.

Council's truck fleet is normally turned over every five years. This is based on historical experience for maintenance of the cab chassis. The single operator domestic rubbish trucks have particularly onerous workloads and the Transport Manager is currently considering reducing the changeover period for these units to four years.

The current fleet of single operator vehicles were mainly purchased during 1991 and 1992. This means that Council's fleet is aging rapidly and will come up for replacement as a large group.

There will be operating advantages in starting the changeover earlier to minimise problems when all of the fleet is old and subject to increased breakdown and maintenance.

There were considerable operational problems last summer from overheating problems with the trucks. Modifications have been made to address the problems and these will be tested during the coming summer. There is also a greater amount of rubbish collected during the summer months. Purchase of an additional truck during 1994/95 was deferred to allow additional work on the specification. This vehicle and the one scheduled for 1995/96 were included in this year's budget.

Contracts have been let for purchase of these two trucks. Unfortunately, due to unexpected delays in delivery of the cab chassis, the first unit is expected late December and the second one about March 1996. This will put the service under considerable pressure during this summer.

The purchase of an additional truck to service growth is also scheduled for 1996/97. Provision for this has been made in the Domestic Cart Refuse Collection Reserve, which could be brought forward into this financial year.

The opportunity to purchase an "as new" truck from the Town of Victoria Park will provide an additional truck for this summer period.

The trucks available are 6x4 configuration which is suitable for collecting in areas without many cul-de-sacs. The rural run meets this criteria and because of the distances involved, would benefit from the higher payloads per trip.

The vehicles also feature an auxiliary engine to power the hydraulics. This is one of the alternatives that are used by many other Councils to handle the summer heat problem. There would be value in being able to monitor this equipment option within Council's fleet.

Council pays about \$206,000 for its current trucks. The Town of Victoria Park truck had a new price of \$210,000 due to the different cab chassis and the auxiliary motor.

Pricing a tender submission of this type is difficult. Council will spend at least \$206,000 on its next new truck. Acquisition costs on a City of Victoria Park truck, including signwriting and two-way radio installation, are estimated at \$8,000.

Conclusion

The economy, reliability and service level of Council's domestic rubbish collection service will be challenged this summer due to unavoidable delays in the delivery of single operator rubbish trucks.

This can be addressed by purchasing an already constructed unit from the Town of Victoria Park. The purchase can be funded from the Domestic Cart Refuse Collection Reserve by using funds being provided to purchase a unit next year at the same total cost of \$206,000.

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

1

submits a tender to the City of Victoria Park for the purchase of one single operator rubbish truck;

2

authorises, in accordance with Section 547(12) of the Local Government Act the expenditure of \$206,000 for the purchase of a single operator rubbish truck, such funds to be allocated from the Domestic Cart Refuse Collection Reserve.

CARRIED BY AN

ABSOLUTE MAJORITY

C505-10/95

INCREASE IN REPRESENTATION - STANDING COMMITTEES - [920-2, 702-0]

At its meeting on 27 September 1995 Council resolved that a report be submitted in relation to the feasibility of increasing representation on Town Planning, Technical Services and Finance and Administrative Services Committee to seven (7).

At its meeting on 8 February 1995 (Item C27-02/95 refers) Council resolved to amend its Standing Orders By-laws to afford Council the flexibility to appoint up to seven Councillors to any Standing Committee, whilst maintaining a degree of balance of ward representation.

The necessary amendment was gazetted on 12 May 1995. Accordingly, Council may now increase the representation on any Standing Committee to a maximum of seven members, by simple resolution.

This matter was subsequently referred to each Standing Committee for consideration and an indication of position on the matter. Each of the Standing Committees has indicated that no objection is held to an increase in membership to seven.

In considering their position in the matter, each Committee was mindful of the fact that although the payment of a meeting fee will be authorised under the new Local Government Act, any cost increase associated with an increase in representation should be weighed against the enhanced representation that may accrue from such an initiative. An increase in representation would also facilitate a greater distribution of workload and accelerate the learning process for newly elected councillors.

In view of the response by each Committee, it is considered appropriate to proceed with an increase in membership, and to make the necessary appointment of members and their deputies. Appendix XXIX hereto indicates existing Committee membership.

Cr Ewen-Chappell entered the Chamber at this point, the time being 11.25 pm.

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

1
increases membership of the Town Planning, Technical Services and Finance and Community Services Standing Committees to seven (7);

2
appoints the following Councillors to serve on the Town Planning Committee:

<u>Ward</u>	<u>Member</u>	<u>Deputies</u>
South	Cr Wight	Crs Taylor, Hall, Moloney
South West	Cr Curtis	Crs Major, Freame

3
appoints the following Councillors to serve on the Technical Services Committee:

<u>Ward</u>	<u>Member</u>	<u>Deputies</u>
South	Cr Taylor	Crs Wood, Hall, Wight
South West	Cr Major	Crs Lynn, Freame

4
appoints the following Councillors to serve on the Finance and Community Services Committee:

<u>Ward</u>	<u>Member</u>	<u>Deputies</u>
South	Cr Moloney	Crs Taylor, Wight, Wood
South West	Cr Lynn	Crs Curtis, Major

CARRIED

Appendix XXIX refers.

C506-10/95

APPOINTMENT OF DEPUTIES TO POLICY COMMITTEE MEMBERS - [702-0]

At its meeting on 27 September 1995, Council highlighted the need to appoint Policy Committee deputies to Crs Wood and Curtis, following an increase in committee representation.

Current Policy Committee representation is as follows:

MEMBERS

DEPUTIES

Cr A Dammers, Mayor (ex officio)	
Cr R Waters	Cr O'Grady
Cr B Cooper	Crs Ewen-Chappell, Magyar
Cr B Moloney	Crs Hall, Wight, Taylor
Cr G Major	Cr Lynn, Freame
Cr K Wood	
Cr G Curtis	

MOVED Cr Wight, **SECONDED** Cr Curtis that Council appoints the following deputies to the Policy Committee:

1
Crs Wight and Taylor as deputies to Cr Wood;

2
Crs Freame and Lynn as deputies to Cr Curtis.

CARRIED

C507-10/95

REQUEST FOR TRANSCRIPT - CR TAYLOR - [702-0]

Cr Arthur Taylor has requested a copy of the transcript of proceedings of the item "Requests for Documents" which was discussed behind closed doors at the meeting of Council on Wednesday 27 September 1995.

As the matter was discussed behind closed doors, Cr Taylor suggests if Council agrees to the transcript being released, it be marked "Confidential - Not for Publication".

MOVED Cr Cooper, **SECONDED** Cr Curtis that Council, in accordance with its Policy, provides all Councillors with a transcript of the item "Requests for Documents" as discussed behind closed doors at the Council meeting held on Wednesday 27 September 1995; such transcript to be marked "Confidential - Not for Publication".

CARRIED

C508-10/95

OFFICE ACCOMMODATION REQUIREMENTS - [605-2]

MOVED Cr Cooper, **SECONDED** Cr O'Grady that consideration of this item be held behind closed doors.

CARRIED

C509-10/95

CALENDAR OF CIVIC RECEPTIONS AND FUNCTIONS 1995/96 - [704-4]

Council approval is sought for the Calendar of Civic Receptions and Functions 1995/96 - Appendix XXX refers.

MOVED Cr Wight, **SECONDED** Cr Hall that Council approves the Calendar of Civic Receptions and Functions for 1995/96 as outlined on Appendix XXX hereto.

CARRIED

Appendix XXX refers.

C510-10/95

NOMINATION FOR GRAFFITI PROGRAMME STEERING COMMITTEE - [312-2]

A vacancy has arisen for a Councillor to join the Graffiti Programme Steering Committee. The vacancy has arisen as a result of an increase in Local Government representation.

Council has been invited to nominate a Councillor for this position. The selection of a Council member 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 membership of the committee is comprised of representatives from a number of organisations including the Department of Local Government, Building Management Authority and Main Roads of WA.

There are no specific qualifications required to participate on the Committee, although nominees should have an interest in the issues relating to Graffiti.

The Committee meets every Tuesday at 11.30 and meetings are generally of two hours duration. The meeting is held at 3rd Floor, 197 St George's Terrace, Perth.

Cr Hall nominated Cr Taylor.

Cr Major declared an interest in this Item.

MOVED Cr Cooper, **SECONDED** Cr O'Grady that Council nominates Cr Taylor for consideration of appointment as member to the Graffiti Programme Steering Committee.

CARRIED

Cr Major did not vote.

C511-10/95

NOMINATION TO CURTIN UNIVERSITY'S CENTRE FOR CULTURAL HERITAGE STUDIES ADVISORY COMMITTEE - [312-2]

Following the resignation of a previous member, a vacancy has arisen in Curtin University's Centre for Cultural Heritage Studies Advisory Committee.

Council has been invited to nominate a Councillor for this position. 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 membership of the committee is comprised of personnel from Curtin University, as well as six Community Representatives

including members from the Heritage Council, the National Trust and the Department for the Arts.

It is anticipated that members would possess some knowledge of Local Government heritage issues. The terms of reference include advising of the relevance of courses, the directions and scope of research, adequacy and management of resources and to contribute to the conduct of reviews and assist with implementing agreed changes.

The Committee meets on a yearly basis for approximately two hours. The meeting is held at Curtin University, Perth.

Cr Curtis nominated himself.

MOVED Cr Cooper, **SECONDED** Cr O'Grady that Council nominates Cr Curtis for consideration of appointment as member to the Curtin University's Centre for Cultural Heritage Studies Advisory Committee.

CARRIED

Cr Moloney left the Chamber at this point, the time being 11.35 pm.

C512-10/95

JOONDALUP CIVIC AND CULTURAL FACILITIES PROJECT STAGE 1: EXTENSION OF LAKESIDE DRIVE - [730-8-8-1]

LandCorp has agreed to our request to extend Lakeside Drive from the corner of Boas Avenue and Lakeside Drive to a point approximately 25m past a point in line with the southern boundary of Lot 497. The works will entail the bulk earthworks and construction of the carriageways to a limestone standard. The Civic and Cultural Facilities Project builder would then be able to use the road extension for building purposes such as site sheds, storage, parking, etc until May 1997.

A tender for the work will be awarded about 10 November and completion is expected prior to 8 December 1995.

LandCorp has also agreed to incorporate into the contract works the bulk earthworks component of the Library and Civic Centre project. This should result in a significant saving to Council. It may delay the builders possession of the site slightly. I confirm that LandCorp has been instructed to incorporate the

bulk earthworks into the tender documentation on the basis they seek our acceptance of the tender price.

Given the very tight time constraints that LandCorp has in awarding the tender it will be necessary for Council to delegate authorisation to accept of the tender sum.

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

1
ratifies LandCorp calling tenders on behalf of the City of Wanneroo for the bulk earthworks associated with Stage 1 of the Joondalup Civic and Cultural Facilities Project in conjunction with the tender for the extension of lakeside Drive;

2
authorise the Mayor and Town Clerk to accept the bulk earthworks tender.

CARRIED

Cr Moloney entered the Chamber at this point, the time being 11.38 pm.

MOTIONS FOR FURTHER ACTION

INSTALLATION OF LIGHTS - CORNER MARMION AVENUE AND BURNS BEACH ROAD - [510-2, 510-239]

Cr Waters requested an update on the current position regarding the installation of lights at the corner of Marmion Avenue and Burns Beach Road.

MOTIONS FOR REPORT

C513-10/95

HILLARYS COMMUNITY PRE-SCHOOL - [895-11]

Cr Freame tabled a letter from the Hillarys Community Pre-School inquiring into the current situation regarding the relocation of the Pre-School to Whitfords Beach and the likelihood of when this will occur.

RESOLVED that a report be submitted to Council concerning the current situation with regards to the relocation of the Hillarys Community Pre-School to Whitfords Beach.

C514-10/95

MULTICULTURAL ADVISORY COMMITTEE - [880-9-1]

Cr Lynn advised that members of the Multicultural Advisory Committee had expressed an interest and willingness in participating in Citizenship Ceremonies held by the City of Wanneroo.

It is felt they could contribute to the welcome of non-English speaking new Australians and also have the opportunity of providing information at source on the services provided by the City of Wanneroo to these people.

Cr Lynn requested a report be submitted on the feasibility of this and, if possible, how best the involvement of members of the Multicultural Advisory Committee participating in Citizenship Ceremonies could be achieved.

RESOLVED that a report be submitted to Council on the feasibility of the Multicultural Advisory Committee participating in Citizenship Ceremonies.

C515-10/95

FLOODING PROBLEMS - ROSETTA RISE AND COLONIAL CIRCLE, GNANGARA - [510-3022,510-3019]

Cr Taylor stated that the intersection of Rosetta Rise and Colonial Circle, Gnangara had flooded twice this winter and requested a report be submitted on how this problem could be alleviated in the future.

RESOLVED that a report be submitted to Council in relation to the flooding problems associated with the intersection of Rosetta Rise and Colonial Circle, Gnangara and the steps necessary to be undertaken to alleviate this.

C516-10/95

OUT OF SCHOOL CARE PROGRAMMES/CHILD CARE DRAFT POLICY - [262-1, 303-9-0]

Cr Hall requested a progress report on the current situation in relation to the transfer of Council's Out of School Care programmes to other parties.

He also inquired what the latest position was concerning the Child Care Centre Draft Policy.

RESOLVED that the concerns raised by Cr Hall in relation to the Out of School Care programmes and Child Care Centre Draft Policy be referred to Recreation and Cultural Services Department for a report to Council.

MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING, IF GIVEN DURING THE MEETING

Nil

PUBLIC QUESTION/COMMENT TIME

THERE WILL FOLLOW A 15-MINUTE PERIOD OF QUESTION/COMMENT TIME, DURING WHICH QUESTIONS MAY BE PUT OR COMMENTS MADE BY THE PUBLIC ON BUSINESS DISCUSSED DURING THE COURSE OF THE MEETING.

MOVED Cr Magyar, **SECONDED** Cr O'Grady that the Meeting adjourn for 5 minutes, the time being 11.56 pm.

CARRIED

The public and members of the press left the Chamber at this point.

MOVED Cr Cooper, **SECONDED** Cr O'Grady that the Meeting resume and be held behind closed doors, the time being 12.03 pm.

CARRIED

CONFIDENTIAL BUSINESS

C517-10/95

BICENTENNIAL TRUST GRANTS 1995 - [301-6-13]

On Friday 29 September 1995 the Board of Trustees of the City of Wanneroo Bicentennial Trust met to determine applications for grants under the 1995 Awards programme.

Thirteen applications were received, however the Trustees considered only four to be appropriate to be funded by the Trust. These applications, together with the funding granted, are detailed hereunder:

1

Merriwa Primary School - to erect a fitness track on the school oval. The aim of the project is to develop and maintain children's fitness, encourage community participation in school activities and support community use of school facilities after hours.

\$4 000

2

Western Badminton Academy - to hold a Junior Badminton Tournament for Primary and High School students. The aim of the project is to provide a forum for Junior Badminton Competition and to gain the widest possible promotion and participation from all Primary and Secondary Education Institutions located within the City of Wanneroo.

\$500

3

Whitfords Volunteer Sea Rescue Group (Inc) to put towards a Geographical Plotter, a vital piece of equipment on a sea rescue vessel. The aim of purchasing the Plotter would be to ensure the safety of all personnel engaged in sea rescues whilst aboard the vessel.

\$3 000

4

Sunshine Dance Group to purchase vital equipment to aid with the teaching of dance and stagecraft to children and adults with intellectual disabilities. The aim of the project is to continue teaching these groups the art of tap dancing, musical comedy, movement and stagecraft to a performance level, where they are able to perform on stage.

\$2 250

The presentation of Awards by the Trust Patron Mrs Ruth Reid is scheduled for Thursday 2 November 1995, and approval is sought to hold the function on this date.

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

1

endorses the 1995 grant allocations recommended by the Board of Trustees of the City of Wanneroo Bicentennial Trust and approves payments totalling \$9 750 from account 32505 - Wanneroo Bicentennial Trust Awards; and

2

approves the scheduling of the Awards Reception for Thursday 2 November 1995.

CARRIED

C508-10/95

OFFICE ACCOMMODATION REQUIREMENTS - [605-2]

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

1

TOWN CLERK'S REPORT (attached hereto in the Minute Book) be received;

2

Council agrees to:

(a)

the development of the committee room into a temporary office for the new CEO at an estimated cost of \$3,000;

(b)

the expansion of the depot administration facilities at a total cost of \$1,178,000;

(c)

the reallocation of \$97,000 from accounts 27795 and 22482;

(d)

the temporary relocation of the Recreation and Cultural Services, Municipal Law and Fire Services and Health Departments to the expanded Depot facility on a temporary basis until the third floor of the Joondalup Administration Centre is available;

(e)

authorises in accordance with Section 547 (12) of the Local Government Act, the over expenditure of \$792,000.00.

CARRIED BY AN

ABSOLUTE MAJORITY

C518-10/95

REPLACEMENT TOWN CLERK - [702-0]

Town Clerk advised that advertising had now closed for the position of replacement Town Clerk/CEO with thirty seven applications being received and requested direction of how Council now wished to proceed in relation to short listing of applicants and interviewing same.

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

1
authorises the sub-committee comprising the Mayor Cr Dammers, Deputy Mayor Cr Freame, Crs Major and Cooper and Town Clerk to:

(a)
proceed to interview applicants for the position of Town Clerk/CEO and produce a preliminary shortlist;

(b)
where necessary, fly shortlisted applicants from interstate for interview;

(c)
arrange for shortlisted applicants to undertake an assessment in relation to stress levels;

(c)
submit a shortlist of approximately three applicants for Council's consideration;

2
authorises the Town Clerk to issue a press release in relation to close of advertising and interviewing procedure for replacement Town Clerk/CEO.

CARRIED

C519-10/95

RED GROUP - APPOINTMENT OF REPLACEMENT TOWN CLERK/CEO - [407-0, 702-0]

Town Clerk advised of a request from the Wanneroo Chamber of Commerce and the RED Group seeking input in the appointment of a replacement Town Clerk/CEO.

MOVED Cr Hall, **SECONDED** Cr Freame that the Mayor Cr Dammers writes to the RED Group advising that its representative, Cr Cooper, is a member of the selection panel for the appointment

of replacement Town Clerk/CEO and will therefore be in a position to raise its concerns in this regard.

CARRIED

CORSER AND CORSER - LEGAL EXPENSES - [960-2, 702-3]

Town Clerk reported that Corser and Corser, Barristers and Solicitors, had sought Council's attitude to funding legal proceedings proposed by Cr Rita Waters.

After discussion, Cr Waters requested that this request be withdrawn and that the Town Clerk advise Corser and Corser accordingly.

C520-10/95

PERRY'S PADDOCK DRAFT DEVELOPMENT AND MANAGEMENT PLAN - [057-4]

Cr Major advised that the Environmental Advisory Committee has requested an extension of time to submit its response in relation to the Perry's Paddock Draft Development and Management Plan.

MOVED Cr Major, **SECONDED** Cr Hall that, should the Environmental Advisory Committee require time beyond the current public comment period for the Perry's Paddock Draft Development and Management Plan concluding 20 November 1995, Council extends to the Environmental Advisory Committee only an extension of time to 21 December 1995 for it to prepare its comments on the matter.

CARRIED

C521-10/95

SECURITY TO COUNCIL CHAMBERS - [905-7]

Cr Ewen-Chappell requested that, following the close of Council meetings, the doors to the Council Chamber be locked to assist with security.

MOVED Cr Ewen-Chappell, **SECONDED** Cr Hall that, following the close of Council meetings, the doors to the Council Chamber be locked to assist with security.

CARRIED

MOVED Cr Hall, **SECONDED** Cr Wight 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 29 NOVEMBER 1995.**

There being no further business, the Chairman declared the Meeting closed at 12.45 pm, the following Councillors being present at that time:

COUNCILLORS:

WATERS

FREAME

O'GRADY

DAMMERS

COOPER

EWEN-CHAPPELL

MAGYAR

MOLONEY

HALL

MAJOR

WIGHT

TAYLOR

CURTIS

LYNN